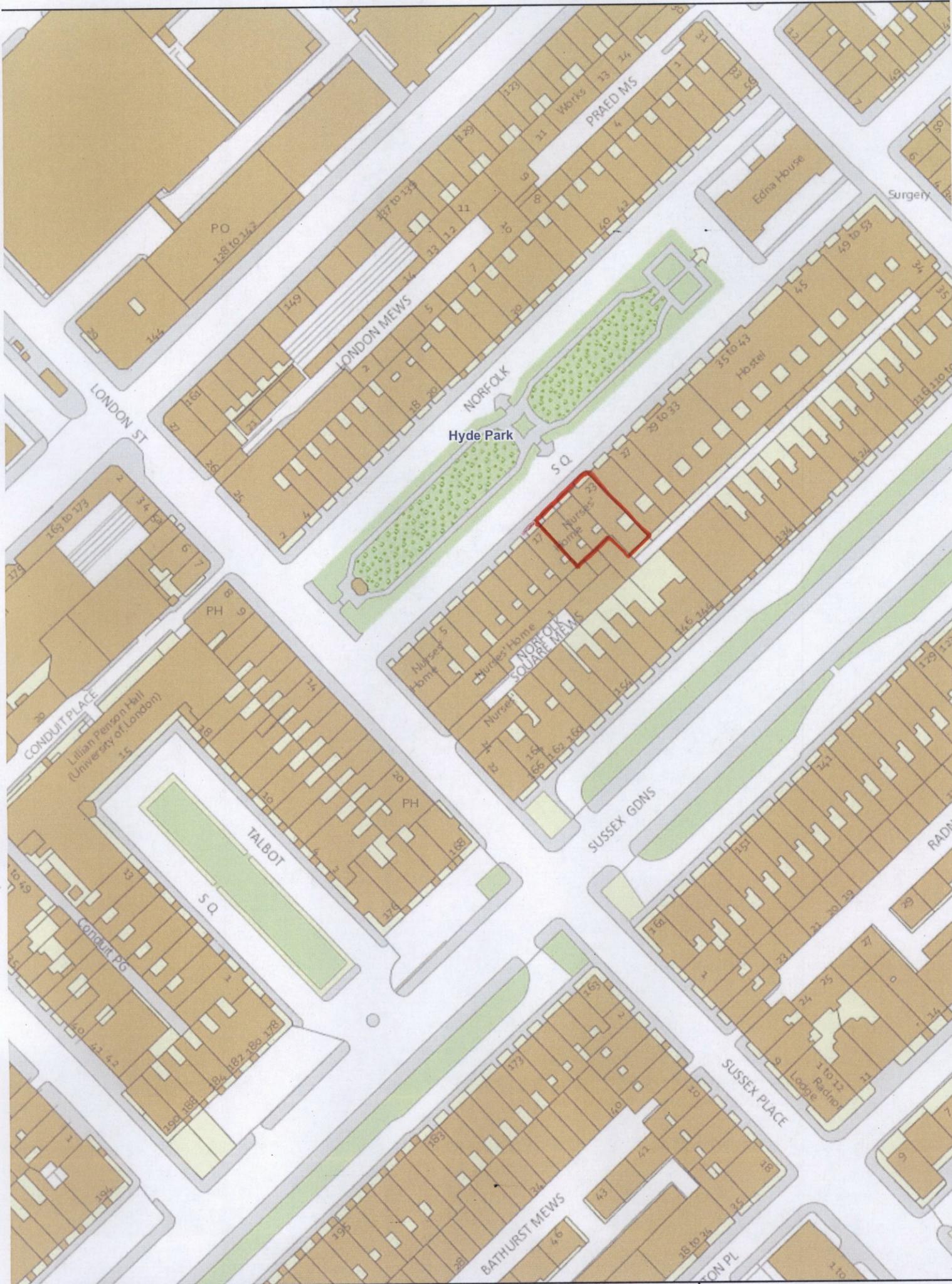


CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 October 2015	Classification For General Release	
Report of Director of Planning		Wards involved Hyde Park	
Subject of Report	19-23 Norfolk Square, London, W2 1RU		
Proposal	Use of Nos. 19-23 to provide convalescence accommodation for patients and their families/carers sent to London by HM Government of Gibraltar (HMGG) for medical treatment (sui generis), alterations including works to connect properties at ground and lower ground floor, creation of mansard roof extension and extension of rear closet wing to No.23, installation of lift within each property, installation of rooflights and associated internal and external works.		
Agent	Montagu Evans LLP		
On behalf of	The Calpe House Charitable Trust		
Registered Number	15/04631/FULL 15/04632/LBC	TP / PP No	TP/3442
Date of Application	26.05.2015	Date amended/ completed	08.09.2015
Category of Application	Other		
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	Not Applicable		

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.





19-23 NORFOLK SQUARE, W2

2. SUMMARY

This application seeks permission and listed building consent for the change of use of these three Grade II listed buildings from one Sui Generis use as a hostel for medical staff to another Sui Generis use as a hostel to the accommodation of convalescing patients sent to London by Her Majesty's Government for Gibraltar for medical care within nearby hospitals. Other works include the refurbishment of these listed buildings, the insertion of lifts within the closet wing of each property and extending the rear extension of No.23 by one storey and the addition of a mansard roof extension to No.23. The scheme has been amended to address a number of historic building issues raised by officers. The applicant currently occupies Calpe House at 47 Princes Square, which is now too small to cope with the demand for citizens of Gibraltar who come to London for medical treatment. The proposal will create 36 bedrooms, plus a managers flat.

The key issues in this case are:

- The acceptability of replacing one type of hostel (a Sui Generis use) with another type of hostel use and whether this new use will have an adverse impact on the character and function of this part of Paddington and on the amenities of neighbouring residents.
- The acceptability of the alterations and extensions on the special architectural and historic interest of these Grade II listed buildings and the character and appearance of the Bayswater Conservation Area.
- The impact on the proposed alterations and extensions on the amenity of surrounding residents and businesses.

Despite the objections raised by the Hyde Park Estate Association, it is considered that the proposed use accords with Policy H6 in the UDP and will not harm the character and function of this part of Bayswater Conservation Area. The proposed use will cater for a specific short term housing need and is close to St. Mary's Hospital. There are no objections to the proposed mansard and rear addition to No.23. The internal and external alterations are, following amendment, acceptable in historic building terms. Accordingly the proposed development would accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan) and is therefore recommended for approval subject to the conditions set out in the draft decision letters.

3. CONSULTATIONS

WARD COUNCILLORS

Any response to be reported verbally.

HYDE PARK ESTATE ASSOCIATION

Strong objection. Wholly inadequate information has been submitted. Applicant fails to provide details of the nature of patients using the facility. What type of care is being provided, what transport services need to be arranged, will ambulances be expected all hours of the day and night, will patients have special or mental health needs. The Paddington Business Improvement District (BID) has been created to encourage incoming investment and create a business and tourism hub. The Neighbourhood Area established with businesses and residents wishing to see improvements in the quality of life, and this means the encouragement of the right type of use of buildings in the area. The proposed institutional use is not compatible with the aims and vision of the BID and the Neighbourhood Area. Planning for change in the NHS Estate at St. Mary's Hospital has been omitted.

HIGHWAYS PLANNING MANAGER

Undesirable on transportation grounds but could be considered acceptable. No car parking is being provided, but it is considered that the proposed change of use will have minimal impact

on parking levels. While trip generation of the proposal is likely to be higher than a typical residential development, it is not considered to have a detrimental impact on safety or the operation of the wider highway network. No cycle parking is being proposed and whilst no standards for this type of accommodation, recommend that two spaces be provided for staff and this to be controlled by condition.

ENVIRONMENTAL HEALTH

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 50; Total No. of Replies: 0.

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application relates to three Grade II listed buildings located on the south side of Norfolk Square within the Bayswater Conservation Area. Nos. 19 and 21 are five storey terraced properties comprising lower ground to fourth floor (mansard) levels. No.23 is one storey taller and forms part of a terrace from No's.23 to 53 Norfolk Square. Although only listed for 'group value' with other buildings in the same terrace, the interior of No.23 is good. All three buildings are in a relatively dilapidated condition at the present time.

The properties are currently vacant and were last used as hostel accommodation for medical staff working at the nearby St Mary's Hospital (a Sui Generis use). It is understood that the accommodation has been surplus to the hospital's requirements since 2010.

The application site lies within the North Westminster Economic Development Area (NWEDA),

4.2 Planning History

These properties have been used by St. Mary's Hospital to house their medical staff since 1946 and are considered to have a lawful hostel (Sui Generis) use.

There have a number of listed building consent applications for works to Nos.19-21 Norfolk Square.

5. THE PROPOSAL

The applicant is the Calpe House Charitable Trust supported by Her Majesty's Government for Gibraltar (HMGG). The application seeks approval for the change of use of the buildings to provide accommodation for convalescing patients from Gibraltar who arrive in the UK for medical treatment. This is considered to be a Sui Generis hostel use.

The HMGG use a building known as Calpe House, which is No.47 Princes Square W2, for this purpose; however, this property is too small to accommodate the number of patients visiting the UK for treatment and can only accommodates 12 families at a time.

This proposal seeks to upgrade the interior of the buildings and link the buildings. There are currently 39 bedrooms as existing across the three properties and this proposal will create 36 bedrooms and one staff room. Each bedroom will have its own en-suite bathroom and the majority will have a private kitchenette. A large common room and a communal kitchen are proposed on the first floor of No.23.

Patients arriving in the UK will often have a carer/ family member with them and the duration of stay will depend on the type of medical treatment being received. The occupation will be transient and will not be a permanent place of residence.

The proposal involves extensive works to refurbish the buildings. A mansard roof extension and an additional floor to the rear closet wing are proposed at No.23.

The scheme has been amended during the course of the application in order to address a number of concerns raised by officers regarding the impact of the proposed development on the listed buildings.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The Hyde Park Estate Association strongly object to the change of use on a number of grounds. Firstly they consider that insufficient information has been provided regarding the exact nature of the proposed use and the types of illness patients may have. The local amenity society are concerned that there could be increased traffic and ambulances in Norfolk Square. They consider that this proposed use is not in keeping with the BID and Neighbourhood Area and does not take in to consideration future changes to the NHS estate at St. Mary's Hospital.

The lawful use of the buildings is as a hostel for medical staff which is a Sui Generis use and this proposal is also for hostel use but for a different user. It is recognised there is a demand for improved facilities for Calpe House as their current premises in Bayswater can only provide accommodation for 12 families. This proposal will create 36 bedrooms and improved facilities. The buildings will continue to provide special needs housing for an existing operator in this part of the City.

It is not considered that the proposed use will have an adverse impact on the residential amenity of the area as a result of increased activity or additional noise and disturbance. This area is well served by public transport and the application site is few minutes' walk away from St. Mary's Hospital. The proposal therefore complies with Policy H6 (Hostels and Special Needs Housing) in the UDP.

6.2 Townscape and Design

Nos.19-23 Norfolk Square are three Grade II listed buildings within the Bayswater Conservation Area. Nos.19 and 21 form part of the Grade II listed terrace between Nos.1-21 Norfolk Square which are a terrace of mid-nineteenth Century houses that comprise a lower ground floor, ground floor and four upper storeys, with the top storey in the form of a mansard roof. No.23 Norfolk Square forms part of the listed terrace which includes Nos.23-53 Norfolk Square. This terrace is grander in scale and design and is likely to be of slightly later mid-nineteenth Century date. No.23 comprises lower ground floor, ground floor and four upper storeys. As is typical of buildings of this style and date they exhibit a high degree of uniformity to their exterior within their terrace group. The exteriors of all three buildings, albeit in need of repair, contribute highly to the significance of these listed buildings. With respect to their interiors these have suffered from insensitive alterations in the past, such as the replacement of most of the original doors, subdivision of rooms to create bathrooms, and boxed-in services located throughout the buildings.

Nonetheless there still remain a number of features of the interior which contribute to the significance and special interest of the buildings and these include the staircases, elements of

plan form, some fireplaces, and in some cases, particularly within No.23, some fine plasterwork to ceilings.

The proposed works include a variety of alterations, including extension and significant interventions to the interior.

In terms of extensions, these largely relate to No.23, where it is proposed to add a mansard roof extension and to extend the rear closet wing by a further storey. With respect to the mansard roof extension, at present No.23 is the only building in the listed terrace of Nos.23-53 which does not have a mansard, thus the proposal would unify the roofscape of this terrace. The proposal will result in the loss of the historic V-shaped roof, however, this harm is considered to be outweighed by the beneficial roofscape uniformity that is brought to the terrace as a whole. The mansard will be appropriately detailed and pitched on all three sides, defining its end of terrace status.

The additional storey to the rear closet wing is also considered acceptable, because the western end of this listed terrace features taller rebuilt closet wings to Nos.29-31 and therefore there is less uniformity to the closet wing height at this end of the terrace. Were the proposal to be made to the eastern end of the terrace (i.e. to the east of No.31) the proposal may have been considered less favourably as there is a strong uniformity to the closet wings to this part of the terrace. The proposed extension to the closet wing would be appropriately detailed and would terminate at penultimate storey height.

The other main external alteration relates to the front entrance steps to No.21. It is proposed to introduce level access from the street and to accommodate this it is proposed to install a retractable platform lift. This will mean that the steps will be very similar to their existing appearance, but are capable of retracting and allowing a platform to rise and align with the door threshold. While this will result in a loss of fabric and slight modification to the appearance of the steps, it will nevertheless allow step free access and preserve the overall character and appearance of the entrance steps to the terrace.

Internally, there are a number of alterations proposed. These include the introduction of lifts to all three properties, the replacement of a section of the main cantilever stone staircase to No.23, some party wall openings and a variety of modifications to partitions, including the installation of en-suite facilities.

The introduction of lifts into listed buildings is often contentious and this case is no different. However, given the proposed use for the building, the need to deliver step free access is fully understood. The proposed lift position in No.23 would be in the rear closet wing and in a part of the building which is currently partitioned off from the main staircase, as such and subject to detail; it is considered that it could be incorporated relatively discreetly. Within Nos.19 and 21 the lift would be located within a recess off the staircase landings. The proposal shows that the lift would not project into the landing and if the detailed design of the lift doors and enclosure can be treated appropriately, it is considered that the impact of the installation could be relatively discreet, with minimal loss of fabric or impact on plan form.

The partial rebuilding of the stone staircase to No.23 has been previously approved (10/09620/LBC) and is once again considered acceptable, as the current stair has structurally failed.

All other internal works are considered acceptable. The interiors have been modified, but there remain a number of good interior elements that survive and the proposals are considered to strike a successful balance between providing the required internal layout and facilities, while maintaining and in some cases enhancing the historic elements which contribute to the significance of these listed buildings.

Subject to the proposed conditions the proposed works are considered acceptable in design and historic building terms and are in accordance with Policies S25 and S28 of our City Plan; Policies DES 1, DES 5, DES 6, DES 9 and DES 10 of our UDP; our listed buildings' SPG; and the NPPF.

6.3 Residential Amenity (Daylight, Sunlight and Privacy)

The applicant has submitted a Daylight and Sunlight Report which confirms that the proposed mansard roof extension or the additional floor to the closet wing at No.23 will not result in any loss of light to neighbours at the rear in Norfolk Square Mews or Sussex Gardens. There may be a small increase in sense of enclosure, but this will be within acceptable limits. It is considered that the proposed alterations or extensions will harm the privacy of neighbouring residents. As such, the proposal therefore complies with Policies S29 in the City Plan and ENV13 in the UDP.

6.4 Transport/ Parking

The Highways Planning Manager is satisfied that the proposed change of use will not have an adverse impact on traffic conditions or increased parking pressure in the Square.

Two cycle parking spaces are shown in one of the front vaults at No.23 and these will be secured by condition for use by staff.

In respect of the objection raised by the local amenity society that ambulances will be arriving and departing on a regular basis, it is considered unlikely that this would be as regular an occurrence as they suggest as the purpose of the accommodation is to provide convalescence accommodation between and after treatments in London medical facilities. It is not intended to provide medical treatment at the application site. In this context, it is not considered that the proposed use would have a material impact on the operation of the highway or the amenity of neighbouring residents as a result of vehicle movements to and from the premises.

6.5 Equalities and Diversities (including Access)

Disabled access will be provided and this will include a new external platform lift to No.21 and an 8 person passenger lift within the closet wing of No.23 to allow level access from the basement to the third floor. Another lift will be installed in the rear closet wings of No's.19 and 21 to allow access from basement to second floor level.

The platform lift in the lightwell to No.21 has been removed, and replaced with retractable platform lift which is a more appropriate alteration in terms of the impact on the appearance of the listed building.

6.6 Economic Considerations

Despite the objections raised by the local amenity society is considered that the proposed use will enhance the area, and generate economic benefits to the local area.

6.7 Other Westminster Policy Considerations

Mechanical plant is proposed within in the front vaults. The formal views of Environmental Health are awaited, but the applicant's acoustic report demonstrates compliance with the Council's noise conditions.

Provision of waste and recycling storage is shown in one of the front vaults of No.23 and this provision will be secured by condition.

6.8 London Plan

This proposal does not raises any strategic issues.

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. 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.

6.10 Planning Obligations

Not required for a development of this size

6.11 Environmental Assessment, Sustainability and Biodiversity

The applicant has submitted an Energy and Sustainability Statement which concludes that the conversion is likely to reach a BREEAM 'Very Good' rating which is acceptable given the building's listed status. The proposal will have no adverse effects on biodiversity.

6.12 Other Matters

In respect of the comments made by the local amenity society regarding the lack of information on the proposed use, the agents have responded and their response to the Hyde Park Estate Association is set out in the background papers.

7. CONCLUSION

Following amendment the application is considered to be acceptable in land use, amenity, design and conservation and transportation terms and would accord with the relevant policies in the UDP and the City Plan. As such, it is recommended that planning permission and listed building consent are granted subject to the conditions set out in the draft decision letters.

BACKGROUND PAPERS

1. Application forms.
2. Email from the Hyde Park Estate Association dated 26 June 2015.

3. Memo from the Highways Planning Manager dated 16 June 2015.
4. Email from agent for applicant in respect of the comments made by the Hyde Park Estate Association dated 23 August 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: 19-23 Norfolk Square, London, W2 1RU

Proposal: Use of Nos. 19-23 to provide convalescence accommodation for patients and their families/ carers sent to London by HM Government of Gibraltar (HMGG) for medical treatment (Sui Generis), alterations including works to connect properties at ground and lower ground floor, creation of mansard roof extension and extension of rear closet wing to No.23, installation of lift within each property, installation of rooflights and associated internal and external works.

Plan Nos: Site location plan, E_01B, E_02A, E_03A, E_04A, E_05A, E_06B, E_07A, E_08A, E_09 A, E_10 A, E_12A, E_13 A, E_14 A, E_15A and E_16A. D_01C, D_02A, D_03B, D_04B, D_04B, D_05A, D_06B, D_07B, D_08B, D_09B, D_12A, D_13A, D_14A, D_15A and D_16A. P_00, P_01C, P_02C, P_03B, P_04B, P_05B, P_06C, P_07C, P_08C, P_09C, P_10C, P_11B, P_13B, P_14A, P_15A, P_16A, P_17B, P_18A, P_19A, P_20A, P_21A, P_22A, P_23A, P_24A and P_25A. Design and Access Statement dated May 2015 as amended by Planning-Design and Access Statement Addendum dated August 2015, Planning Statement, Heritage Statement dated May 2015, Door Schedule (Rev.A - 13.05.15), Window Schedule (Rev.A - 13.05.15), Room Photographic Survey dated April 2015, Noise Impact Assessment (R3 - 27.05.15), Daylight and Sunlight Report dated 1 May 2015, Transport Appraisal dated 6 May 2015, Structural Engineer's Report dated June 2015 (Updated July 2015) and letter from Sinclair Johnson Structural Engineers dated 31 July 2015, Energy and Sustainability Statement dated 22/05/2015 (Rev.B) and Mechanical and Engineering Statement Outline Design Report dated 24/04/2015 (Rev.A) and associated plans SKM-002, SKM-003, SKM-004, SKM-005, SKM-006, SKM-007 and SKM-008) and letter from Montagu Evans dated 26 May 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 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 apply to us for approval of samples of the facing materials you will use to the mansard and rear extension, including glazing, and elevations and roof 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.

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 a sample panel of brickwork which shows the colour, texture, face bond and pointing. 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 approved sample.

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)

- 5 You must apply to us for approval of detailed drawings (at a scale of 1:20 with details at 1:5) of the following parts of the development:

- (i) All new windows and external doors.
- (ii) The alterations to the front entrance steps to no.21.
- (iii) Rooflights.
- (iv) Plant enclosure (1:5 details not required for this item).

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 approved drawings.

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)

- 6 The mansard roof extension to No.23 shall be clad in natural grey slates.

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)

- 7 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)

- 8 (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.

- 9 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.

- 10 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 11 Two cycle parking spaces shall be provided for staff located in the front pavement vault and they shall be provided prior to the occupation of the use and shall be permanently retained thereafter.

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.

- 12 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number P_01D. You must clearly mark them and make them available at all times to everyone using the premises. (C14FB)

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)

- 13 You must not use the roofs of the rear extensions or the mansard roof extension for sitting out or for any other purpose. You can however use the roofs to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 14 The hostel use hereby approved shall only be used by the Calpe House Charitable Trust to provide convalescent accommodation for patients, and their relatives or carers, who have been sent to London for medical treatment by Her Majesty's Government of Gibraltar.

Reason:

In order to safeguard the amenities of neighbouring residents and to preserve the character and function of this part of the Bayswater Conservation Area. This is in line with S25 and S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES9 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

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 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)
- 3 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)
- 4 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.uk.

- 5 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

- 6 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.

- 7 One or more of the uses we have approved are referred to as being 'sui generis'. This means that the use or uses are not in any particular class. Any future plans to materially (significantly) change the use that we have approved will need planning permission. (I78AA)

- 8 Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public.

Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992. www.opsi.gov.uk/SI/si1992/Uksi_19923004_en_1.htm

The following are available from the British Standards Institute - see <http://shop.bsigroup.com/>:

BS 6465-1:2006: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances

BS 6465-3:2006: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances. (I80HA)

- 9 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge.

If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/>.

You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.

DRAFT DECISION LETTER

Address: 19-23 Norfolk Square, London, W2 1RU

Proposal: Alterations including works to connect properties at ground and lower ground floor, creation of mansard roof extension and extension of rear closet wing to No.23, installation of lift within each property, installation of rooflights and associated internal and external works.

Plan Nos: Site location plan, E_01B, E_02A, E_03A, E_04A, E_05A, E_06B, E_07A, E_08A, E_09 A, E_10 A, E_12A, E_13 A, E_14 A, E_15A and E_16A. D_01C, D_02A, D_03B, D_04B, D_04B, D_05A, D_06B, D_07B, D_08B, D_09B, D_12A, D_13A, D_14A, D_15A and D_16A. P_00, P_01C, P_02C, P_03B, P_04B, P_05B, P_06C, P_07C, P_08C, P_09C, P_10C, P_11B, P_13B, P_14A, P_15A, P_16A, P_17B, P_18A, P_19A, P_20A, P_21A, P_22A, P_23A, P_24A and P_25A. Design and Access Statement dated May 2015 as amended by Planning-Design and Access Statement Addendum dated August 2015, Planning Statement, Heritage Statement dated May 2015, Door Schedule (Rev.A - 13.05.15), Window Schedule (Rev.A - 13.05.15), Room Photographic Survey dated April 2015, Noise Impact Assessment (R3 - 27.05.15), Daylight and Sunlight Report dated 1 May 2015, Transport Appraisal dated 6 May 2015, Structural Engineer's Report dated June 2015 (Updated July 2015) and letter from Sinclair Johnson Structural Engineers dated 31 July 2015, Energy and Sustainability Statement dated 22/05/2015 (Rev.B) and Mechanical and Engineering Statement Outline Design Report dated 24/04/2015 (Rev.A) and associated plans SKM-002, SKM-003, SKM-004, SKM-005, SKM-006, SKM-007 and SKM-008) and letter from Montagu Evans dated 26 May 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 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. 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 approved sample.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 You must apply to us for approval of samples of the facing materials you will use to the mansard and rear extension, including glazing, and elevations and roof 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.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 You must apply to us for approval of detailed drawings (at a scale of 1:20 with details at 1:5) of the following parts of the development:

- (i) All new windows and external doors.
- (ii) The alterations to the front entrance steps to no.21.
- (iii) Rooflights.
- (iv) Plant enclosure (1:5 details not required for this item).

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 approved drawings.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 5 You must apply to us for approval of full details of the following parts of the development:

- (i) Typical new internal doors.
- (ii) Typical new joinery details, including skirtings and architraves.
- (iii) Cornice treatment to rooms G.18, G.23 and 1.06.
- (iv) Any modifications to decorative plaster ceilings/ cornices.
- (v) The bathroom pod installations.
- (vi) Appearance of the new lifts as they are presented to the interior, including design of doors and their surround.
- (vii) Extent of repairs to upper floor timber staircases.
- (viii) New stone staircases in basement.
- (ix) Full extent of works to stone staircase in No.23.
- (x) Modifications to floor finishes/ surfaces.
- (xi) Fireplace schedule which sets out strategy for retention or re-positioning of all fireplaces.

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 approved drawings.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 6 All stone flags and floorboards to floors shall be retained unless modifications are approved by this consent or by other conditions attached to this consent.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 7 You must not disturb existing historic fabric including chimney pieces, plasterwork (including plain ceilings and walls), architraves, panelling, doors, other joinery, floorboards and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings; or are required by conditions to this permission. You must protect those features properly during work on site.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 8 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 listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 9 The mansard roof extension to No.23 shall be clad in natural grey slates.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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 paragraph 5.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

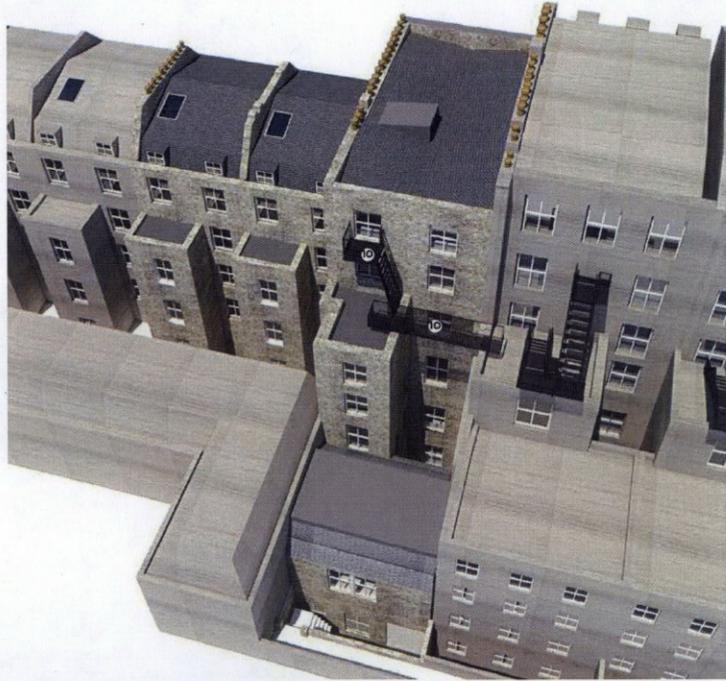
- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

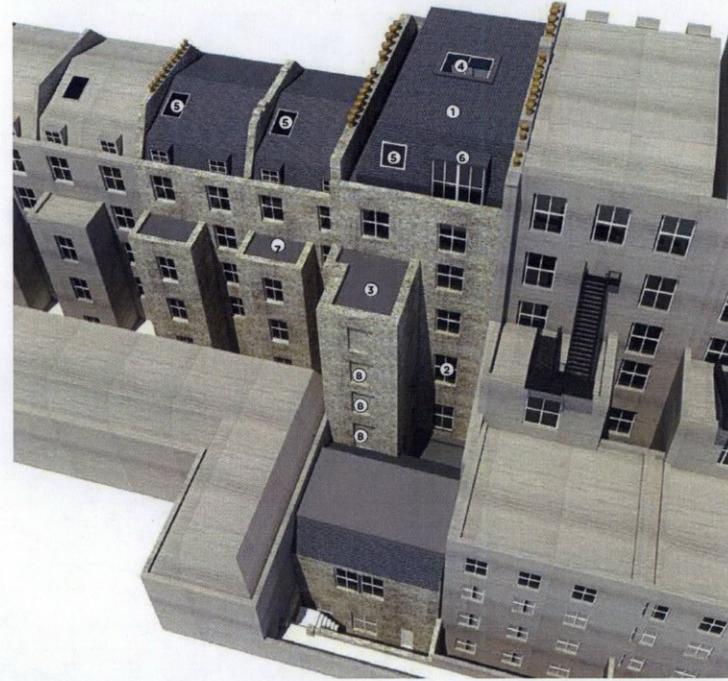
It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

- 3 You are advised that the new brickwork for the closet wing should be toned down to match the colour of the prevailing brickwork elsewhere and this may involve sootwashing or an alternative method of toning.

- 4 With respect to the extent of the works to the upper floor timber stairs. You are advised that our general position is that timber stairs in historic buildings can often be misaligned and sloping, but unless they are dangerous or structurally unsound, they should be retained and allowance made for some distortion. This approach would similarly apply to floors within the buildings.



Isometric View 1
As Existing

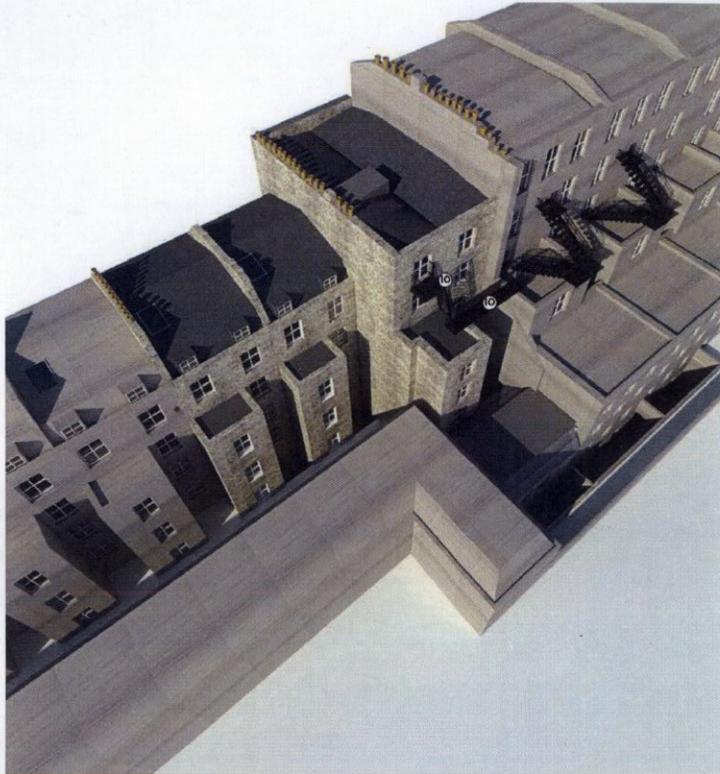


Isometric View 1
As Proposed

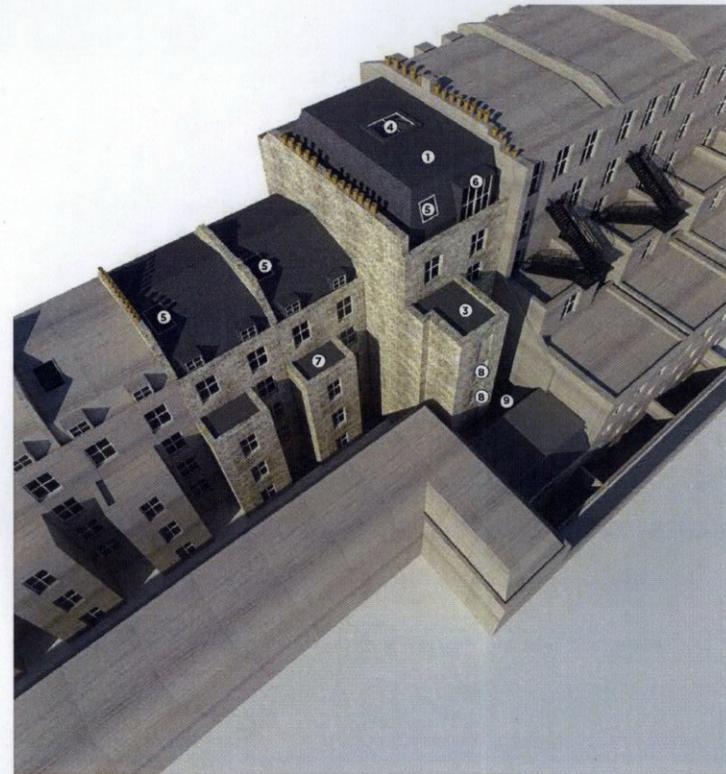
NOTES:

- ① New mansard level
- ② Proposed traditionally detailed window to match existing.
- ③ Rear closet wing to be extended by one level following existing footprint.
- ④ New rooflight with AOV
- ⑤ New conservation rooflight
- ⑥ New dormer window
- ⑦ New satellite dish
- ⑧ Existing window opening infilled
- ⑨ New AC plant proposed to flat roof
- ⑩ Existing fire escape gantry removed





Isometric View 2
As Existing



Isometric View 2
As Proposed

NOTES:

- ① New mansard level
- ② Proposed traditionally detailed window to match existing.
- ③ Rear closet wing to be extended by one level following existing footprint.
- ④ New rooflight with AOV
- ⑤ New conservation rooflight
- ⑥ New dormer window
- ⑦ New satellite dish
- ⑧ Existing window opening infilled
- ⑨ New AC plant proposed to flat roof
- ⑩ Existing fire escape gantry removed





Key Plan, Scale 1:250

Legend

- Existing Structure / Ground
- Existing stone floor
- Existing steel floor
- Existing brickwork
- Existing steel roof finish
- Existing lead roof finish
- Existing chimney
- Existing door
- Existing window

Drawings exhibiting existing detail above

Rev A 15.05.15 Issued for planning

PLANNING

Project No. 14012

Client: HM Government of Gibraltar

Date: May 2015

Scale: 1:50 @ A1 / 1:100 @ A3

Project: 19, 21 and 23 Norfolk Square

Drawing Title: Existing Front (North West) Elevation

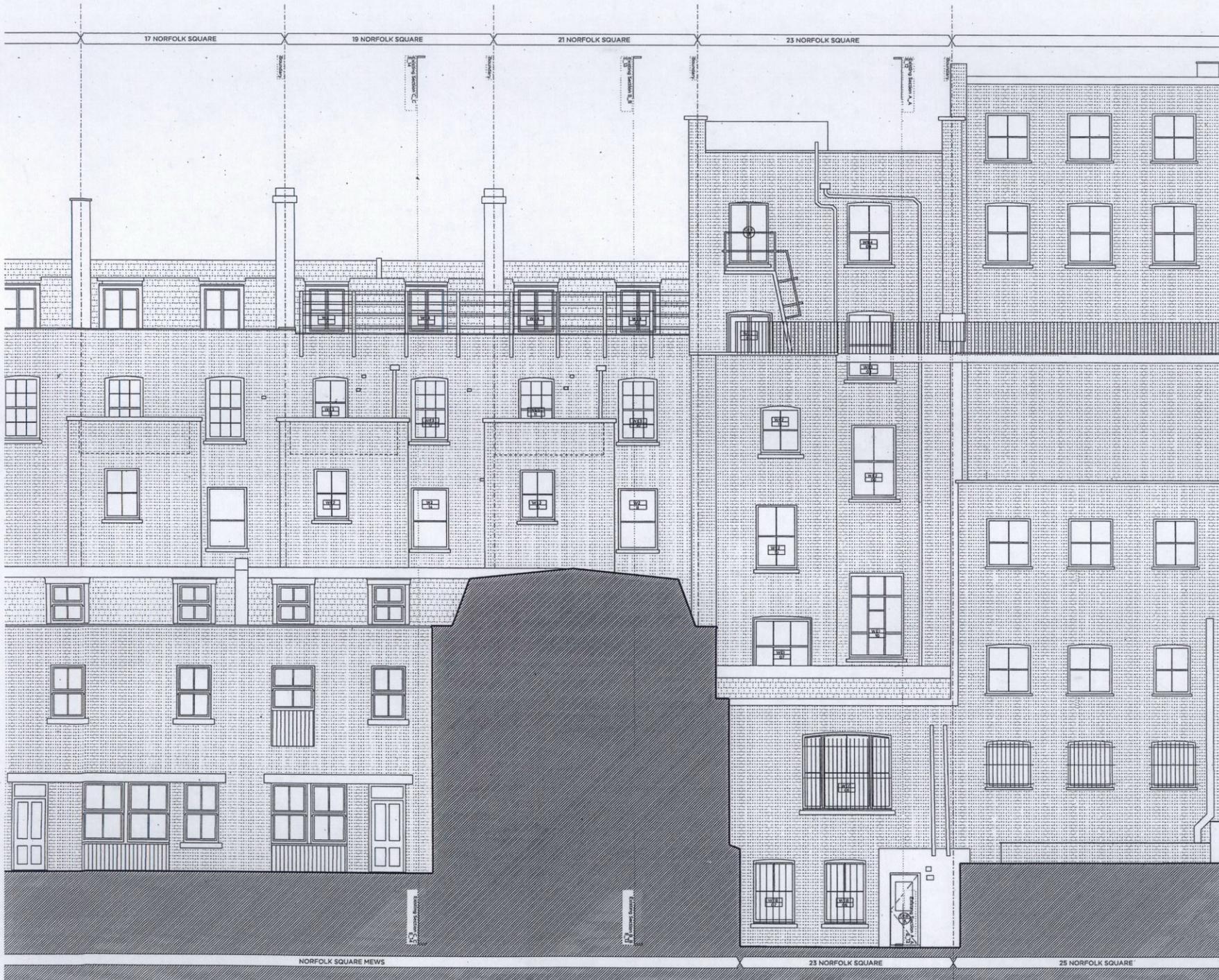
Drawing No. E_09 Rev. 1

Drawn: LH	Approved: MW	Stamp:
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Marek Wojciechowski Architects Ltd.

14, 16 Regency Street, Suite 208, T.020 7860 9336 www.mwa.co.uk

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Key Plan, Scale 1:500

Legend

- Existing Structure / Ground
- Existing stone floor
- Existing flat floor
- Existing bitumen
- Existing steel and brick
- Existing steel and slab
- Denotes existing ceiling at 2.10m above

Rev A 15.05.15 Issued for planning

PLANNING

Project No. **14012**

Client **HM Government of Gibraltar**

Date **May 2015**

Trade **1500@A1 / 1100@A3**

Project **19, 21 and 23 Norfolk Square**

Drawing Title: **Existing Rear (South East) Elevation**

Drawing No. **E_10** Rev. **A**

Drawn	Approved	Issued
LH	MW	

Marek Wojciechowski Architects Ltd.

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