

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 8 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Lancaster Gate	
Subject of Report	1 Palace Court, London, W2 4LP		
Proposal	Use as six residential flats (Class C3) with associated external alterations including new access to front lightwell from pavement level and erection of rear/side extension to Palace Court elevation between second and fourth floor levels.		
Agent	Treanor Consulting		
On behalf of	PCP 2014 Limited		
Registered Number	15/02865/FULL	TP / PP No	TP/5828
Date of Application	01.04.2015	Date amended/ completed	13.04.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
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	Not Applicable		

1. RECOMMENDATION

Grant conditional permission, including a condition to secure car club membership for all of the residential flats for a minimum period of 25 years.





1 PALACE COURT, W2

2. SUMMARY

The application site is a late 19th century building facing Bayswater Road. The building is not listed, but is located within the Bayswater Conservation Area. The building is currently vacant, but was most recently in use as holiday apartments let on a short term basis in conjunction with the property at No.5 Palace Court.

Permission is sought for use of the building as six residential flats (Class C3) with associated external alterations including a new access to front lightwell from pavement level and erection of rear/side extension to the Palace Court elevation between second and fourth floor levels.

The key issues in this case are:

- The impact of the proposed development on the appearance of the building and the character and appearance of the Bayswater Conservation Area.
- The impact of the development on the amenity of neighbouring residents.
- The acceptability of the scheme in parking terms.

The proposed development is considered to be acceptable in land use, design and conservation, amenity, environment and transportation terms and would accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. CONSULTATIONS

BAYSWATER RESIDENTS ASSOCIATION

No objection.

ENVIRONMENTAL HEALTH

No objection, subject to conditions relating to noise.

HIGHWAYS PLANNING MANAGER

Objection on transportation grounds. Insufficient parking provision.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

No objection.

TRANSPORT FOR LONDON (TfL)

Recommend that 11 cycle parking spaces are included.

ARBORICULTURAL MANAGER

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 57; Total No. of Replies: 2.

Two emails received (one of which was later withdrawn) raising objection on all or some of the following grounds:

Design

- Concerns about the loss of townscape gap.

Amenity

- Loss of privacy due to windows in side elevation.
- Loss of daylight to No. 7 Palace Court.

- Noise disturbance from new mechanical plant at roof level (objection later withdrawn on understanding that this matter is part of the assessment of the planning application and will be controlled by planning conditions).

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site is part of a group of three buildings facing Bayswater Road which are similar in design and scale. Nos. 1 and 5 were until recently used as holiday apartments let on a short term basis (operated by the same business), whilst No. 3 is occupied by the High Commission of Guyana. This group of buildings, whilst known as Nos. 1, 3 and 5 Palace Court, face onto Bayswater Road.

The main entrance and frontage to the building is from Bayswater Road, however, the side elevation of the application site extends along Palace Court. The building comprises a lower ground floor with lightwells, a ground floor and four upper floors. To the rear (visible from the highway in Palace Court) there is a large courtyard at lower ground floor level that was previously used as external amenity space for the occupiers of the holiday apartments.

4.2 Relevant History

There is no relevant planning history for the application site at No.1 Palace Court, however, the permission listed below was recently granted for the conversion of the short term let accommodation at No.5 Palace Court to permanent residential accommodation:

17 February 2015 – Permission granted by the Planning Applications Committee for demolition of the mews building on Ossington Street and erection of a replacement mews building arranged over five floors (basement, lower ground, ground, first and second floors) to create a four bedroom dwellinghouse (Class C3), including part basement extension; refurbishment, adaption, and extension of 5 Palace Court to create six dwelling flats (Class C3); demolition of existing roof enclosure and erection of a mansard roof extension with front gable; external elevation changes including rear infill extensions and enlarged and new window openings (Ossington Street); and other works incidental to the proposals (14/10267/FULL).

5. THE PROPOSAL

Planning permission is sought for the use of the building as six residential flats (Class C3) with associated external alterations including new access to front lightwell from pavement level and erection of rear/side extension to the Palace Court elevation between second and fourth floor levels. The mix of residential units proposed comprises 1x1 bedroom flat, 4x2 bedroom flat and 1x3 bedroom flat.

6. DETAILED CONSIDERATIONS

6.1 Land Use

6.1.1 Loss of Existing Visitor Accommodation

The principle of loss of the existing visitor accommodation use to residential use needs to be considered in light of Policy TACE1 in the UDP and Policy S23 in the City Plan. Policy TACE 1

states that outside of designated special policy areas, such as this, in areas of overconcentration of hotels/other visitor accommodation such as Bayswater, the conversion of visitor accommodation to housing, where the existing hotels cause adverse effects on residential amenity, will be encouraged. Policy S23 takes a slightly different approach in so far as it states that existing hotels will be protected where they do not have significant adverse effects on residential amenity. It goes on to state that in areas such as Bayswater where an existing hotel is not purpose built and where it adversely effects residential amenity, a change of use to residential will be encouraged.

The previous use of the premises comprised the short term letting of studio apartments within the building as holiday accommodation. It is apparent that the building was built to provide residential accommodation, most probably as a single dwellinghouse.

The current visitor accommodation provided within the building is of poor quality and is not purpose built. In this context, it is not considered the loss of the existing use would have a significant impact on the overall provision of hotel/visitor accommodation within the Bayswater area. Whilst there is no decisive evidence that the previous use of the application site as studio units let on a short term basis has resulted in adverse impact on surrounding residents, it is accepted that it would have had a high turnover of guests, creating a transient population, which can have an adverse impact on residential amenity. On this basis, it is considered that the loss of the existing visitor accommodation, which is not purpose built, is acceptable in this case.

6.1.2 Proposed Residential Use

Given that no objection is raised to the loss of the hotel, the principle of residential use is acceptable in land use terms and would be in accordance with Policy H3 in the UDP and Policy S14 in the City Plan.

The proposal seeks to create six new residential units comprising of 1x1 bed, 4x2 bed and 1x3 bedroom units within the extended building. This provision of 17% family sized accommodation is not consistent with Policy H5 in the UDP, which seeks 33% of new residential units as three bedroom units or larger. The applicant advises that it is not possible to provide another three bed unit without compromising the layout (the nature of the floorplates are such that only one unit can be realistically accommodated per level, with two duplex apartments - 1x1 bed and 1x3 bed – being created on the lower ground and ground floor level). Whilst the relative lack of family-sized units is regrettable, it is considered that on balance that the scheme is acceptable in this regard, taking into account the applicant's justification and the need to meet the Mayor of London's minimum space standards. All the proposed units will meet the minimum London Plan size standards. External amenity space will be provided for one of the units by utilisation of the existing yard area at lower ground floor level.

The proposal would not result in the creation of more than 1,000m² (GEA) of residential floorspace and as such, the provision of affordable housing is not required.

6.2 Townscape and Design

The existing building is an attractive late 19th century terraced property at the corner of Bayswater Road and Palace Court. To the Bayswater Road frontage it forms part of a run of three properties of matching design. The principal street elevation of the building is towards Bayswater Road and the park beyond, with Palace Court as a side elevation, though still with a considered design and good degree of decorative interest.

An objection has been raised regarding the loss of the townscape gap between the existing building and the long continuous terrace to the north, as a result of this extension. In respect of this gap, the building presents a largely blank elevation towards the gap with only relatively unattractive windows punched into the brickwork with little or no elaboration, despite this being a very public elevation which is readily visible in public views from Palace Court. There is also a view beyond to an unattractive rear extension and a fire escape. Therefore, whilst gaps in the townscape can be of some importance in conservation areas, in this case the gap is not considered to be of particular significance, and is not in any case being fully infilled as the extension proposed only steps out as far as the existing rear extension to the building between lower ground and first floor levels. It will also significantly improve the appearance of the rear of the application site and as such, the principle is considered acceptable. The extension will retain a subsidiary appearance given the step down in height from the main building, and the subtle diminution of the decorative scheme found on the original building. The detailed design of the proposed extension is considered acceptable, and would harmonise well with the existing main building, whilst also sitting comfortably within the street scene.

Conditions are recommended to ensure that the detailed design of the extension, the brickwork, windows and other detailing depicted in this application reflect that of the host building. The proposals are therefore considered to accord with Policies S25 and S28 in the City Plan and DES 1, DES 5, DES 6 and DES 9 in the UDP.

6.3 Amenity

The additional bulk of the proposed extension on the side elevation would have an impact on neighbouring properties at No.7 Palace Court, No.3 Palace Court and No.2a Ossington Street directly to the rear of the premises.

The proposal would be directly visible from flats within No.7 Palace Court. At lower ground floor level there is an existing residential unit which has a single aspect and faces out directly on to the existing yard between Nos. 1 and 7 Palace Court. This residential unit already has very poor levels of natural light and is heavily enclosed. As such, the provision of the extension from first to fourth floor level as proposed would not result in a materially worse situation than that which exists at present. This is reflected in the conclusions of the applicant's daylight and sunlight report. It is noted that under the proposed plans the existing yard area at basement area between the application site and No.7 Palace Court is to be converted to a private garden for the lower ground floor flat. The existing basement flat at No.7 Palace Court will overlook this garden area and a condition is recommended preventing future occupiers of the new lower ground floor flat within the development from enclosing these windows in a way that would block out light to the neighbouring basement flat. Subject to the recommended condition, the impact of the proposed development on these neighbouring windows is not considered to warrant withholding permission.

At first floor level at No.7 Palace Court there is a roof terrace that serves the first floor flat. The terrace in question would be affected by the additional bulk proposed to the rear of the application site to form the extension between first to fourth floor levels. However, whilst the terrace would be slightly more overshadowed than at present, the loss of daylight and sunlight that the terrace would suffer would not be so significant as to justify withholding permission. In terms of outlook, the terrace would retain an open outlook along Palace Court towards the Bayswater Road and the additional sense of enclosure and loss of light created by the proposed development is not considered to be material.

Other windows in the side elevation of No.7 Palace Court would experience a small loss of light, but given that there are other windows serving these flats, which would remain

unaffected by the proposed development, such a loss would not be considered a sustainable ground to refuse permission.

A condition is recommended that requires the first to third floor windows on the rear elevation of the proposed extension to be obscure glazed and fixed shut to their lower half, so as to prevent overlooking from these new windows to the windows and roof terrace to the side elevation of No.7 Palace Court.

No. 3 Palace Court is occupied by the Guyana High Commission. The rear extension would be visible from the upper rear floors of this property and would result in a slightly enclosed outlook from the top floor rear window. Additionally, a window from this building that faces in to the enclosed lightwell between the application site and No.7 Palace Court would also experience a small loss of light and reduced levels of sunlight. These losses have both been assessed as being acceptable in respect of the BRE guidelines in the applicant's daylight and sunlight study. Given that the building in question otherwise has many windows and experiences good levels of daylight and sunlight, the impact on the windows in question in this building are not considered material in planning terms.

The extension would also result in a minor loss of light to a window in the side elevation of No.2a Ossington Street. The applicant's daylight and sunlight report assesses the impact on this window and concludes that the loss of daylight and sunlight would not be material and would fall within the acceptable limits set out in the BRE guidelines.

The proposals involve the installation of new mechanical plant at roof level on the application site. Environmental Health consider that the applicant has demonstrated that the plant proposed is acceptable in principle and can comply with the City Council's standard noise and vibration conditions. A supplementary acoustic report relating to the plant is required once the specification of the mechanical plant has been finalised. This is to be secured by condition.

Subject to the conditions set out in this section of the report, the application is considered to accord with Policies S29 and S32 in the City Plan and Policies ENV6, ENV7 and ENV13 in the UDP.

6.4 Transportation/Parking

6.4.1 Parking

Policy TRANS23 in the UDP seeks a maximum of one parking space per residential unit. The scheme does not include off-street parking as there is no scope to provide off-street parking provision on-site owing to the arrangement of the site. The Highways Planning Manager advises that, on the basis of the most recent parking surveys, on-street parking stress in the area is above the 80% threshold set out in Policy TRANS23 and as such, any additional residential units without parking or adequate mitigation should be resisted. The occupancy levels for on-street parking are currently 88% overnight (reducing to 79% using single yellow lines) and 87% by day.

In lieu of off-street parking the applicant proposes the provision of lifetime (25 years) car club membership for each of the residential units. Whilst the lack of car parking is regrettable, given the location of the site and the physical impossibility of providing parking on site, it is considered that the applicant's offer of lifetime car club membership is acceptable in this case. A condition is recommended to secure the submission of appropriate arrangements to secure the car club memberships for future occupiers of the development.

Cycle storage is proposed at lower ground floor level and this would provide secure cycle

storage for eight cycles. This is sufficient to accord with Policy TRANS10 in the UDP. Whilst this level of cycle parking is lower than the London Plan standard, given that the scheme represents a conversion of an existing building and not a new build development, this is acceptable in this case. A condition is recommended to ensure the cycle parking is provided and thereafter retained.

Waste and recycle storage is shown within the side lightwell facing Palace Court and a condition is recommended to ensure its provision and retention.

The Highways Planning Manager has expressed concerns regarding possible alterations to the vaults facing Palace Court. Policy TRANS19 in the UDP requires a minimum vertical depth below the footway or carriageway of 900mm and that the extent of the new or extended basement area does not encroach more than about 1.8m under any part of the adjacent highway. Given the limited detail provided on this part of the application, a condition is recommended requiring the submission of detailed drawings by the applicant demonstrating the criteria set out in Policy TRANS19 are met.

6.5 Economic Considerations

Whilst it is recognised that the proposal will result in the loss of an employment generating use, the proposed residential conversion will also generate economic benefits.

6.6 Equalities and Diversities (including disabled access)

There are four steps up to the main entrance of the building from Bayswater Road and as such, it is difficult to provide level access without impacting on the character and appearance of the building. The lift proposed within the building will assist in facilitating disabled access to the units created by this development.

6.7 Other UDP/Westminster Policy Considerations

Environmental Health advise that further details of new glazing and ventilation are required to ensure that the new residential accommodation is adequately insulated from road noise emanating from Bayswater Road. A condition is recommended to secure these details.

6.8 London Plan

The proposal does not raise strategic issues and does not have significant implications for the London Plan.

6.9 National Policy/Guidance Considerations

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. The relevant policies in the City Plan which has replaced the Core Strategy have been discussed in this report and other

policies in the previous report have not changed significantly. 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 this application are considered to be consistent with the NPPF unless stated otherwise.

6.10 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall delivery of appropriate development is not compromised.

The City Council's Planning Obligations Supplementary Planning Guidance (SPG) sets out in detail the scope and nature of obligations to which certain types of development will be typically subject.

As outlined in Section 6.4 of the report, appropriate arrangements under S106 of the Town and Country Planning Act 1990 (as amended) would be required to cover the following:

- Lifetime (25 years) car club membership for each of the residential flats.

In this case, it is considered appropriate to deal with these matters by condition.

The proposed development is also liable for a Mayoral CIL payment and an Informative is recommended accordingly.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

6.11.1 Sustainability

The applicant has submitted an energy strategy setting out the measures incorporated into the proposed development in the context of sustainable design principles. Measures include low energy lighting, materials sourced to an A or A+ rating under the green guide to housing, finishings and paints with low VOC levels. A BREEAM Domestic Refurbishment Pre-Assessment report has been undertaken with regard to the conversion of the main building and this indicates that a rating of 'Excellent' (with a score of 75.05%) could be achieved.

The proposal is considered to meet the objectives of the relevant policy framework on sustainability including Policy 5.2 of the London Plan and Policy S28 of the City Plan.

The proposed extension will necessitate works to trees in close proximity to the site. The applicant has provided an arboricultural statement setting out tree protection measures and a condition has been added requiring compliance with these measures. As such, the application is considered to comply with Policy S38 in the City Plan and Policies DES1 (A), ENV 16 and ENV 17 in the UDP.

6.12 Other Issues

None relevant.

7. CONCLUSION

The proposed development is considered to be acceptable in land use, design and conservation, amenity, environment and transportation terms and would accord with the relevant policies in the UDP and the City Plan. As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

BACKGROUND PAPERS

1. Application form.
2. Letter from the Bayswater Residents Association dated 20 May 2015.
3. Memo from Environmental Health dated 20 April 2015.
4. Memo from the Highways Planning Manager dated 21 April 2015.
5. Letter from the Royal Borough of Kensington and Chelsea dated 23 April 2015.
6. Email from Transport for London dated 28 April 2015.
7. Memo from the Arboricultural Manager dated 31 May 2015.
8. Emails from the occupier of 7E Palace Court dated 3 May 2015 and 30 June 2015.
9. Email from the occupier of 7D Palace Court dated 4 May 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT OLIVER GIBSON ON 020 7641 2680 OR BY E-MAIL – ogibson@westminster.gov.uk

DRAFT DECISION LETTER

- Address:** 1 Palace Court, London, W2 4LP
- Proposal:** Use as six residential flats (Class C3) with associated external alterations including new access to front lightwell from pavement level and erection of rear/ side extension to Palace Court elevation between second and fourth floor levels.
- Plan Nos:** 201_S_00; 201_EX-1 rev P1, 201_EX_00 rev P1; 201_EX_01 rev P1, 201_EX_02 rev P1, 201_EX_03 rev P1, 201_EX_04 rev P2, 201_EX_05 rev P1; 201_EE_00 rev P1, 201_EE_01 rev P1, 201_EE_02 rev P1, 201_EE_03 rev P1, 201_ES_01 rev P1, 201_ES_00 rev P1, 201_GA_-1, 201_GA_00 rev P2, 201_GA_01 rev P2, 201_GA_02 rev P2, 201_GA_03 rev P2, 201_GA_04 rev P2, 201_GA_05 rev P2, 201_GE_01 rev P2, 201_GE_02 rev P2, 2-1_GE_03 rev P2, 201_GS_02 rev P1. Transport Statement by Crowd Dynamics dated February 2015, Noise survey report by Hilson Moran dated 9 March 2015, Air Quality Assessment by White Young Green dated March 2015, Sustainability Statement by AJ Energy consultants limited dated March 2015, Energy Strategy by AJ Energy consultants limited dated March 2015, Arbroicultural report by ACS consulting dated 10 April 2015.

Case Officer: Neil Holdsworth

Direct Tel. No. 020 7641 5018

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 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

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)

- 3 The new brickwork to the external faces of the new extension shall match the existing original brickwork to the existing building in terms of colour, texture, face bond and pointing.

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)

- 4 The pitched roof slopes of the top floor of the extension hereby approved shall be clad in natural slates, and the dormers within the top floor of the extension shall be faced in lead to sides, cheeks and roofs

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)

- 5 The frames of the new windows hereby approved shall be constructed in white painted timber and shall be maintained in that material and colour.

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 You must apply to us for approval of detailed section drawings showing the relationship of the new windows to the window openings, and the relationship of the glazing bars to the glazing. 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 according to these drawings. (C26DB)

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 The new external metalwork including metal staircase to lightwell shall be formed in black painted metal, and shall be retained in that colour thereafter.

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)

- 8 You must apply to us for approval of detailed elevation drawings showing any changes to the gate set within the railings, or railings adjacent, fronting onto the Palace Court frontage of the building, including details of any removal or relocation of the decorative piers flanking the existing gate. 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 according to these drawings. (C26DB)

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)

- 9 Notwithstanding the changes shown between the submitted existing and proposed drawings, the existing pilasters to the Bayswater Road and Palace Court elevations of the existing building shall be retained in-situ and shall not be altered.

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)

- 10 You must not enclose or cover the windows of the adjoining lower ground floor property at 7 Palace Court which face in to the courtyard area between 1 Palace Court and 7 Palace Court at any time.

Reason:

To protect the environment of people in this neighbouring property. This is as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 11 The glass that you put in the lower half of the windows at first, second and third floors in the rear (north facing) elevation of the building must not be clear glass, and you must fix the lower half of these windows 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 the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

12 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 privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

13 You must provide the waste store shown on drawing 201_GA_-1 Rev.P1 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the residential flats. 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 the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

14 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

15 You must not start work on the site until we have approved appropriate arrangements to secure the following.

- At least one lifetime (25 years) car club membership for each of the residential flats.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19AB)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan: Strategic Policies adopted November 2013 and in SRTRA25 and TRANS23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 16 (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.

- 17 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.

- 18 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 19 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 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.

- 20 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 18 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

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.

- 21 You must apply to us for approval of detailed drawings of the following parts of the development:

- Detailed drawings of alterations to the vaults facing Palace Court, including section drawings showing the relationship between the altered vaults beneath Palace Court and the public highway above.

You must not start work until we have approved what you have sent us. You must then carry out the work according to the details approved under this condition.

Reason:

In the interests of public safety and to ensure that a sufficient depth of pavement is maintained above the Vaults as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2, TRANS 3 and TRANS 19 of our Unitary Development Plan that we adopted in January 2007. (R2

- 22 You must implement this planning permission in accordance with the tree protection measures

set out in the Tree Protection and Management Statement by ACS Consulting dated 10 April 2015.

Reason:

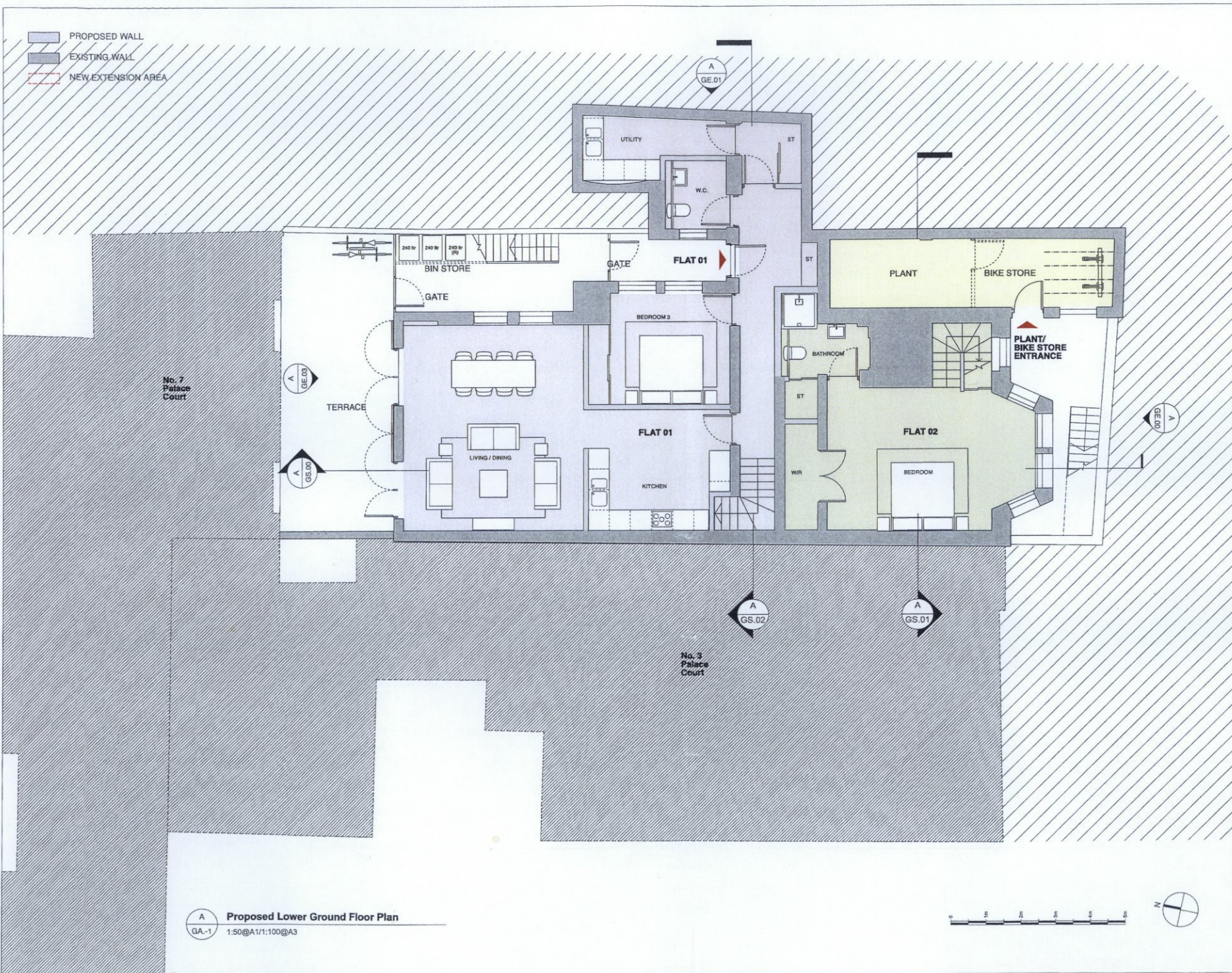
To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

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 In respect of Condition 21, You are advised that TRANS19 of our adopted Unitary Development Plan restricts the lateral and vertical extent of new or extended basement areas under the adjacent highway so that there remains a minimum vertical depth below the footway or carriageway of about 900 mm. If you are proposing to alter the height of the vaults in question, you must ensure that 900 mm is retained and this must be reflected in the information you submit to discharge this condition.

- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA



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Notes

P1 300315 issued for planning

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Project
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Drawing Title
 Proposed Floor Plan
 Lower Ground Floor

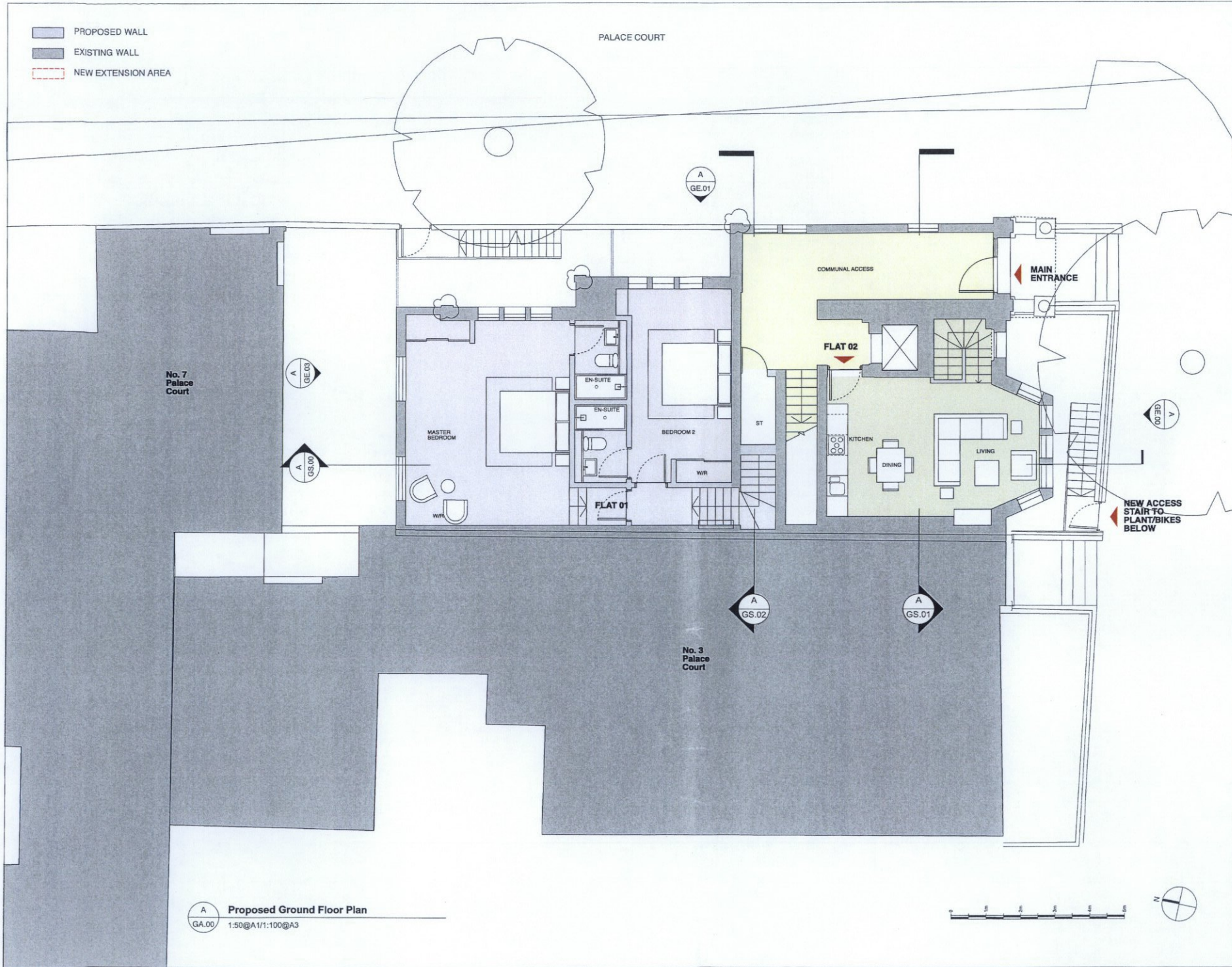
Scale	Issue	Checked
1:50@A1/1:100@A3	MC	RD
Drawn No.	201_GA_1	Revision
		P1

Proposed Lower Ground Floor Plan
 GA-1 1:50@A1/1:100@A3



- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA

PALACE COURT



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Notes

P2 11/05/15 Revisions as shown
 P1 30/03/15 issued to planning

Revisions

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Client

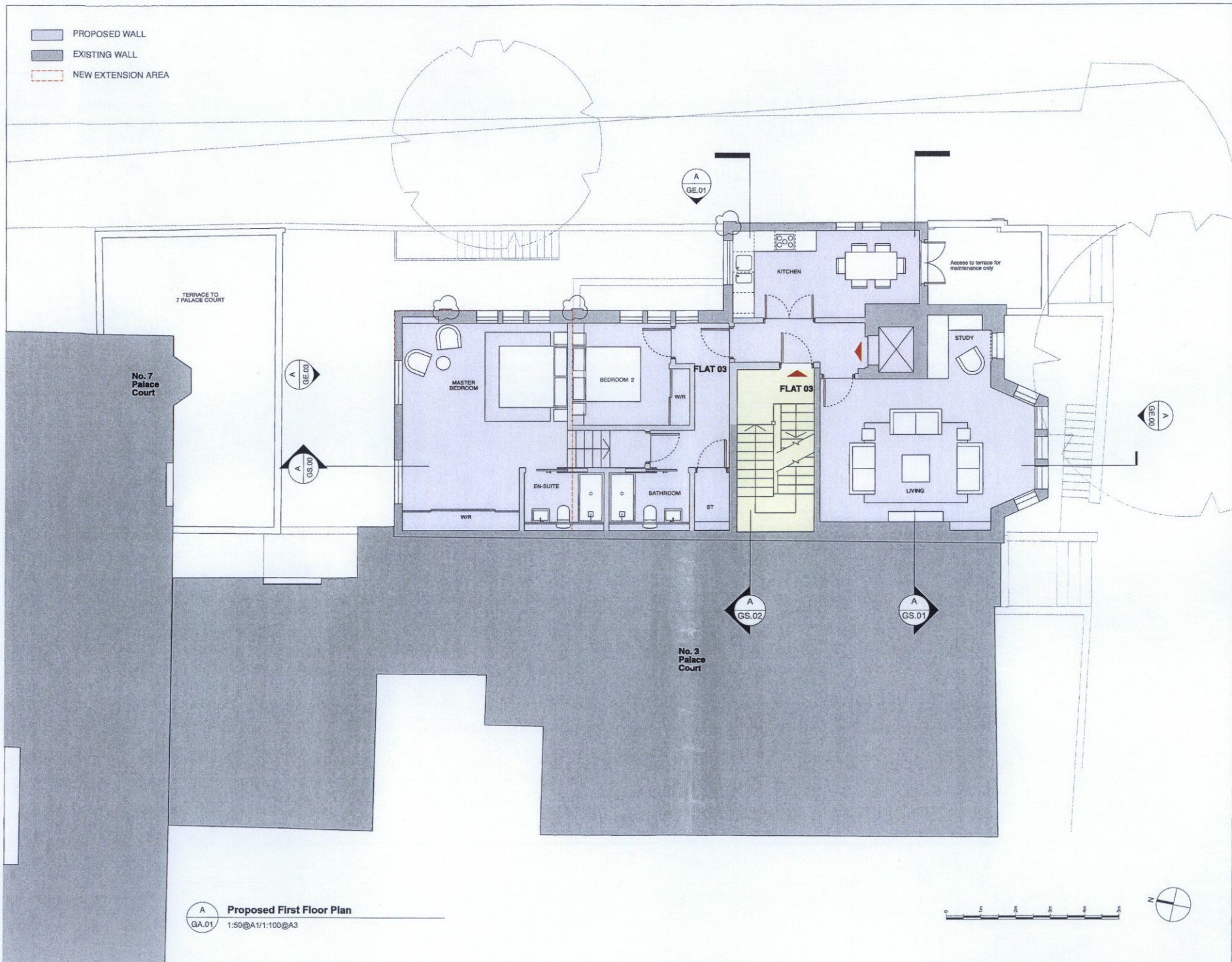
Project
 1 Palace Court
 London W2 4LP

Drawing Title
 Proposed Floor Plan
 Ground Floor

Scale	Drawn	Checked
1:50@A1/1:100@A3	MC	RD
Drawn No.	Date	Revision
201_GA_00	Feb 2015	P2

Proposed Ground Floor Plan
 GA.00 1:50@A1/1:100@A3

- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA



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Notes

PT	1102/15	Partitions as shown
PT	3002/15	Issues to planning

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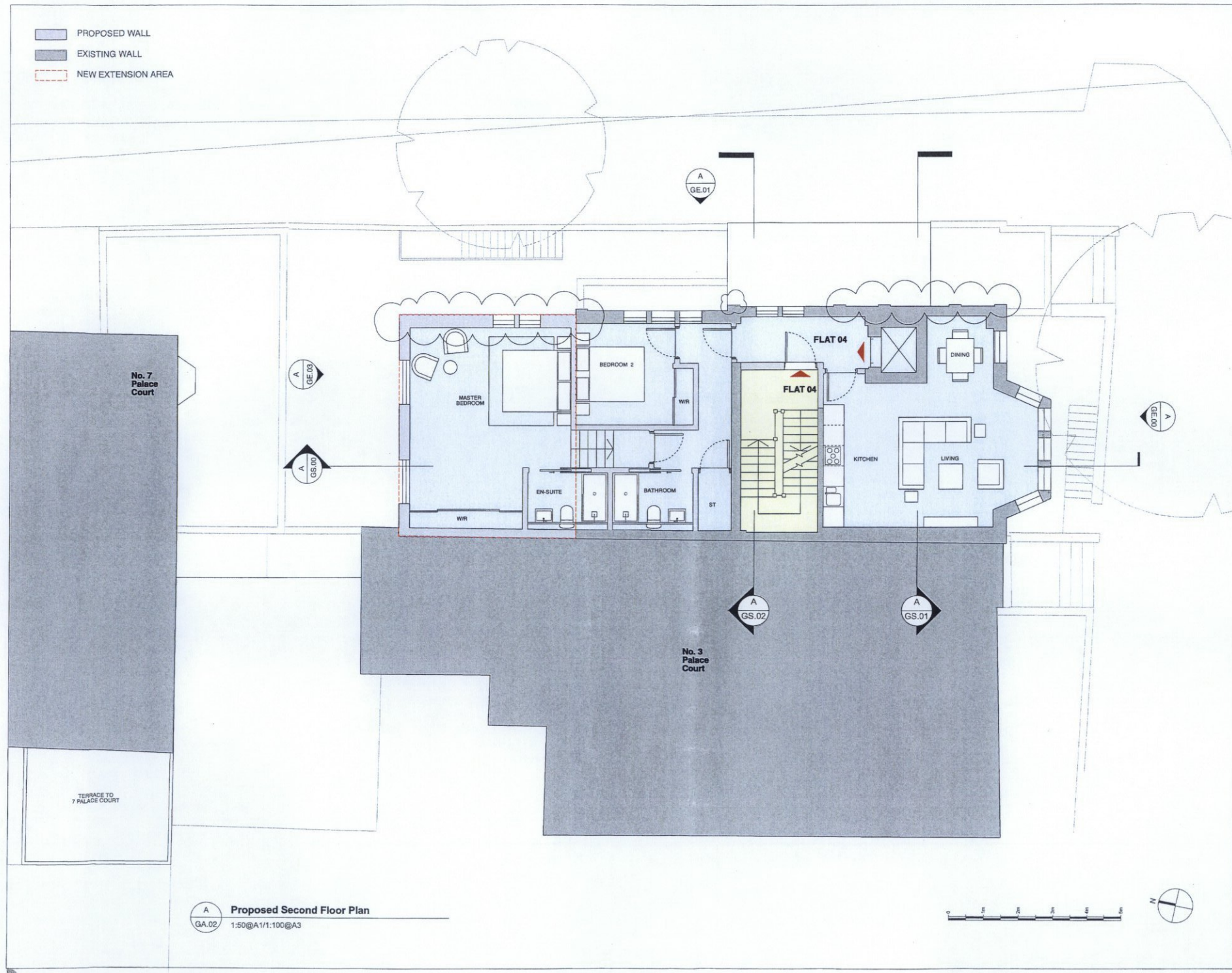
Client	
Project 1 Palace Court London W2 4LP	
Drawing Title Proposed Floor Plan First Floor	
Issue Information	Drawn MC
Scale 1:50@A1/1:100@A3	Checked RD
Drawn No. 201_GA_01	Date Feb 2015
	Revision P2

Proposed First Floor Plan
 GA.01 1:50@A1/1:100@A3



- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA

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Proposed Second Floor Plan
 1:50@A1/1:100@A3

P2 15/06/15 Handover as situated
 P1 20/03/15 Issued for planning

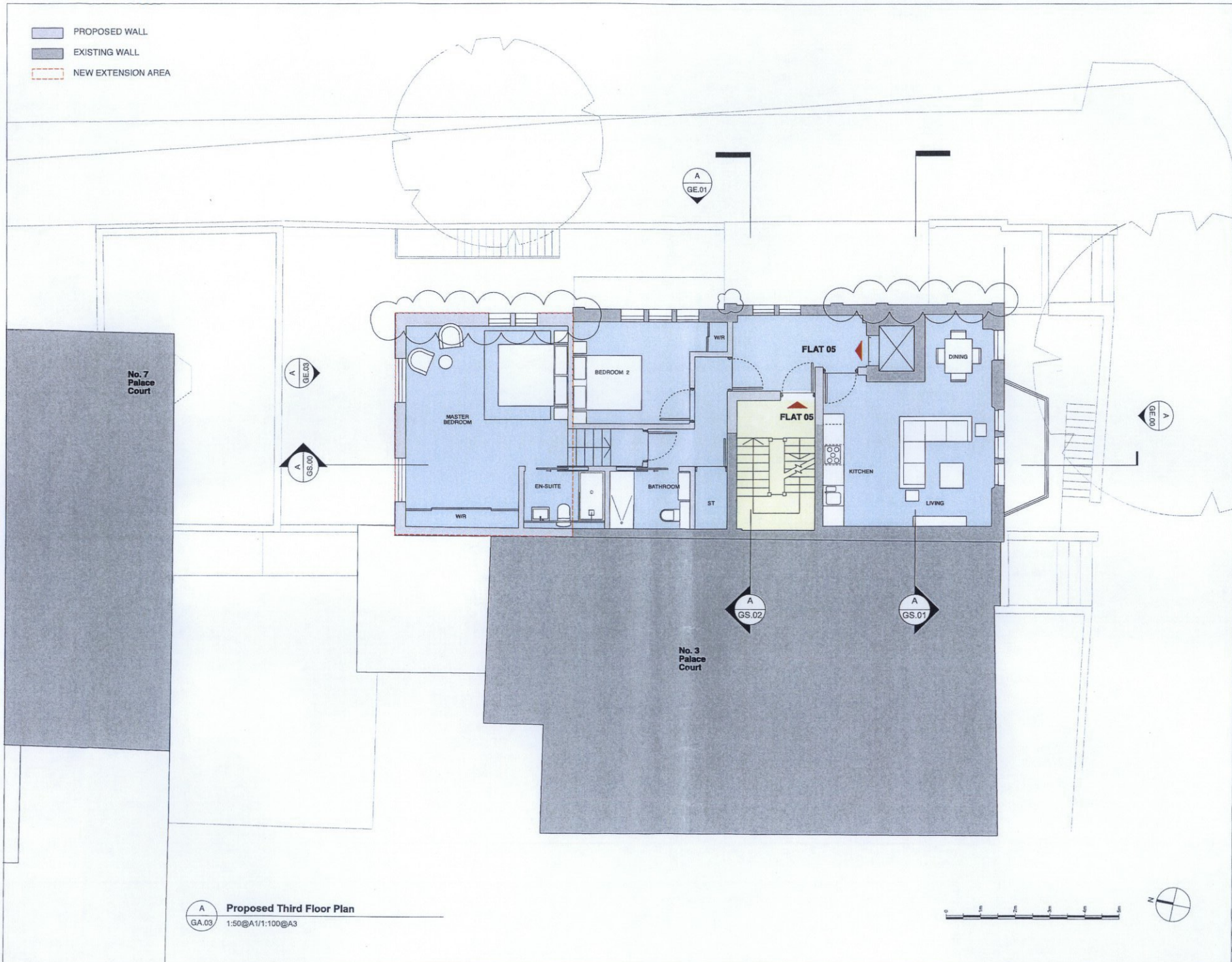
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Project
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 London W2 4LP

Drawing Title
 Proposed Floor Plan
 Second Floor

Issue Information	Drawn	Checked	RD
Scale: 1:50@A1/1:100@A3	MC	RD	DATE: Feb 2015
Drawn No: 201_GA_02		Revision	P2

- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA



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Revisions	
P2	11/05/15 Revisions as attached
P1	30/03/15 Issued to planning

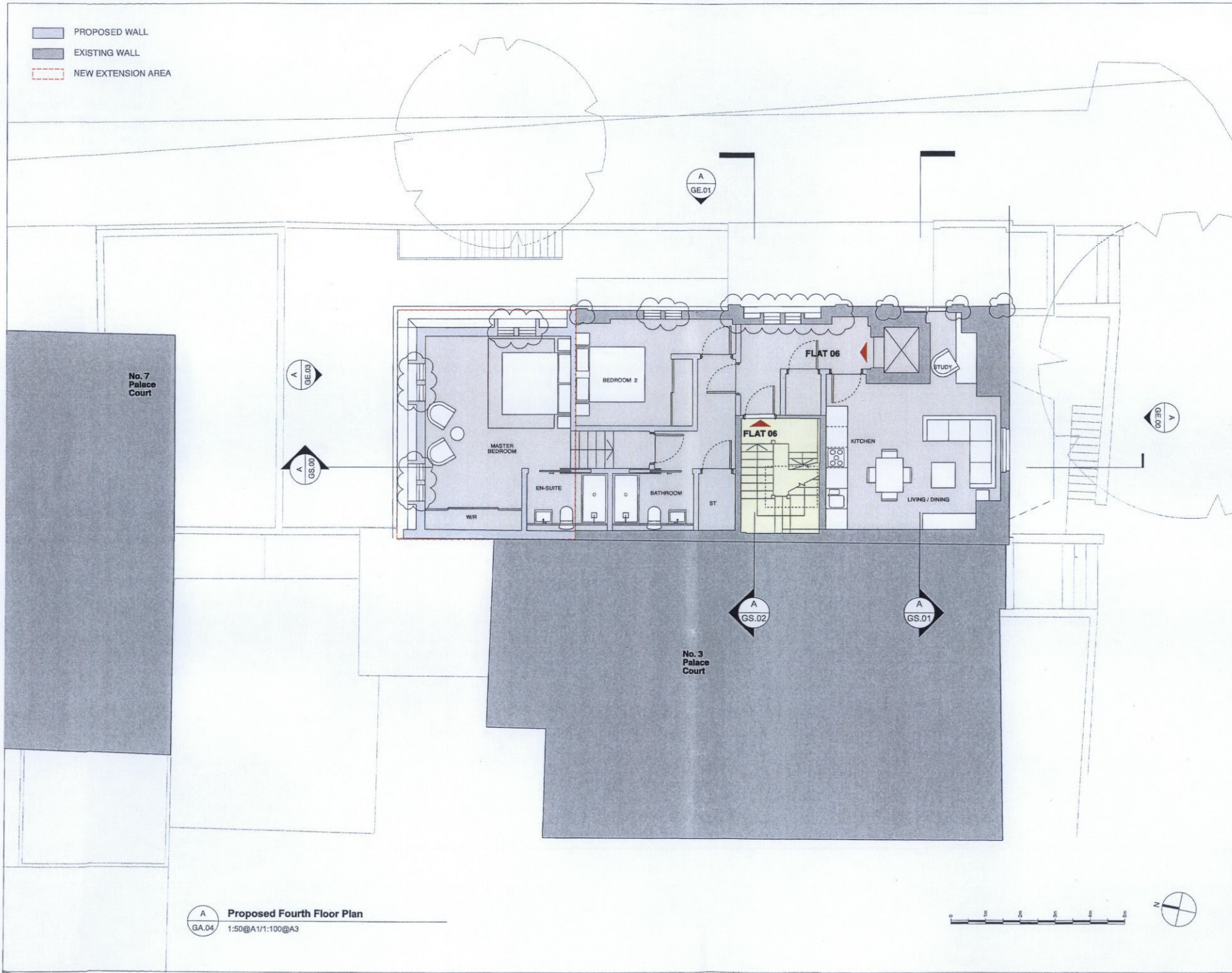
Client	
Project	1 Palace Court London W2 4LP
Drawing Title	Proposed Floor Plan Third Floor

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Status		Drawn	Checked
Information		MC	RD
Scale	1:50@A1/1:100@A3	Date	Feb 2015
Dwg. No.	201_GA_03	Revision	P2

Proposed Third Floor Plan
 GA.03 1:50@A1/1:100@A3

- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA



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Notes

P2 11/03/15 Revisions as attached
 P1 30/03/15 Issued for planning

Revisions



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Client
 Project
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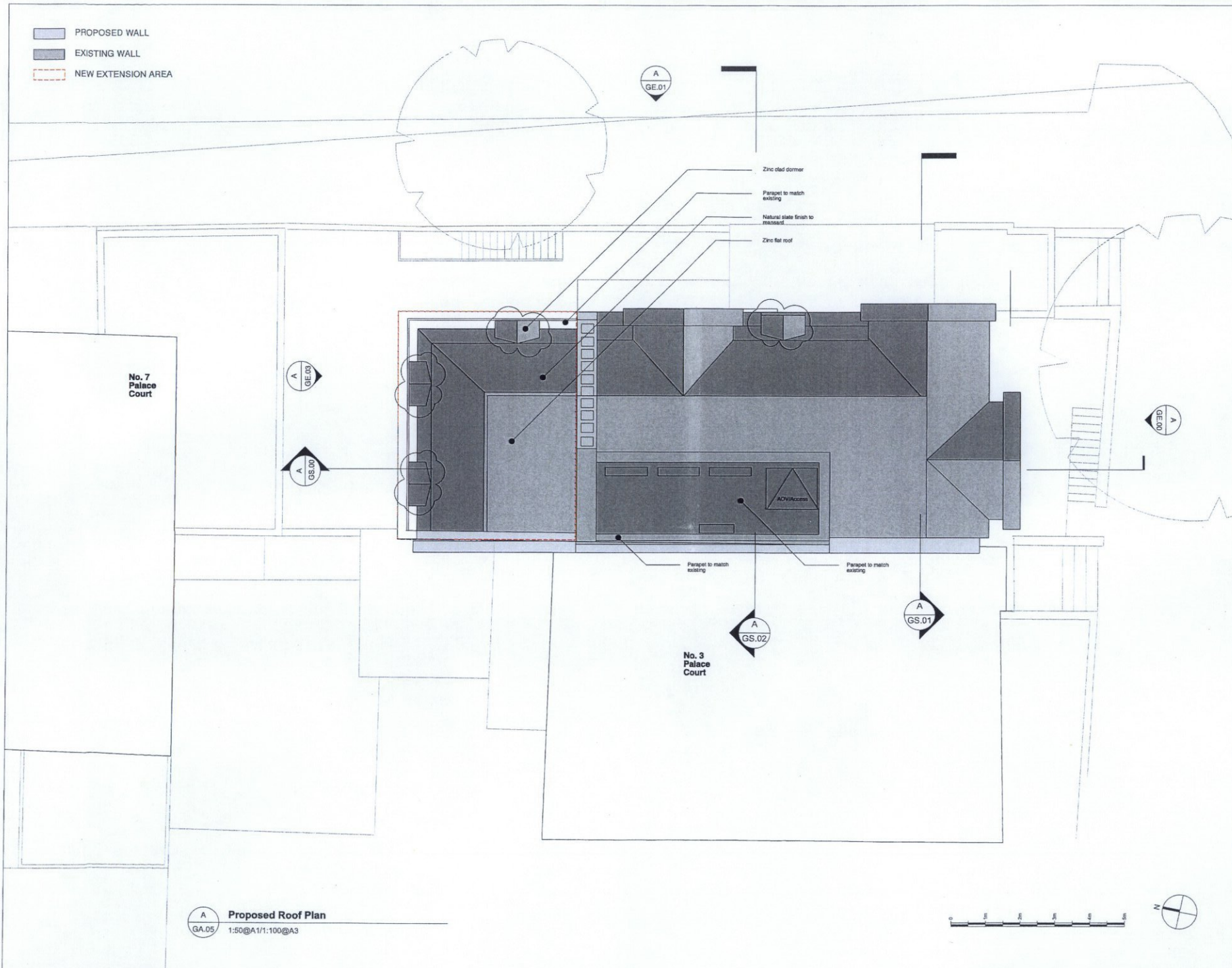
Drawing Title
 Proposed Floor Plan
 Fourth Floor

Scale	Information	Drawn	Checked
1:50@A1/1:100@A3		MC	RD
Drawn No.	201_GA_04	Date	Feb 2015
Revision	P2		

Proposed Fourth Floor Plan
 GA.04 1:50@A1/1:100@A3

- PROPOSED WALL
- EXISTING WALL
- NEW EXTENSION AREA

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Zinc clad dormer
 Parapet to match existing
 Natural slate finish to match
 Zinc flat roof

ACV/Access

No. 3
 Palace
 Court

No. 7
 Palace
 Court

Proposed Roof Plan
 GA.05 1:50@A1/1:100@A3



P2	11/05/15	Revisions as circled
P1	30/03/15	Issued for planning
Revision		

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Client:
 Project:
 1 Palace Court
 London W2 4LP

Drawing Title:
 Proposed Floor Plan
 Roof Plan

Status:	Information	Drawn:	MC	Checked:	RD
Scale:	1:50@A1/1:100@A3	Date:	Feb 2015		
Dwg. No.:	201_GA_05	Revision:	P2		

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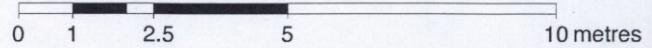
All existing windows to be replaced with traditional sash windows painted white
Existing brickwork to be cleaned

Proposed new stair to access plant and bike store at lower ground floor level

New gate incorporated into existing railings.
Existing railings to be retained and refurbished

A
GE.00
1:50@A1/1:100@A3
Proposed Bayswater Road Elevation

B
GE.00
1:50@A1/1:100@A3
Proposed Bayswater Road Lower Ground Elevation



P1 200315 Issued to planning

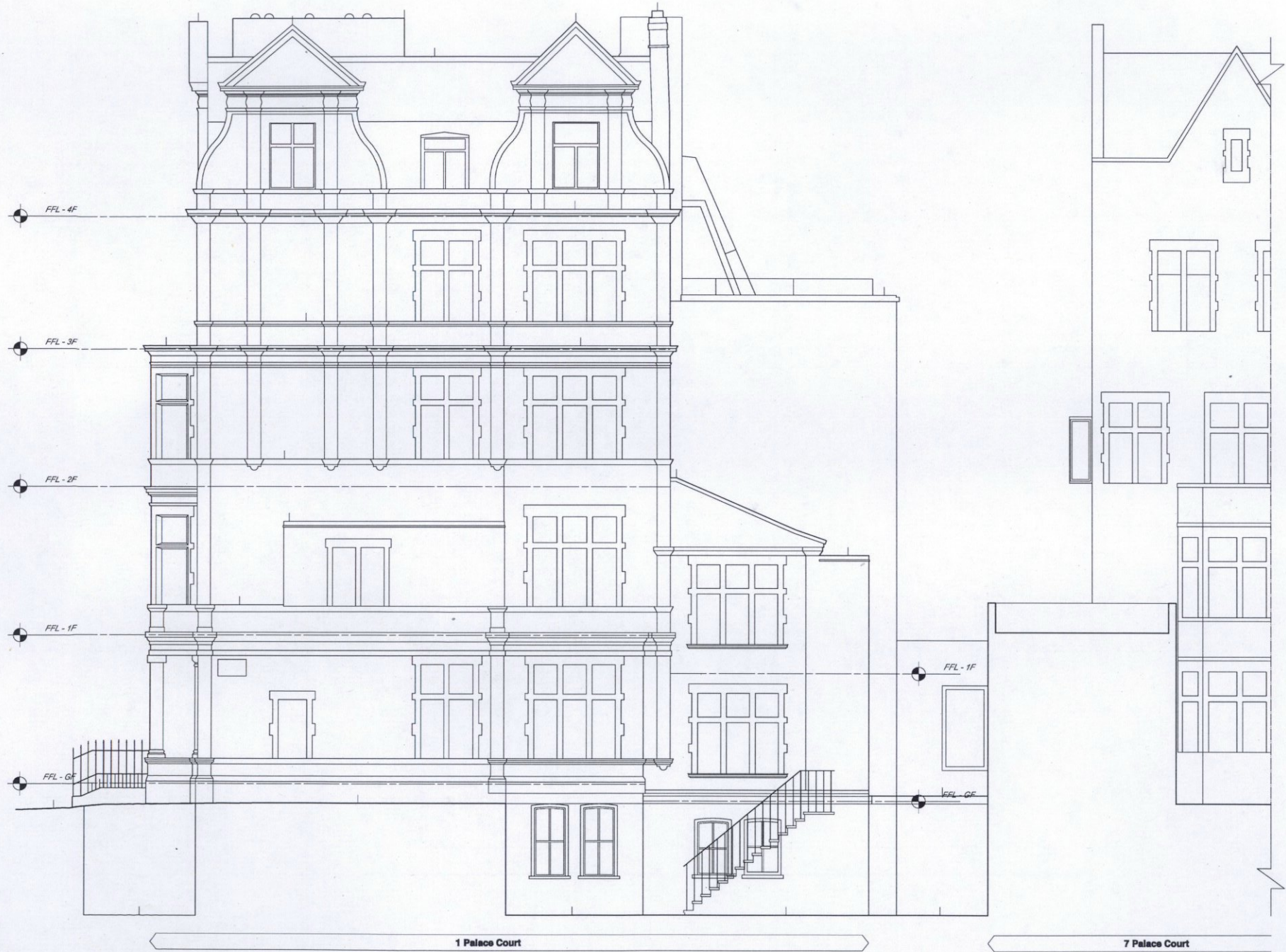


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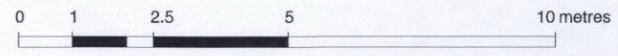
Client
Project
1 Palace Court
London W2 4LP
Drawing Title
Proposed Front Elevation

Scale	Drawn	Checked	Date
Information	MC	RD	
Scale	1:50@A1/1:100@A3	Date	Feb 2014
Dwg. No.	201_GE_00	Revision	P1

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A Existing Palace Court Lower Ground Elevation
 EE.02 1:50@A1/1:100@A3



P1 200315 Issued to planning
 Markham

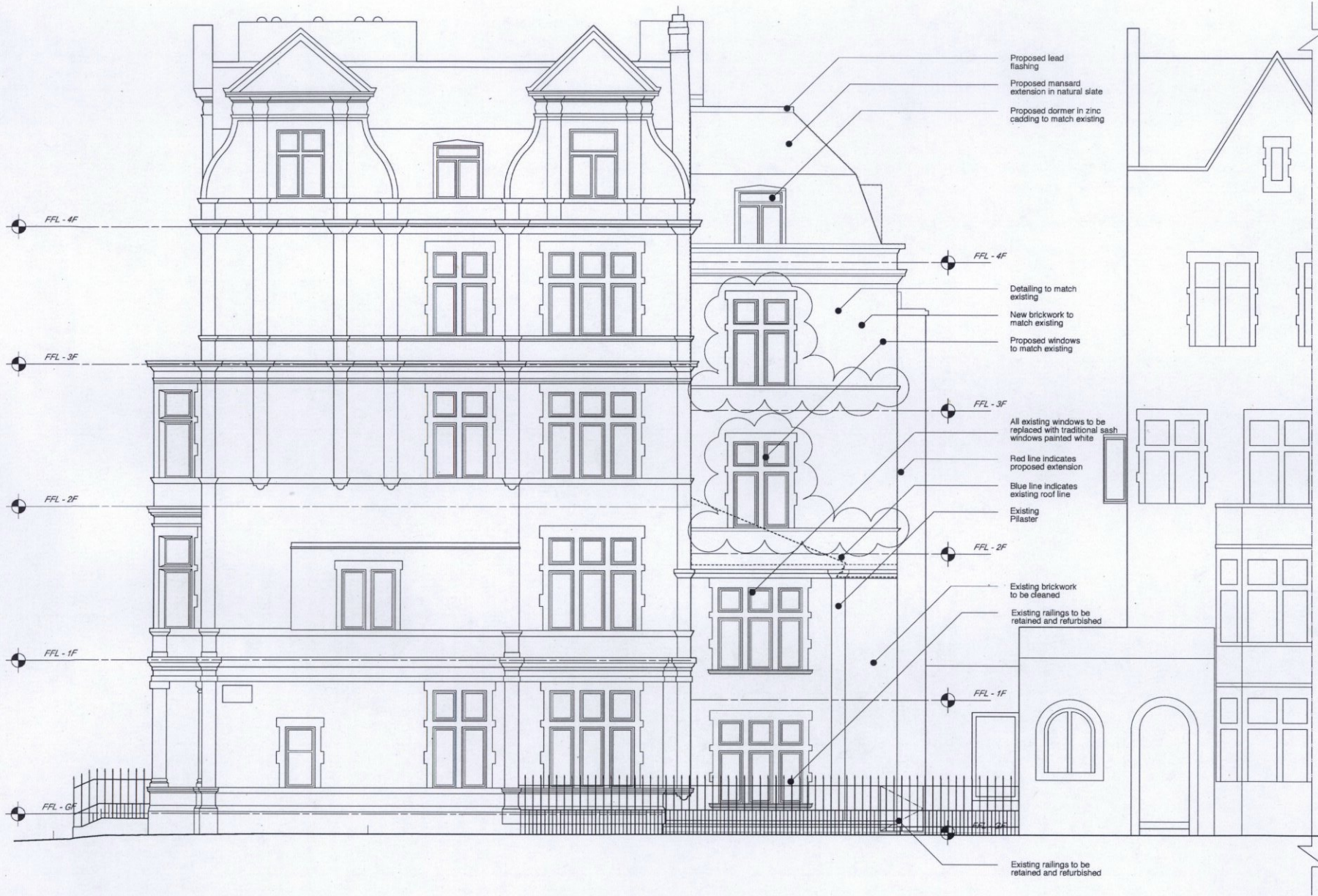


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Client
 Project
 1 Palace Court
 London W2 4LP
 Drawing Title
 Existing Side Elevation

Scale	Drawn	Checked
Information	MC	RD
Scale	1:50@A1/1:100@A3	Date
Drawn No.	201_EE_02	Revision
		P1

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1 Palace Court

A
GE.00 **Proposed Palace Court Elevation**
1:50@A1/1:100@A3

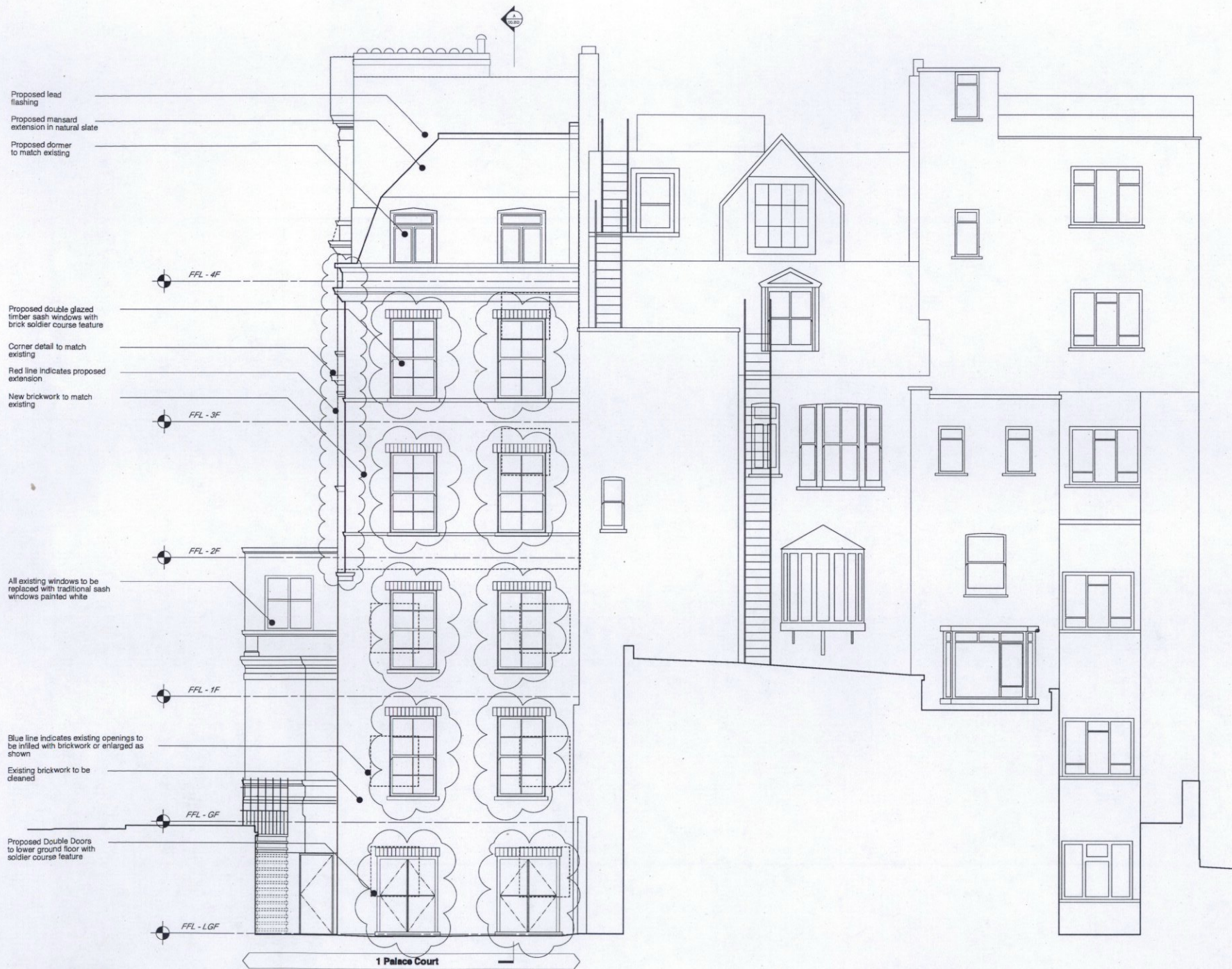
P2 11/06/15 Revisions as detailed
P1 30/03/15 based on planning
Revisions

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Client:
Project:
1 Palace Court
London W2 4LP
Drawing Title:
Proposed Side Elevation

Scale	Drawn	Checked
1:50@A1/1:100@A3	MC	RD
Drawn No:	201_GE_01	Revision
		P2

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Proposed lead flashing
 Proposed mansard extension in natural slate
 Proposed domer to match existing

Proposed double glazed timber sash windows with brick soldier course feature
 Corner detail to match existing
 Red line indicates proposed extension
 New brickwork to match existing

All existing windows to be replaced with traditional sash windows painted white

Blue line indicates existing openings to be infilled with brickwork or enlarged as shown
 Existing brickwork to be cleaned

Proposed Double Doors to lower ground floor with soldier course feature

FFL - 4F

FFL - 3F

FFL - 2F

FFL - 1F

FFL - GF

FFL - LGF

1 Palace Court

Proposed Rear Elevation
 1:50@A1/1:100@A3

P2 15/06/15 Revisions as detailed
 P1 20/03/15 based on planning

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Client:
 Project:
 1 Palace Court
 London W2 4LP
 Drawing Title:
 Proposed Rear Elevation

Scale	Drawn	Checked
Information	MC	RD
Scale	1:50@A1/1:100@A3	Date: Feb 2015
Drawn No.	201_GE_03	Revision
		P2

PHOTO MONTAGE VIEW OF PROPOSED
EXTENSION FROM BAYSWATER ROAD



PHOTOMONTAGE VIEW
OF PROPOSED EXTENSION
FROM PALACE COURT

