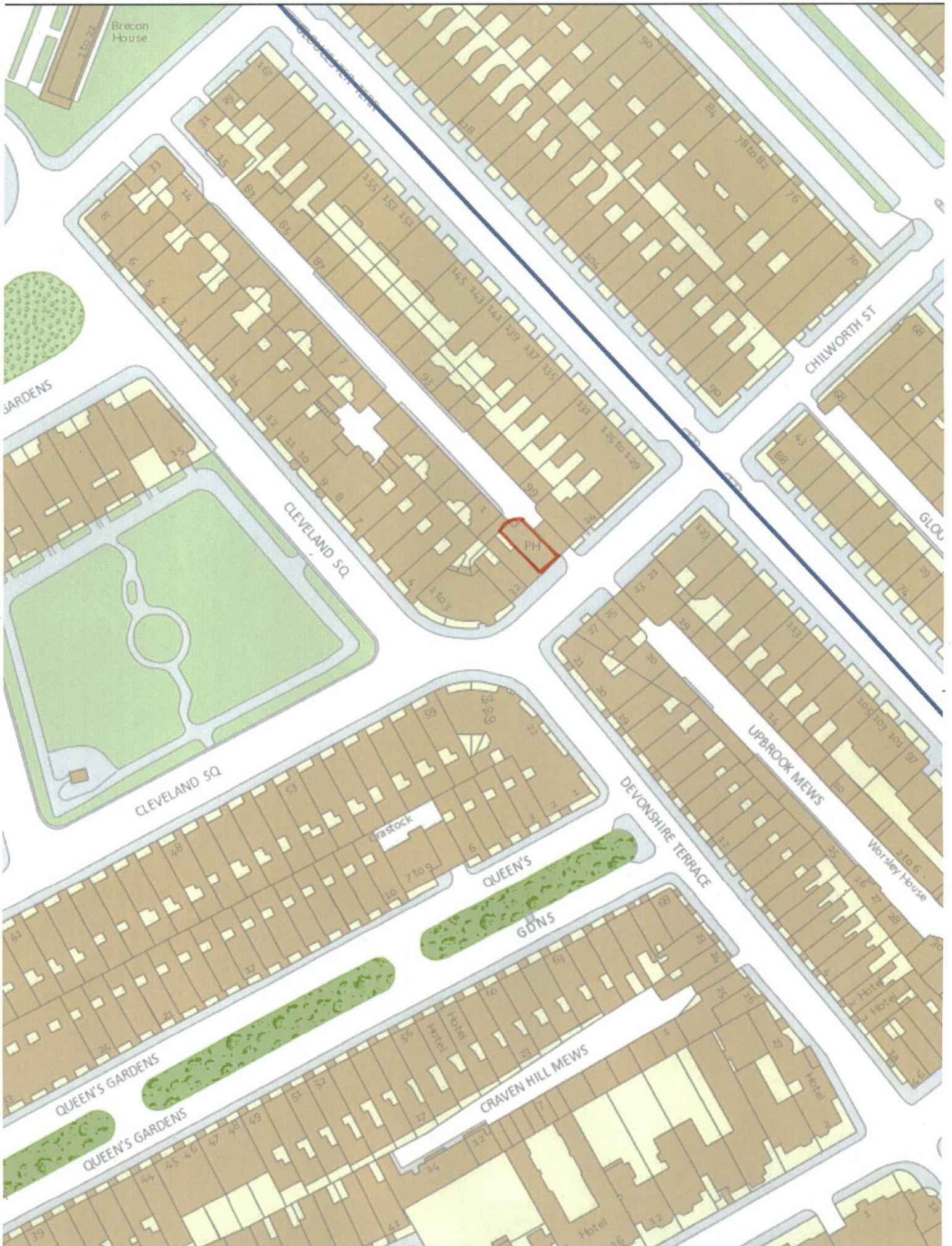


Item No.
1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 25 August 2015	Classification For General Release	
Report of Director of Planning		Wards involved Lancaster Gate	
Subject of Report	28 Chilworth Street, London, W2 6DT		
Proposal	External and internal alterations to public house, including full height internal kitchen extract duct to extract at roof level, removal of condenser units and installation of two new condenser units to rear first floor flat roof, installation of close circuit television cameras; planter boxes, external lights to elevations and underside of archway; replacement pavement lights.		
Agent	Penttinen Schone		
On behalf of	Cleveland House (Chilworth) Ltd		
Registered Number	15/01224/FULL 15/01225/LBC	TP / PP No	TP/16598
Date of Application	12.02.2015	Date amended/ completed	11.03.2015
Category of Application	Minor		
Historic Building Grade	Grade II Listed Building		
Conservation Area	Bayswater		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	To be reported verbally		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting listed building consent as set out in informative 1 of the draft decision letter.





28 CHILWORTH STREET, W2

2. SUMMARY

Planning permission and listed building consent are sought to install a kitchen extract duct to this Grade II listed building within the Bayswater Conservation Area, together with air conditioning units and a number of external and internal works all associated with bringing the basement of the public house back into public use (currently back of house use), as a restaurant/wine bar, ancillary to the continued public house use.

Representations of support have been received to the proposal on the basis that it would aid the continued public house use, however, objections have also been received to more detailed design and operational aspects in respect to the potential for them to harm residential amenity.

The key issues in this case are:

- The impact on the special architectural or historic interest of this Grade II listed building and the character and appearance of the Bayswater Conservation Area.
- The impact on residential amenity.

Subject to the imposition of a number of conditions to minimise the impact of the proposal on local residents, the proposal is considered acceptable and accords with relevant Unitary Development Plan and City Plan policies and a favourable recommendation is made.

3. CONSULTATIONS

ORIGINAL PROPOSAL (included ground floor apartment, low level kitchen extract to rear)

ENGLISH HERITAGE

Authorisation given to determine application.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Concerned that proposal will compromise viability of the pub, loss of ground floor floorspace, staff required to operate over two floors, not convinced by basement wine bar. Suggest a condition to prevent change of use from a pub to another use. The low level kitchen duct may harm resident's amenities; question whether Environmental Health is satisfied. Opening hours should be restricted to existing hours. The rear bin store should be restricted to use between 08.00-22.00 to prevent noise nuisance to mews residents. The bin store appearance (design and materials) should match the listed pub. The archway leading to the mews (including side elevation) should be painted white.

CAMPAIGN FOR REAL ALE (CAMRA) WEST LONDON BRANCH

Support proposal for renovation works. The site is a much loved community pub and was joint winner of Pub of the Year. The pub changed ownership a year ago and the new owners require that the pub be run as a profitable business and the proposed plans are designed to further that aim. 32 pubs have been lost in the Bayswater area (closed pubs.co.uk) and CAMRA is fighting pub closures all over the country and it is essential for its future survival that this pub is able to be run as a profitable business. The proposals are in keeping with urban design and conservation principles.

HIGHWAYS PLANNING MANAGER

No off street parking provided for apartment although any additional on-street car parking can be absorbed into the surrounding street network. Cycle parking is required and waste storage should be secured by condition.

ENVIRONMENTAL HEALTH CONSULTATION TEAM

Objection, low level kitchen extract is unacceptable due to risk of cooking odours and loss of amenity to residents.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 137; Total No. of Replies: 20 (11 in support, 9 raising objection)

Land Use

- Reduction in floorspace of the pub will make it uneconomical.
- Pub is being turned into something commercial and unpleasant.
- Building a flat inside a pub seems wrong on so many levels for neighbours and citizens of Westminster.
- The pub needs updating and a kitchen and separate dining area away from the bar.
- Pub is a local pub for residents and should not be allowed to have a kitchen attached too.

Amenity

- Removal of sound box lobby will cause noise nuisance/disturbance to neighbours.
- Reopening of the doors to the mews will encourage smokers to congregate under the arch and the tunnel effect will amplify noise pollution down the mews and into Chilworth Street.
- Any ventilation from cooking and preparation of foods should be extracted above roof level to avoid smell nuisance.
- Impact on health.
- Noise and litter under the arches.
- Side doors and windows should not be allowed to be opened or be functional unless noise mitigation proposed.
- The side doors and windows were blocked and sound insulated because of noise over 35 years ago- restoration will increase noise problems.
- No food or household waste should be disposed of within the store at the rear, as it has only ever been used for commercial waste and recycling generated by the pub.
- The removal of the hoarding in the alley has already brought about noise and music to the rear part of the mews, on a Sunday night it was like being at a disco.
- The exposure of the two steps has encouraged loitering.
- A full working restaurant kitchen is not acceptable as it would create smells and noise and extra footfall.
- Relocation of egress to the pub from the current left hand door on Chilworth Street to the right hand door will increase noise leaking into the mews and will encourage patrons to loiter under the archway.
- Will seek restriction on licence to prevent consumption of alcohol after 22.00 and to have the archway declared as a no drinking area.

Design

- Cleveland Arms is an important listed building and it would be nice for it to remain close to its Victorian heritage.
- The kitchen extract duct would extract adjacent to bedroom window of 1 Gloucester Mews West.
- The bin store would be adjacent to front door of 1 Gloucester Mews West.

Transportation

- Increased traffic and parking problems.
- People will drive to eat at the restaurant and increase in parking on yellow lines in the mews congesting the mews.

Other

- Fire escape at basement level is inadequate.
- The new owners do not know how to run a pub, beer overpriced, sad atmosphere.
- Application states incorrectly that there is no watercourse within 20m, the Westbourne runs beneath the west side of the mews.
- Current staff not as diligent as previous staff.
- A ground floor disabled toilet should be provided.

Representations received in support

- Excellent pub.
- New design will greatly enhance the building, pub and neighbourhood.
- Joint winner of West London Pub of the Year 2013.
- None of the works would be harmful or lead to loss of amenity.
- Owner has put forward a viable plan to run the pub as a going concern with additional facilities.
- A rejection of the proposals may lead to the pub being uneconomical and closing which would be catastrophic for local community.
- Want to see pub remain as a pub and not go to an estate agency.
- Pub is a key community asset within the area, both socially and economically.
- Proposed works breathes new life into the pub.
- Proposal is more viable and sustainable.
- The proposed works help the pub's economic viability and chances of survival.
- Cleveland Arms must survive as it plays a special role in the neighbourhood with a unique character.
- Opening up the windows will be an improvement.

ADVERTISEMENT/SITE NOTICE: Yes

REVISED PROPOSAL (Omission of ground floor apartment, full height internal extract, air conditioning units to rear, CCTV cameras, planter boxes, external lights, replacement pavement lights, additional documentation including Operational Management Plan).

HISTORIC ENGLAND (PREVIOUSLY ENGLISH HERITAGE)

Authorisation given to determine application.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

No change of use of pub to another use under PD rights, planning approval would be needed. Important that basement should be conditioned to be part/ancillary to the pub, i.e. no separate restaurant in the basement. Loss of inner lobby area door would cause increased noise outbreak, a closed internal lobby should be maintained. Retention of pub should be secured, should limit hours of kitchen 08.00-22.30, hours of use and hours of bin store to be 08.00-22.00. Suggest painting the side elevation and undercroft white.

HIGHWAYS PLANNING MANAGER

No objection, subject to provision of secure cycle parking, restriction on delivery service and omission of pendant lights beneath the undercroft.

ENVIRONMENTAL HEALTH CONSULTATION TEAM

No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 137; Total No. of Replies:57 (52 in support (a number from addresses outside of Westminster), 7 raising objection)

Land Use

- Social hub for community.
- Provides employment.
- Will help pub remain viable.
- Community asset.
- Kitchen should not be allowed- only support a purely pub use.
- Kitchen is essential for pub to survive.
- Enhance local community.

Amenity

- New door under archway will encourage drinkers and smokers in the archway causing increased noise and disturbance.
- Concerned that new lamps will increase light pollution to flats in 26 Chilworth Street.
- Concerned about idea of roof terrace looking down the mews and overlooking into windows.
- Noise and lack of privacy is frightening.
- Pollution from patrons smoking outside.
- Kitchen extract above the bin store is still directly next to windows of 1 Gloucester Mews West and is unacceptable.
- Use of bin store by entire building is unacceptable next to 1 Gloucester Mews West- potential rats from food waste.
- Where is the CCTV camera in the mews to stop people loitering?
- Waste and kitchen extract in mews is a health hazard.
- Basement kitchen should not be allowed.
- Restoration of door and window to covered archway leading to Gloucester Mews West will increase noise pollution (previously sound insulated) unless double or triple glazed and not openable.
- Door will encourage people to stand outside and smoke, under cover in wet weather. The rear sash window will increase noise, the existing window is double glazed, sealed, and cannot be opened.
- Waste storage to rear on mews results in dumping of waste including food waste- should not be used for food waste.
- Noise from external condensers to rear.
- Doors and windows to side and rear were previously blocked up and sound insulated to prevent noise disturbance to residents. Fully working kitchen will cause odours and fumes.
- Doors and windows to side/rear should not be functional in order to protect resident's amenity.
- Door step should be physically blocked to prevent people from sitting on step or depositing rubbish there.
- Mitigation (use existing entrances and install greenery in front of archway side door) needs to be conditioned to ensure they are carried out.
- Increase in disturbance from pub patrons and non patrons using the uncovered doorway as a resting spot for loud conversation, dumping of waste and other anti-social behaviour.
- Bin store to rear still proposed for residential parts of site- smells from food waste and noise from access will be detrimental to resident's amenity. All food waste should be stored internally until put out to front on Chilworth Street for collection.

Design

- Support external and internal refurbishment.
- Protects historically important parts of the building.

Transportation

- Traffic from restaurant use.

Other

- The application incorrectly states that there is no watercourse within 20m, however, the Westbourne runs beneath the west side of the mews and has caused flooding in a nearby house.
- The new owners are encouraging division within the mews.

Representations received in support

- Cleveland Arms is a fantastic social hub for the local community and helps local businesses (working lunches, networking with local business owners).
- Internal and external refurbishment works will enhance and provide benefits for the local community and surrounding areas.
- Revised proposal adequately addresses local residents concerns, protects historic parts of the building and at the same time allows the pub to evolve in line with current market requirements and remain economically viable.
- Improved food offering is welcomed.
- Proposed works gives the opportunity to breathe new life into this pub and the services it can provide to cater for 21st century needs and demands.
- Asset to the community.
- Current landlord is doing a good job under tricky circumstances (including no proper kitchen).
- Don't understand why planning has taken so long because of a couple of objections.
- Current vendors have got rid of the drug dealers.
- Revised duct is improvement.
- Uncovering door and window will improve visibility and discourage anti-social behaviour.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

The Cleveland Arms Public House is a Grade II listed property located within the Bayswater Conservation Area with front forecourt seating. The ground floor and basement continue to be operated as a public house with the bar and seating at ground floor level and ancillary toilets and back of house uses within the basement. The upper floors are in residential use as a number of small bedsit type rooms.

4.2 Relevant History

An application has recently been submitted which seeks a Certificate of Lawful Use of first, second and third floors as 18 serviced apartments (Class C1). However, this application is currently held as invalid (15/05710/CLEUD).

5. THE PROPOSAL

Planning permission and listed building consent are sought for external and internal alterations to the public house, including full height internal kitchen extract duct to extract at roof level, alterations to fenestration to side elevation, removal of condenser units and installation of two new condenser units to rear first floor flat roof, installation of close circuit television cameras; planter boxes, external lights to elevations and underside of archway, replacement pavement lights, and replacement bin store all in connection with the continued use as a public house at ground floor level and new ancillary wine bar/restaurant within the basement.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The proposal seeks to retain the use of the ground floor as a public house with external seating to the front forecourt area and to bring the basement into public use by utilising the ancillary basement accommodation as an ancillary wine bar/restaurant with kitchen, tap/cold room, utility storage areas and toilets. The property would continue to operate as a public house with ancillary wine bar/restaurant within the basement. As such, it is not considered that the proposal would be harmful to the future protection of the public house, which is clearly of significant value to the local community. However, given its community value it is considered appropriate to retain the public house use as the primary use and to ensure that the wine bar/restaurant remain ancillary. A condition to this effect is recommended (Condition 3).

Apart from the internal works at first, second and third floor levels to facilitate the proposed internal kitchen extract duct, no change of use or other internal alterations are currently proposed to these floors.

6.2 Townscape and Design

The Cleveland Arms is a Grade II listed building located within the Bayswater Conservation Area and therefore the proposal falls to be considered under Policies DES1, DES5, DES6, DES9 and DES10 of our UDP and Policies S25 and S28 of our City Plan as well as the National Planning Policy Framework (NPPF). The following Supplementary Planning Guidance is also of relevance; Bayswater Conservation Area Audit; Development and Demolition in Conservation Areas and Repairs and Alterations to Listed Buildings.

6.2.1 Kitchen Extract Duct

The introduction of kitchen extract ducting to this Grade II listed building is challenging in terms of designing a fully functional extract that minimises its impact on this important Grade II listed building. The applicant has considered a number of different options including a low level duct, full height external duct etc. While it is considered that the use of chimney voids and the rear WC enclosures could have been given more consideration, the applicant has routed the duct through rear rooms adjacent and one WC area.

The full height kitchen extract duct which is routed internally from the basement kitchen to roof level where it extracts externally, is considered to be acceptable. Apart from at ground floor level where it is enclosed within the centre of the bar area, the duct has been located to the internal rear parts of the building and is contained within cupboards and secondary areas, rather than primary rooms. As such, it is considered that the impact of the duct on the fabric and historic plan form of the listed building is limited. At roof level the duct would not project beyond the height of the existing parapet wall and would not therefore be visible in views of the rear of the building from within the Bayswater Conservation Area.

6.2.2 Air conditioning units

The two existing air conditioning units located on the rear first floor flat roof are proposed to be removed and two new units are proposed in a revised location also on the rear first floor flat roof within an acoustic enclosure. This would be of minimal visibility.

6.2.3 External Alterations

With respect to the side elevation fenestration, the retention of the existing joinery and size of

openings and the re-introduction of glass, where currently boarded over is welcomed in historic building terms. Whilst the re-introduction of pavement lights is acceptable, it is expected that traditional design and materials (cast iron and glass) are proposed to respect the historic building. The replacement bin store to the rear is also acceptable, subject to traditional detailing.

Close circuit television cameras (CCTV) are proposed to the front elevation to Chilworth Street over each of the two doorways and also to the side elevation adjacent to the entrance door to the upper floors. In addition, four new external wall lights are proposed to the side elevation either side of the two doors and two new pendant lights are proposed to be installed to the underside of the existing archway. Subject to appropriate detailing and materials these additions are not contentious in listed building and townscape terms. However, the pendant lights raise highways concerns as set out elsewhere in this report.

6.2.4 Internal alterations

At ground floor level it is proposed to remove the entrance lobby, public bar, some minor areas of wall and the staircase between ground and basement levels. A new bar is to be installed along with a timber entrance screen to an alternative entrance door and a staircase between ground and basement is proposed along with new walls and partitions and associated alterations.

At basement level a number of partitions and walls are also proposed to be removed to “open up” this area and the stone larder shelves are to be relocated also within the basement. It is regrettable that the original stone larder shelves which are rare surviving features of the pub located within the basement are not being retained in situ, which could be achieved if the use of rooms were reorganised. However, they are to be relocated within the basement and are proposed as a feature available for public view from customers of the new ancillary wine bar/restaurant and this is considered to be an appropriate compromise, subject to the existing fabric being carefully dismantled and re-erected including the bricks and stone slabs.

6.3 Residential Amenity

6.3.1 Mechanical plant and machinery

With respect to the kitchen extract duct, it is acknowledged that to be fully functional for all potential types of cooking, a full height duct is required and is the most workable solution from a noise and odour perspective. The City Council's Environmental Health Consultation Team has confirmed that the proposal meets the City Council's standards in respect of noise, vibration and odours so as not to cause a loss of amenity to surrounding residential occupiers. The proposed replacement two air conditioning units to the rear first floor flat roof would also meet noise standards. An air intake grille is proposed to provide fresh air to the basement but is not mechanical and does not extract at this location. As advised by Environmental Health, conditions are recommended to ensure mitigation measures are installed, ensure on-going compliance with our standards for noise and vibration as well as to restrict the hours of use of the plant, and also to require a supplementary report to evidence compliance (Conditions 4, 15, 16, 17, 18). As such, the proposal is considered acceptable and in accordance with Policies ENV6 and ENV7 of our UDP and S29 of our City Plan.

6.3.2 Noise escape from Public House

Whilst there are currently two doors to the front of the public house on Chilworth Street, the southern-most door previously formed the main entrance with an associated internal lobby area. It is now proposed to use the northern-most door as the main entrance incorporating an

internal timber screen. Whilst objection has been raised to the use of this alternative entrance door and the loss of the internal lobby, given the distance to the nearest residential properties, it is not considered that this objection can be supported.

To the side elevation beneath the archway, a currently boarded up door is to be reinstated with acoustic glass, but it is to remain fixed shut and a new metal trough planter is to be fixed within the doorway. The existing fenestration on this elevation is also to be reinstated with acoustic glazing. Further replacement windows are proposed to the rear ground floor. Objection has been received from local residents to these elements of the proposal on grounds that these doors and windows were originally boarded up as a noise mitigation measure to prevent noise escape from the public house and consequently to prevent associated disturbance to local residents particularly those within Gloucester Mews West. The reinstatement of glazing is welcomed in listed building terms and also to provide natural surveillance to the archway, however, the concerns of local residents in terms of noise outbreak are recognised. It is therefore considered appropriate to require acoustic glass to be installed and for these windows and doors to remain fixed shut. To this effect, Conditions 8 and 11 are recommended.

Entry to the upper floors of the building is to remain from the existing door within the side elevation beneath the archway.

6.3.3 Operational Management Plan

The applicant has submitted an Operational Management Plan which sets out management rules, servicing and hours of operation and measures which will be put in place to minimise any impact of the pub/restaurant use on residential properties within the building and nearby. There are currently no planning restrictions controlling the operation of the premises.

The applicant indicates that a management team of two, with one bar manager and another five to 10 staff supervised by a general manager would operate the business between 08.00-23.30 Monday to Thursday, 08.00-midnight on Friday and Saturday and 09.00-22.50 on Sundays (excluding those before a Bank Holiday). The early operation is to provide breakfast to customers.

In terms of deliveries it is proposed that beer deliveries continue to be made via the hatch to the rear of the building and that all other deliveries including breakfast deliveries will take place via the front of the building from Chilworth Street, between 07.00 and 08.00 for breakfast deliveries and all other deliveries and services after 09.00. Staff and customer access and egress is via the main front entrance. All mechanical units are proposed to be shut down outside of trading hours. It is considered appropriate to require the operation of the premises in accordance with this Operational Management Plan, although it is acknowledged that further restrictions may be imposed by Licensing.

6.4 Transportation/Highways

The applicant has indicated that all servicing (apart from beer delivery) will take place via the front of the building from Chilworth Street from 07.00 for breakfast deliveries and 09.00 for all other deliveries and services although no terminal hour is proposed.

The commercial waste associated with the public house, restaurant/wine bar will be stored internally. The intended use of the replacement bin store to the rear by residents of the upper floors for storage of food waste has brought about objection from local residents concerned that the storage of food waste will cause odours and vermin. The concern is acknowledged, however, with proper management in place, this should not be the case. The objections raised on this ground are therefore not supported by officers. It is proposed that the use of the

bin store be restricted to between 08.00 and 21.00 in order to protect the amenities of residents within Gloucester Mews West.

The Highways Planning Manager has also requested a condition to prevent a delivery service from the premises on highways grounds and this is recommended as Condition 7. Furthermore, the proposed pendant lights within the arch of the undercroft would overhang the highway and consequently due to their low height, the Highways Planning Manager has raised objection to them on grounds of obstruction, as likely to be an obstruction to a vehicle reversing into or out of this new through road. In order to address this point, an amending condition is recommended (Condition 13) to seek the removal of this element of the proposal.

6.5 Equalities and Diversities

An objector has suggested that provision should be made for a disabled access toilet at ground floor level. There is currently no level access to the building and no accessible toilet, as the current toilets are at basement level accessed via a staircase. The applicant is not intending to install a disabled access toilet, due to the historic building constraints. Given that no change is proposed to the existing situation it would be difficult to withhold permission on this ground.

6.6 Economic Considerations

Not relevant in the determination of this application.

6.7 Other Westminster/UDP Policy Considerations

No further policies are relevant to the current application.

6.8 Central Government Advice/Guidance

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

6.9 London Plan

This application raises no strategic issues.

6.10 Planning Obligations

Not applicable.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not applicable.

6.12 Other Matters

Not applicable.

6.13 Conclusion

The proposal is considered acceptable in historic building terms and subject to a number of conditions to mitigate the potential impact of the proposal on surrounding residents, is also considered acceptable in amenity terms.

Therefore, notwithstanding the objections raised, a favourable recommendation is made.

BACKGROUND PAPERS

ORIGINAL PROPOSAL

1. Application forms
2. Letter of authorisation from English Heritage dated 18.03.2015
3. Email from Campaign for Real Ale (CAMRA) West London branch dated 25.03.2015.
4. Memo from Highways Planning Manager dated 30.03.2015
5. Memo from Environmental Health dated 16.03.2015
6. Email from South East Bayswater Residents Association (SEBRA) dated 06.04.2015
7. Letter from Hurley Bennett as owner of 25 and 27 Chilworth Street dated 30.03.2015.
8. Email from owners of 26 Chilworth Street dated 30.03.2015
9. Email from the occupier of 27 Chilworth Street dated 01.04.2015
10. Email from the occupier of 28 Chilworth Street dated 01.05.2015
11. Emails from the occupier of 1 Gloucester Mews West dated 18.03.2015 (x2) and 19.03.2015 (x1)
12. Email from the occupier of 2 Gloucester Mews West dated 20.03.2015
13. Emails from the occupier of 3 Gloucester Mews West dated 19.03.2015 (x2)
14. Email from the occupier of 4 Gloucester Mews West dated 09.04.2015
15. Email from the occupier of 96 Gloucester Mews West dated 04.05.2015 (with attachment)
16. Email from the occupier of 98 Gloucester Mews West dated 25.03.2015
17. Email from the occupier of 99 Gloucester Mews West dated 30.03.2015
18. Email from the occupier of Flat 1 and 2 basement, ground, first and second floor, 21 Cleveland Square dated 02.04.2015
19. Email from the occupier of 30 Cleveland Square dated 06.04.2015
20. Email from the occupier of Flat 2, 31 Cleveland Square dated 07.04.2015
21. Email from the occupier of 53 Cleveland Square dated 09.04.2015
22. Email from the occupier of 4 Craven Hill dated 23.03.2015
23. Email from the occupier of 4 Heron Court, Lancaster Gate dated 30.03.2015
24. Email from the occupier of Flat G, 19-21 Westbourne Terrace dated 25.03.2015
25. Email from the occupier of 23 Tamarisk Square East Acton dated 19.03.2015
26. Email from the occupier of 26 Sutton Road, Barking dated 09.04.2015

REVISED PROPOSAL

1. Letter of authorisation from Historic England (previously English Heritage) dated 18.03.2015
2. Email from South East Bayswater Residents Association dated 13.08.2015.
3. Memo from Environmental Health dated 03.08.2015
4. Memo from Highways Planning Manager dated 04.08.2015

5. Email from the occupier of Ground floor 26 Chilworth Street dated 16.07.2015
6. Email from the occupier of 26 Chilworth Street dated 24.07.2015
7. Email from the occupier of 26 Chilworth Street dated 16.07.2015
8. Email from the occupier of 26 Chilworth Street dated 16.07.2015
9. Email from the occupier of Flat7, 8 Cleveland Square dated 20.07.2015
10. Email from the occupier of 21 Cleveland Square dated 18.07.2015
11. Email from the occupier of 21 Cleveland Square dated 19.07.2015
12. Email from the occupier of 28 Cleveland Square dated 18.07.2015
13. Email from the occupier of Flat 6, 31 Cleveland Square dated 22.07.2015
14. Email from the occupier of 33 Cleveland Square dated 23.07.2015
15. Email from the occupier of 42 Cleveland Square dated 20.07.2015
16. Email from the occupier of 48b Cleveland Square dated 16.07.2015
17. Email from the occupier of 50 Cleveland Square dated 20.07.2015
18. Email from the occupier of 53 Cleveland Square dated 21.07.2015
19. Email from the occupier of Room 50, 55 Cleveland Square dated 16.07.2015
20. Email from the occupier of Flat 4, 7 Cleveland Gardens dated 20.07.2015
21. Emails from the occupier of 1 Gloucester Mews West dated 20.07.2015, 22.07.2015 and 23.07.2015 (x2)
22. Email from the occupier of 1 Gloucester Mews West dated 20.07.2015
23. Email from the occupier of 2 Gloucester Mews West dated 18.07.2015
24. Emails from the occupier of 3 Gloucester Mews West dated 16.07.2015 (x2)
25. Email from the occupier of 96 Gloucester Mews West dated 20.07.2015
26. Emails from the occupier of 98 Gloucester Mews West dated 20.07.2015 and 23.07.2015
27. Email and letter from the occupier of 99 Gloucester Mews West dated 21.07.2015 and 23.07.2015
28. Email from the occupier of 66 Gloucester Terrace dated 16.07.2015
29. Email from the occupier of 117 Gloucester Terrace dated 16.07.2015
30. Email from the occupier of 121 Gloucester Terrace dated 21.07.2015
31. Email from the occupier of 20a Craven Terrace dated 16.07.2015
32. Email from the occupier of 34 Craven Road dated 20.07.2015
33. Email from the occupier of Craven Hill Mews dated 21.07.2015
34. Email from the occupier of 19A Westbourne Terrace dated 25.07.2015
35. Email from the occupier of Flat G 19 Westbourne Terrace dated 20.07.2015
36. Email from the occupier of Flat 10, 60-62 Westbourne Terrace dated 16.07.2015
37. Email from the occupier of Flat 2, 92 Westbourne Terrace dated 16.07.2015
38. Email from occupier (MP/Councillor) of Flat 9, 92 Westbourne Terrace dated 17.07.2015
39. Email from the occupier of 104 Westbourne Terrace dated 16.07.2015
40. Email from the occupier of 120 Westbourne Terrace dated 17.07.2015
41. Email from the occupier of 121-141 Westbourne Terrace dated 17.07.2015
42. Email from the occupier of 121-141 Westbourne Terrace dated 17.07.2015
43. Email from the occupier of 23 Queens Gardens dated 16.07.2015
44. Email from the occupier of 70 Kensington Garden Square dated 17.07.2015
45. Email from the occupier of 15 Crastock Court, Queens Gardens dated 16.07.2015
46. Email from the occupier of 7 Droop Street dated 16.07.2015
47. Email from the occupier of 71 Kendal Steps dated 16.07.2015
48. Email from the occupier of 71 Kendal Steps dated 16.07.2015
49. Email from the occupier of 24 Winchester House Wholefield Estate dated 17.07.2015
50. Emails from the occupier of 35 Gatliff Close, Pimlico dated 17.07.2015 (x2)
51. Email from the occupier of 10 Littlebury Road London dated 16.07.2015
52. Email from the occupier of 36 Honeybrook Road London dated 16.07.2015
53. Email from the occupier of 85 Royal Crescent Ruislip dated 16.07.2015
54. Email from the occupier of 103 King Court Hamlet Gardens dated 16.07.2015
55. Email from the occupier of 199 Goulden House, Bullen Street, London dated 16.07.2015
56. Email from the occupier of 36B Osiers Road, Wandsworth dated 17.07.2015
57. Email from the occupier of 132 Coulsdon Road, Coulsdon Surrey dated 17.07.2015
58. Email from the occupier of 23 St Catherines Court, Bedford Road London dated 21.07.2015

Item No.
1

- 59. Email from the occupier of 97 Manor Road, Witney dated 17.07.2015
- 60. Email from the occupier of 2 Mill House Rose Lane, Apsley dated 17.07.2015
- 61. Email from the occupier of 44 St Saviours Road, St Leonards on Sea dated 16.07.2015

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: 28 Chilworth Street, London, W2 6DT

Proposal: External and internal alterations to public house, including full height internal kitchen extract duct to extract at roof level, removal of condenser units and installation of two new condenser units to rear first floor flat roof installation of close circuit television cameras; planter boxes, external lights to elevations and underside of archway; replacement pavement lights.

Plan Nos: Existing :-PL_001 P1, PL_002P1, PL_003P2, PL_004P2, PL_005P2, PL_006P2, PL_007P2, PL_008P2, PL_009P1, PL_030P1, PL_031P1, PL_032P1. Demolition:- PL_020P2, PL_021P2, PL_022P2, PL_023P2, PL_024P3, PL_025P2, PL_040P1, PL_041P1, PL_042P1, PL010. Proposed:- PL_010P3, PL_011P3, PL_012P3, PL_013P4, PL_014P4, PL_015P3, PL_016P1PL_035P1, PL_036P1, PL_037P1. Design and Access Statement Rev A 22.06.2015, Planning Statement Rev A 22.06.2015, Heritage Statement Rev B 189-2015-06-30: Operational Management Plan Rev A 22.06.2015, ACP Acoustic consultancy Report Rev C 07.07.2015, Penttinen Schone Statement of Design Proposals - Kitchen Extract Ducting, Penttinen Schone Statement of Design Proposals- Stone Slabs, photographs, Existing Basement Layout Rev A28.05.2015, Existing Plan of Spirit Store and photographs, Proposed Basement Layout Rev B 15.06.2015, Proposed plan of Utilities and Tap room an photographic examples, Proposed section AA/Side elevation under archway 15.06.2015

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must use the property only for Public House use with ancillary basement wine bar/restaurant (Class A4).

Reason:

We cannot grant planning permission for unrestricted mixed use within Classes A3/A4 because it would not meet Policy SS8 of our Unitary Development Plan that we adopted in January 2007

and Policy S13 of the City Plan: Strategic Policies that we adopted in November 2013, and because of the special circumstances of this case. (R05BB)

4 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 5 Notwithstanding the submitted details, you must apply to us for approval of detailed drawings (location, size, , manufacturing specification) of the following parts of the development You must not start work until we have approved what you have sent us:-

- 1)Plant enclosure;
- 2)Pavement lights;
- 3)Joinery sections through new windows and doors;
- 4)Bin store
- 5)Close Circuit Television
- 6)Wall lights
- 7)Planter boxes

You must then carry out the work according to these details. (C26CB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 All new and replacement external waste water and rainwater pipes must be constructed of cast iron with traditional eared collars.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 No delivery service shall be operated from the premises.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 8 Apart from the existing side entrance door to the upper floors of the building, all doors and windows to side elevation and rear elevation at ground floor level and the roof light to the ground floor all as shown on drawings PL-011 Revision P3, PL-012 Revision P3 and PL_014 Revision P4 , shall be fixed shut and non-openable. You must keep these doors and windows closed. You can use them in an emergency or for maintenance only.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 9 The bin store to the rear at basement level shown on drawing PL_010 Revision P3, shall not be used between 21.00 and 08.00 daily.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 10 You must provide the waste stores shown on drawing PL_010 Revision P3 before the ancillary wine bar and restaurant use is begun. You must clearly mark it and make it available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 11 The glass that you put in the doors and windows in the side elevation and rear elevation at ground floor level and the roof light to the ground floor all as shown on drawings PL-011 Revision P3, PL-012 Revision P3 and PL_014 Revision P4 (Apart from the existing side entrance door to the upper floors of the building) must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 12 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site.

You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA)

Reason:

To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)

- 13 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme

Omission of proposed pendant lights to undercroft area.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

In the interests of public safety (as vehicles would hit the pendant lights) as set out in TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007.

- 14 The development hereby approved must be carried out in accordance with the Operational Management Plan Rev A 22.06.2015, unless an alternative is agreed in writing by us.

Reason:

To minimise the impact of the use on neighbouring residents, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 15 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 16 The kitchen extract duct and heat recovery unit shall hereby permitted shall not be operated except between 07.00 hours and 23.00 hours daily.

Reason:

To safeguard the amenity of occupiers of noise sensitive properties and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.

- 17 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 4, 15, 16. of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

- 18 You must provide the acoustic and visual mitigation measures as shown on the drawings before the associated mechanical plant and machinery is operated and it shall be maintained in situ thereafter.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing

excessive ambient noise levels and the visual impact is minimised in the interest of the character and appearance of the listed building and the Conservation Area in accordance with Policy DES1, DES5, DES9, DES10 of our Unitary Development Plan that we adopted in January 2007 and S24 and S29 of Westminster's City Plan: Strategic Policies adopted November 2013.

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Please contact our Environmental Health Service (020 7641 2971) to register your food business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (I06AA)
- 3 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 4 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 5 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 6 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 7 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 8 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply.

The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for

Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk.

If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 9 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.
- 10 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 11 You may need separate licensing approval for the premises.
- 12 Please contact a Metropolitan Police Crime Prevention Design Adviser about suitable security measures for your development. You should also check whether these features will need planning approval.

You should contact either:

Gordon Semple on 020 7641 2073 or
David Fisher on 07841 292 689.

They are based at:
Westminster City Hall
64 Victoria Street
London SW1E 6QP
(I74AA)

- 13 When you apply to us to approve the details under the above conditions, we will be able to deal with your application more quickly if you send us a copy of this permission and the relevant approved drawings. (I79AA)
- 14 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 15 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 16 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
- Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- 17 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 18 Conditions 4, 15, 16, 17; control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)

DRAFT DECISION LETTER

- Address:** 28 Chilworth Street, London, W2 6DT
- Proposal:** External and internal alterations to public house, including full height internal kitchen extract duct to extract at roof level, removal of condenser units and installation of two new condenser units to rear first floor flat roof installation of close circuit television cameras; planter boxes, external lights to elevations and underside of archway; replacement pavement lights.
- Plan Nos:** Existing :-PL_001 P1, PL_002P1, PL_003P2, PL_004P2, PL_005P2, PL_006P2, PL_007P2, PL_008P2, PL_009P1, PL_030P1, PL_031P1, PL_032P1. Demolition:- PL_020P2, PL_021P2, PL_022P2, PL_023P2, PL_024P3, PL_025P2, PL_040P1, PL_041P1, PL_042P1, PL010. Proposed:- PL_010P3, PL_011P3, PL_012P3, PL_013P4, PL_014P4, PL_015P3, PL_016P1PL_035P1, PL_036P1, PL_037P1. Design and Access Statement Rev A 22.06.2015, Planning Statement Rev A 22.06.2015, Heritage Statement Rev B 189-2015-06-30: Operational Management Plan Rev A 22.06.2015, ACP Acoustic consultancy Report Rev C 07.07.2015, Penttinen Schone Statement of Design Proposals - Kitchen Extract Ducting, Penttinen Schone Statement of Design Proposals- Stone Slabs, photographs, Existing Basement Layout Rev A28.05.2015, Existing Plan of Spirit Store and photographs, Proposed Basement Layout Rev B 15.06.2015, Proposed plan of Utilities and Tap room an photographic examples, Proposed section AA/Side elevation under archway 15.06.2015

Case Officer: Sarah Whitnall

Direct Tel. No. 020 7641 2929

Recommended Condition(s) and Reason(s):

- 1 Notwithstanding the submitted details, you must apply to us for approval of detailed drawings (location, size, , manufacturing specification) of the following parts of the development You must not start work until we have approved what you have sent us:-

- 1)Plant enclosure;
- 2)Pavement lights;
- 3)Joinery sections through new windows and doors;
- 4)Bin store
- 5)Close Circuit Television
- 6)Wall lights
- 7)Planter boxes
- 8)Detail of new internal stair from ground floor to basement;
- 9)Retention of joinery detailing on internal partition wall adjacent to bar;

You must then carry out the work according to these details. (C26CB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 2 All new and replacement external waste water and rainwater pipes must be constructed of cast iron with traditional eared collars.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area.

This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must apply to us for approval of a sample of acoustic glass you will use, including plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme

Omission of proposed pendant lights to undercroft area.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 5 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 **SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -**
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

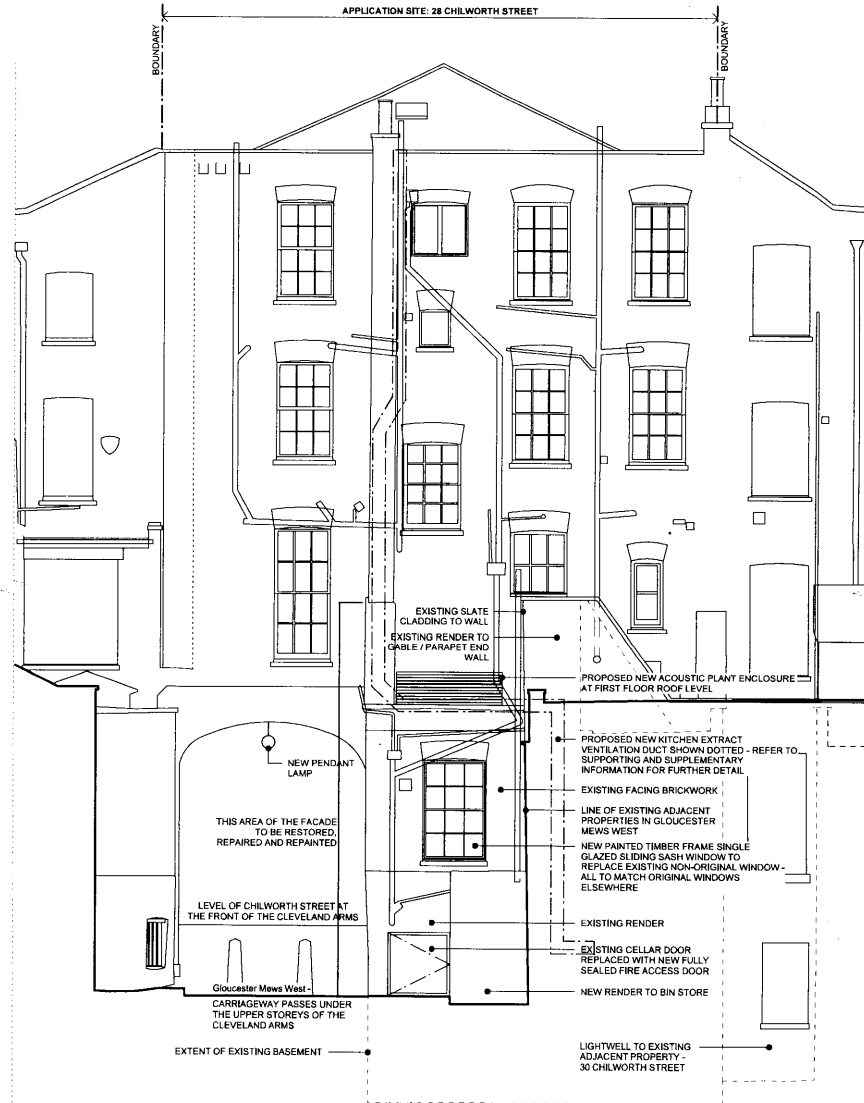
The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.



PROPOSED FRONT ELEVATION
1:100



PROPOSED REAR ELEVATION
1:100

NOTES:

- DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. CONTRACTOR TO CHECK DIMENSIONS ON SITE PRIOR TO CONSTRUCTIONS AND NOTIFY ARCHITECT OF ANY DISCREPANCY.
- THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT CONTRACT DRAWINGS, SPECIFICATIONS, AND SCHEDULES.

No.	ISSUE/REVISIONS	DATE
P1	Planning application.	12.02.15
P2	Amended planning application.	11.03.15
P3	Amended planning application.	22.06.15
P4	Amended planning application - acoustic enclosure indicated.	02.07.15

KEY:

- EXISTING FABRIC TO BE RETAINED
- EXISTING FABRIC TO BE REMOVED
- PROPOSED NEW CONSTRUCTION

NOTES:

- ENGLISH HERITAGE GUIDANCE TO BE FOLLOWED FOR RESTORATION, REPAIRS AND ALTERATIONS TO ORIGINAL FABRIC.
- ALL EXISTING HISTORIC FABRIC TO BE RETAINED OR REPAIRED IN-SITU UNLESS STATED OTHERWISE.
- EXISTING FABRIC TO BE REMOVED SHOWN DOTTED.
- EXISTING ORIGINAL INTERNAL WALLS WHERE RETAINED, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
- EXISTING ORIGINAL FLOOR STRUCTURE TO BE RETAINED WHERE FEASIBLE, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
- LOOSE FURNITURE LAYOUTS ARE INDICATIVE.

DRAWING: As Proposed Front and Rear Elevations

CLIENT: Maria Tamander

PROJECT: Cleveland House
28 Chilworth Street, London W2 6DT

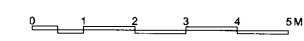
JOB NUMBER: 038

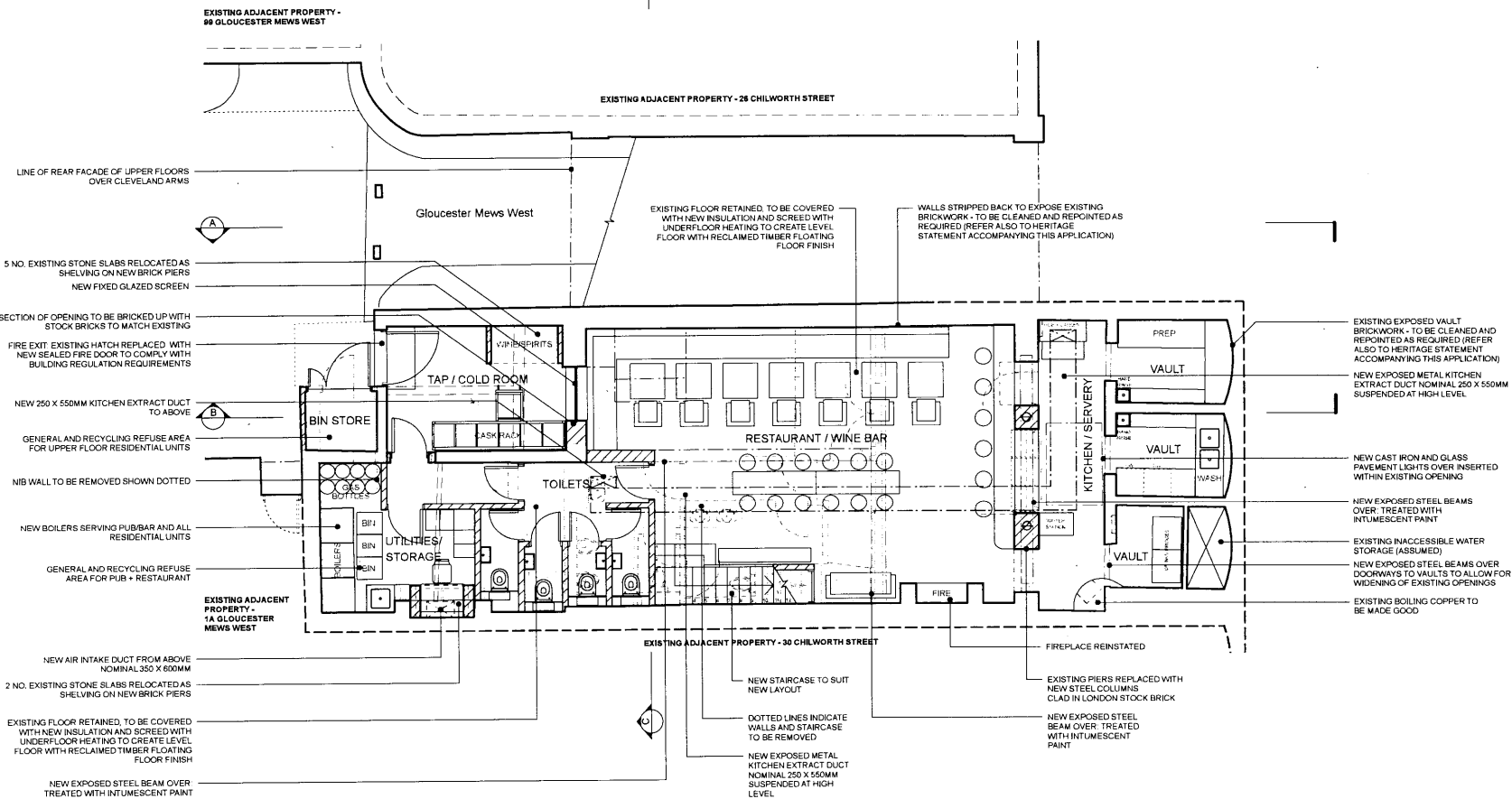
DRWG STATUS: Planning

SCALE AT A3: 1:100 CHECKED: PS

DRAWING NO: PL_014 REVISION: P4

PENTTINEN SCHÖNE
Unit 311 Panther House, 38 Mount Pleasant
London WC1X 0AN tel: 0207 833 9947
studio@penttinschone.co.uk





PROPOSED BASEMENT FLOOR PLAN
1:100

NOTES:
1. DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. CONTRACTOR TO CHECK DIMENSIONS ON SITE PRIOR TO CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCY.
2. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT CONTRACT DRAWINGS, SPECIFICATIONS AND SCHEDULES.

No.	ISSUE/REVISIONS	DATE
P1	Planning application.	12.02.15
P2	Amended planning application.	11.03.15
P3	Amended planning application.	22.06.15

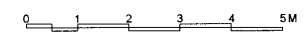
KEY:

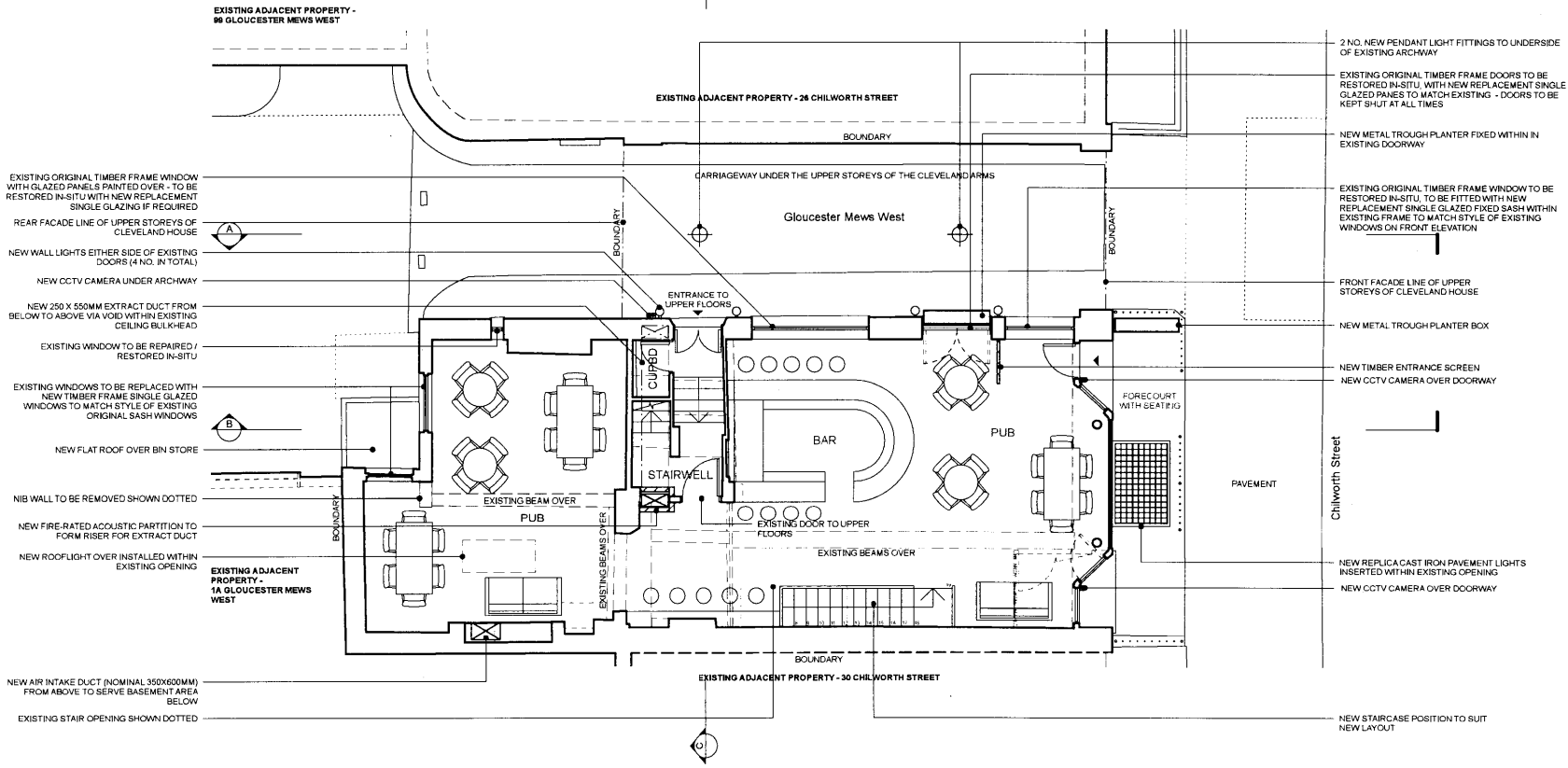
 EXISTING FABRIC TO BE RETAINED
 EXISTING FABRIC TO BE REMOVED
 PROPOSED NEW CONSTRUCTION

NOTES:
 1. ENGLISH HERITAGE GUIDANCE TO BE FOLLOWED FOR RESTORATION, REPAIRS AND ALTERATIONS TO ORIGINAL FABRIC.
 2. ALL EXISTING HISTORIC FABRIC TO BE RETAINED OR REPAIRED IN-SITU UNLESS STATED OTHERWISE.
 3. EXISTING FABRIC TO BE REMOVED SHOWN DOTTED.
 4. EXISTING ORIGINAL INTERNAL WALLS WHERE RETAINED, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
 5. EXISTING ORIGINAL FLOOR STRUCTURE TO BE RETAINED WHERE FEASIBLE, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
 6. LOOSE FURNITURE LAYOUTS ARE INDICATIVE.

DRAWING: As Proposed Basement Floor Plan
 CLIENT: Maria Tamander
 PROJECT: Cleveland House
 28 Chilworth Street, London W2 6DT
 JOB NUMBER: 038
 DRWG STATUS: Planning
 SCALE AT A3: 1:100 CHECKED: PS
 DRAWING NO: PL_010 REVISION: P3

PENTTINEN SCHÖNE
 Unit 311 Panther House, 38 Mount Pleasant
 London WC1X 0AN tel: 0207 833 9947
 studio@penttinen-schone.co.uk





PROPOSED GROUND FLOOR PLAN
1:100

NOTES:
1. DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. CONTRACTOR TO CHECK DIMENSIONS ON SITE PRIOR TO CONSTRUCTION AND NOTIFY ARCHITECT OF ANY DISCREPANCY.
2. THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT CONTRACT DRAWINGS, SPECIFICATIONS, AND SCHEDULES.

No.	ISSUE/REVISIONS	DATE
P1	Planning application.	12.02.15
P2	Amended planning application.	11.03.15
P3	Amended planning application.	22.06.15

KEY:

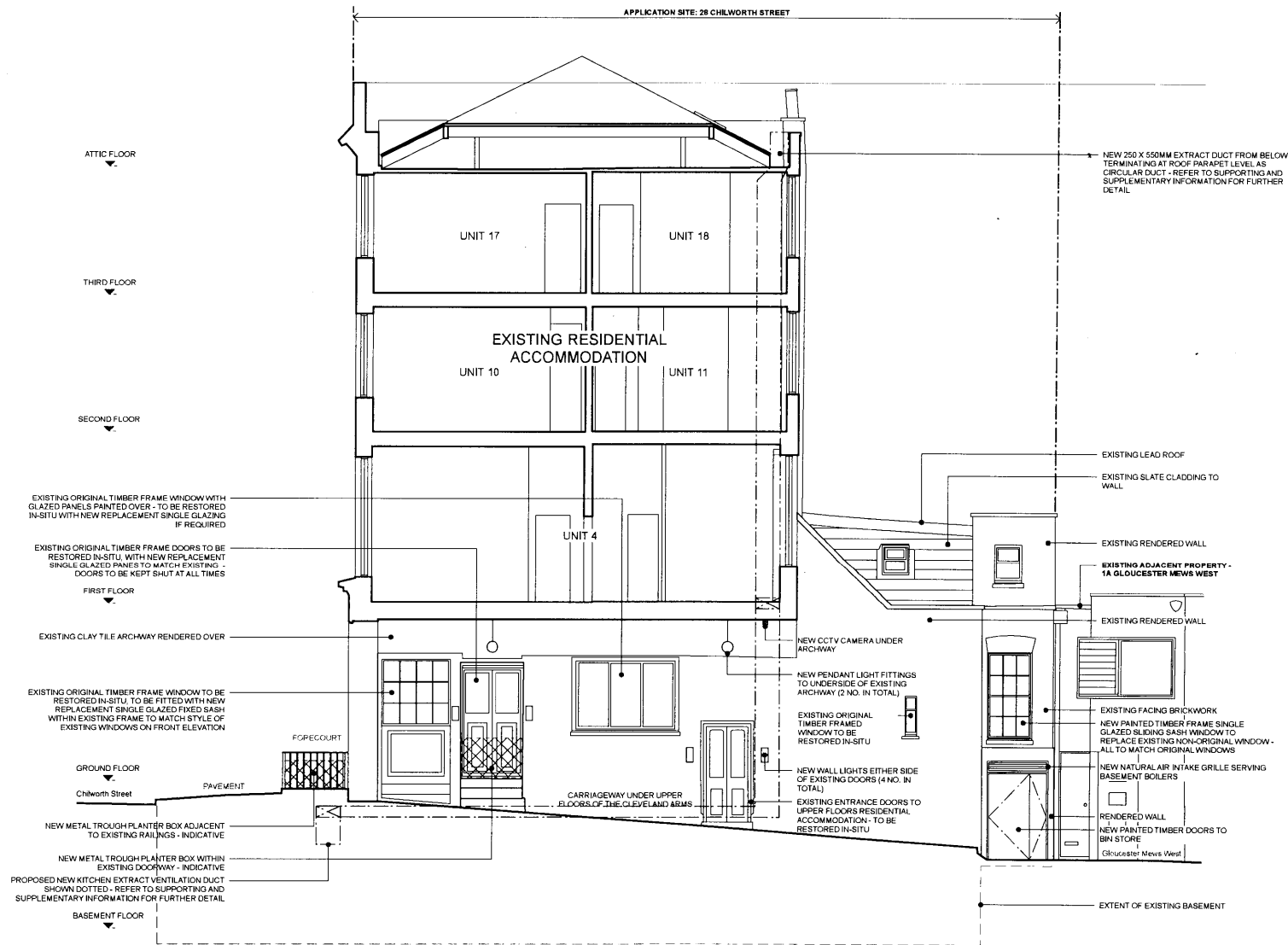
 EXISTING FABRIC TO BE RETAINED
 EXISTING FABRIC TO BE REMOVED
 PROPOSED NEW CONSTRUCTION

NOTES:
 1. ENGLISH HERITAGE GUIDANCE TO BE FOLLOWED FOR RESTORATION, REPAIRS AND ALTERATIONS TO ORIGINAL FABRIC.
 2. ALL EXISTING HISTORIC FABRIC TO BE RETAINED OR REPAIRED IN-SITU UNLESS STATED OTHERWISE.
 3. EXISTING FABRIC TO BE REMOVED SHOWN DOTTED.
 4. EXISTING ORIGINAL INTERNAL WALLS WHERE RETAINED, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
 5. EXISTING ORIGINAL FLOOR STRUCTURE TO BE RETAINED WHERE FEASIBLE, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
 6. LOOSE FURNITURE LAYOUTS ARE INDICATIVE.

DRAWING: As Proposed
Ground Floor Plan
 CLIENT: Maria Tamander
 PROJECT: Cleveland House
28 Chilworth Street, London W2 8DT
 JOB NUMBER: 038
 DRWG STATUS: Planning
 SCALE AT A3: 1:100 CHECKED: PS
 DRAWING NO: PL_011 REVISION: P3

PENTTINEN SCHÖNE
 Unit 311 Panther House, 28 Mount Pleasant
 London WC1X 0AN tel: 0207 833 9947
 studio@penttinenschone.co.uk





PROPOSED SECTION AA / SIDE ELEVATION
1:100

NOTES

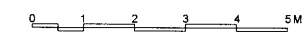
- DO NOT SCALE FROM THIS DRAWING. USE FIGURED DIMENSIONS ONLY. CONTRACTOR TO CHECK DIMENSIONS ON SITE PRIOR TO CONSTRUCTIONS AND NOTIFY ARCHITECT OF ANY DISCREPANCY.
- THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT CONTRACT DRAWINGS, SPECIFICATIONS, AND SCHEDULES.

No.	ISSUE/REVISIONS	DATE
P1	Planning application.	12.02.15
P2	Amended planning application.	11.03.15
P3	Amended planning application.	22.06.15

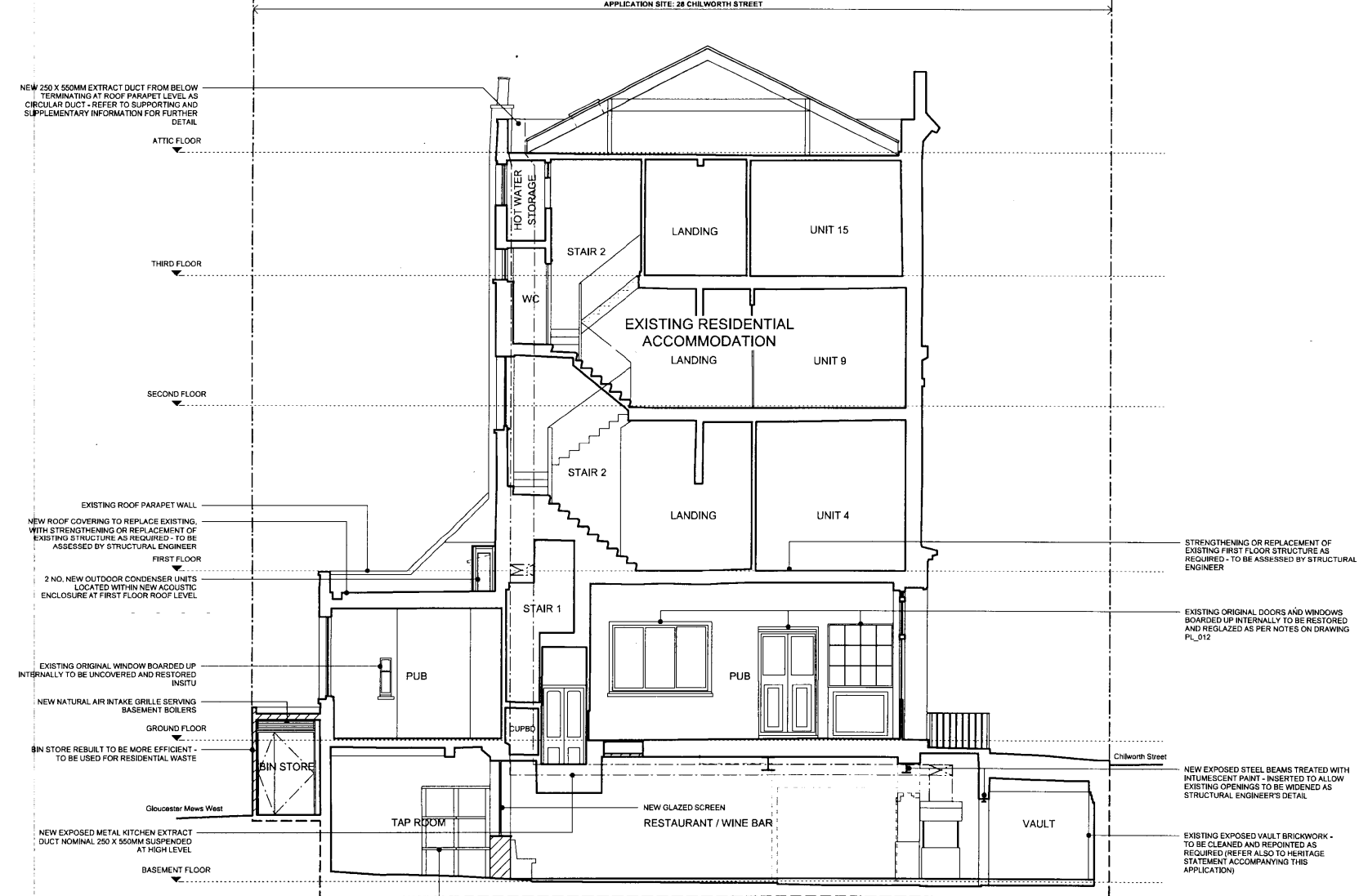
- KEY:
- EXISTING FABRIC TO BE RETAINED
 - EXISTING FABRIC TO BE REMOVED
 - PROPOSED NEW CONSTRUCTION
- NOTES:
- ENGLISH HERITAGE GUIDANCE TO BE FOLLOWED FOR RESTORATION, REPAIRS AND ALTERATIONS TO ORIGINAL FABRIC.
 - ALL EXISTING HISTORIC FABRIC TO BE RETAINED OR REPAIRED IN-SITU UNLESS STATED OTHERWISE.
 - EXISTING FABRIC TO BE REMOVED SHOWN DOTTED.
 - EXISTING ORIGINAL INTERNAL WALLS WHERE RETAINED, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
 - EXISTING ORIGINAL FLOOR STRUCTURE TO BE RETAINED WHERE FEASIBLE, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
 - LOOSE FURNITURE LAYOUTS ARE INDICATIVE.

DRAWING:	As Proposed Section AA / Side Elevation
CLIENT:	Maria Tamander
PROJECT:	Cleveland House 28 Chilworth Street, London W2 6DT
JOB NUMBER:	038
DRWG STATUS:	Planning
SCALE AT A3:	1:100 CHECKED PS
DRAWING NO:	PL_012 REVISION P3

PENTTINEN SCHÖNE
 Unit 311 Panther House, 38 Mount Pleasant
 London WC1X 0AN tel: 0207 833 9947
 studio@penttinen-schone.co.uk



APPLICATION SITE: 28 CHILWORTH STREET



PROPOSED SECTION BB
1:100

NOTES

- DO NOT SCALE FROM THIS DRAWING. USE PROVIDED DIMENSIONS ONLY. CONTRACTOR TO CHECK DIMENSIONS ON SITE PRIOR TO CONSTRUCTIONS AND NOTIFY ARCHITECT OF ANY DISCREPANCY.
- THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT CONTRACT DRAWINGS, SPECIFICATIONS, AND SCHEDULES.

No.	ISSUE/REVISIONS	DATE
P1	Planning application.	12.02.15
P2	Amended planning application.	11.03.15
P3	Amended planning application.	22.06.15
P4	Amended planning application - acoustic enclosure indicated.	02.07.15

KEY:

- EXISTING FABRIC TO BE RETAINED
- EXISTING FABRIC TO BE REMOVED
- PROPOSED NEW CONSTRUCTION

NOTES:

- ENGLISH HERITAGE GUIDANCE TO BE FOLLOWED FOR RESTORATION, REPAIRS AND ALTERATIONS TO ORIGINAL FABRIC.
- ALL EXISTING HISTORIC FABRIC TO BE RETAINED OR REPAIRED IN-SITU UNLESS STATED OTHERWISE.
- EXISTING FABRIC TO BE REMOVED SHOWN DOTTED.
- EXISTING ORIGINAL INTERNAL WALLS WHERE RETAINED, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
- EXISTING ORIGINAL FLOOR STRUCTURE TO BE RETAINED WHERE FEASIBLE, TO BE UPGRADED TO COMPLY WITH BUILDING REGULATIONS FIRE AND SOUND REQUIREMENTS.
- LOOSE FURNITURE LAYOUTS ARE INDICATIVE.

DRAWING: As Proposed Section BB

CLIENT: Maria Tamander

PROJECT: Cleveland House
28 Chilworth Street, London W2 6DT

JOB NUMBER: 038

DRWG STATUS: Planning

SCALE AT A3: 1:100 CHECKED: PS

DRAWING NO: PL_013 REVISION: P4

PENTTINEN SCHÖNE
Unit 311 Panther House, 38 Mount Pleasant
London WC1X 0AN Tel: 0207 833 9947
studio@penttinen-schone.co.uk



