

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 5 April 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	12 Elm Tree Road, London, NW8 9JX,		
Proposal	Excavation of basement with a rear lightwell, to provide a swimming pool. Installation of associated plant.		
Agent	Mrs Tori MacCabe		
On behalf of	Mr Sachin Khajuria		
Registered Number	15/08361/FULL	Date amended/ completed	17 November 2015
Date Application Received	8 September 2015		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The proposed development comprises the excavation of a basement beneath the footprint of the semi-detached dwellinghouse to a depth of 4.19m below ground level, incorporating in part a swimming pool and associated plant at a lower level of 7.21m. The external alterations consist of the installation of a rear light well set against the rear elevation of the building.

Objections have been received from a number of local residents and the adjoining property No.12A Elm Tree Road, primarily on the grounds of the proposed disruption caused by the development and the impact of the proposed basement excavation.

The key considerations are:

- Impact on the character and appearance of this building and the conservation area;
- Impact on the residential amenity of the occupants of neighbouring properties; and
- Impact of the basement excavation on the structural stability of this and neighbouring buildings.

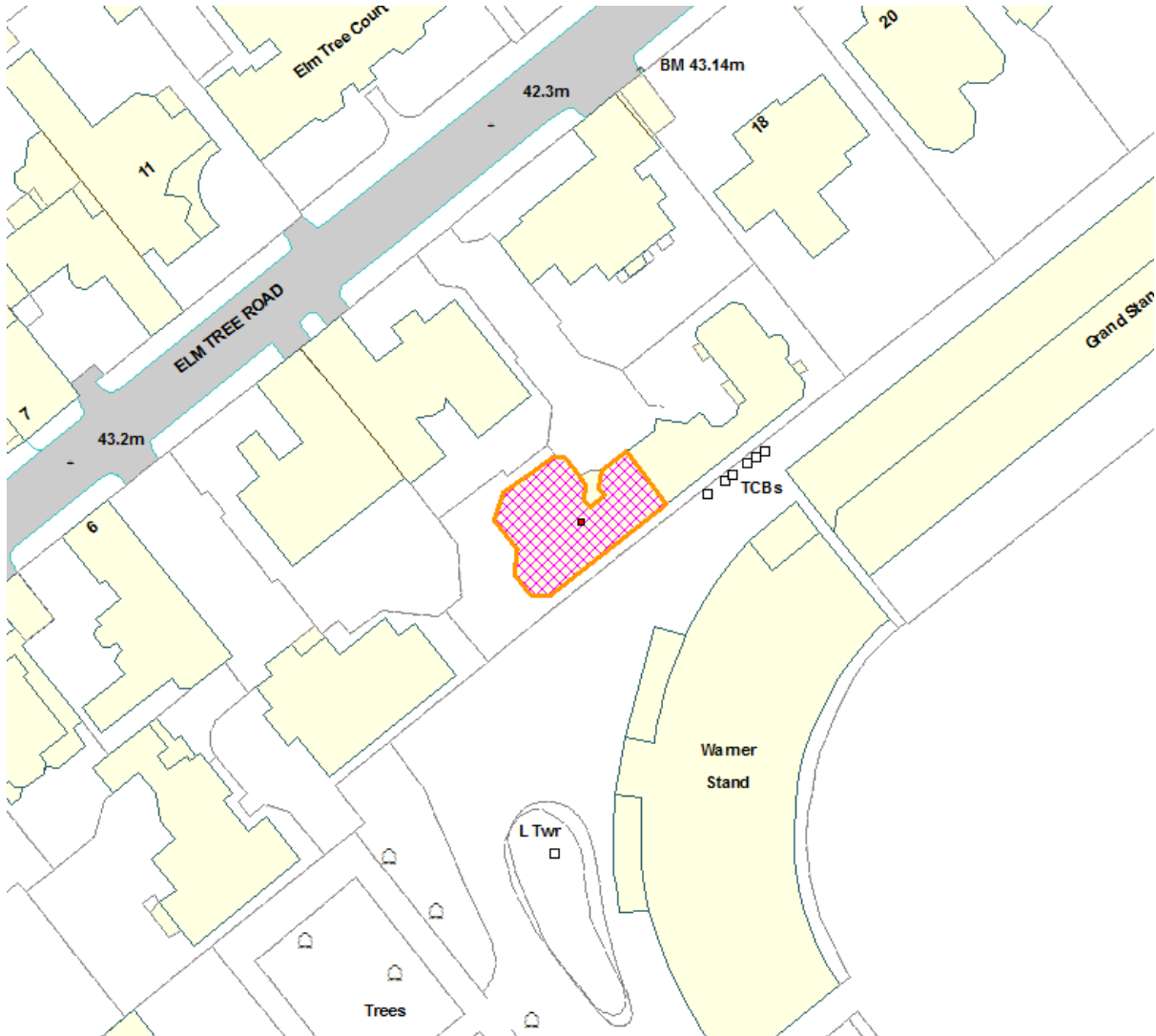
As the proposals were submitted prior to the 1st November 2015, which is when the Council began applying weight to certain parts of the Basement Policy, the application has been assessed on its merits. The proposed development would be consistent with relevant operative and emerging development plan policy in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan) in terms of conservation, design and amenity. As such, the application

Item No.

5

is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Shared Drive of 12 and 12A Elm Tree Road



Rear elevation of site



5. CONSULTATIONS

WARD COUNCILLER FOR REGENTS PARK

Any response to be reported verbally

ST JOHNS WOOD SOCIETY

No comments

HIGHWAYS PLANNING - DEVELOPMENT PLANNING

No objection

BUILDING CONTROL - DEVELOPMENT PLANNING

No objection

ARBORICULTURAL SECTION - DEVELOPMENT PLANNING

ENVIRONMENTAL HEALTH

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 6

Total No. of replies: 8

No. of objections: 8

No. in support: 0

Design:

- Overdevelopment

Amenity:

- Loss of privacy and enjoyment of garden
- Request noise and hours restrictions on plant

Other:

- Structural instability
- Drainage
- Lack of information regarding car lift
- Construction disturbance upon residential amenity
- Obstruction of access to 12A
- Traffic congestion
- Lack of notice of works
- Annotation on basement plans misleading
- Development should be subject to emerging basement policy adopted 1st November 2015
- Request basement construction to not clash with games at Lords Cricket Ground.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site comprises a semi detached residential property on Elm Tree Road within the St John's Wood Conservation Area. The site is accessed via a small private front drive shared between No. 12 and No. 12A. No 12 and 12A are unlisted buildings and date from the mid-20th century. Neither are identified as unlisted buildings of merit in the St John's Wood Conservation Area Audit. No 12A retains its original appearance and fenestration whilst the application site, No. 12 has undergone significant modernisation.

6.2 Recent Relevant History

13/10437/FULL

Partial demolition of existing house and erection of extensions at ground, first and second floor levels with roof terrace at first floor level, alterations to all elevations including materials and fenestration, mechanical plant at roof level, new entrance gates and landscaping.

Application Permitted 29 January 2014

14/05164/FULL

Variation of Condition 5 of planning permission dated 29 January 2014 (RN: 13/10437) for the partial demolition of existing house and erection of extensions at ground, first and second floor levels with roof terrace at first floor level, alterations to all elevations including materials and fenestration, mechanical plant at roof level, new entrance gates and landscaping; namely for the provision of alternative facing materials

Application Permitted 14 July 2014

7. THE PROPOSAL

The proposed development involves the excavation of a basement beneath the dwellinghouse accommodating swimming pool, sports room, games room, and rear lightwell adjacent to the buildings rear elevation. A car stacker is proposed in the front drive which is accessed only from ground level.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of providing additional floorspace to enlarge the existing residential dwelling is acceptable in land use terms and would accord with policy H3 in the Unitary Development Plan (UDP).

8.2 Townscape and Design

The building has undergone extensive refurbishment and re – modelling, increasing the floor area of the height of the building. As a result of the approved renovation works in 2014, the building has a modern appearance that bears little resemblance to its original

form and the neighbouring attached property No. 12A Elm Tree Road which retains its original facing brick and fenestration.

The works comprise the excavation of a basement extension to accommodate a swimming pool and associated uses beneath the dwelling house. As referred to in the summary, whilst objections have been received on the grounds that the application should be assessed having regard to the Council's Basement policy, parts of which were adopted on 1st November 2015, as the proposals were submitted prior to the 1st November 2015, the application has been assessed on its merits. Given the subterranean nature of the development, that the external manifestations of the works are limited to the lightwell at the rear of the dwelling facing the garden, and that the car stacker in the front drive will only be visible when in use, the proposals are considered to be acceptable in principle in terms of conservation and design. With regards to the lightwell at the rear, it is located adjacent to the rear façade, set against three vertical glazed openings and is finished with frameless glass. The elevation treatment is continued into the basement façade bringing natural light into the pool area. A balustrade is referred to on the proposed ground floor plan however it is not shown in elevation. Details will be secured through condition.

The car stacker will be positioned in front of the entrance to 12 Elm Tree Road, within the shared off street drive for 12 and 12A. Providing the material on the surface of the car stacker is indistinguishable from the remainder of the drive, and the stacker returns to its closed position immediately after use, there will be no adverse impacts upon the local townscape. This arrangement will be secured through planning condition.

The proposals are considered to comply with policy DES1, DES 5 and DES 9 of the UDP and S28 of the City Plan.

8.3 Residential Amenity

Given the subterranean nature of the basement extension, it will not have any impacts upon the locality in terms of daylight/sunlight, sense of enclosure or privacy. The proposal would therefore comply with the objectives of policy ENV13 in the adopted Unitary Development Plan and policy S29 in the adopted City Plan.

8.4 Transportation/Parking/ Highways Implications

Car parking arrangements for the property currently exceed that stipulated under TRAN23. The proposal will add another additional space in the form of a car stacker system. Whilst this is not ideal given that the site already provides excess car parking, this would not be grounds to withhold permission.

The development would continue to allow the shared use of the drive for both properties. There would be some inevitable disruption during the construction period however appropriate measures have been proposed in the Construction Management Plan, as detailed in 'other issues' part of this report, to mitigate this impact.

The neighbour has raised with the Council that they are experiencing problems with regard to the shared driveway. These comments are acknowledged however they are not planning matters that can be considered as part of the application. It is a private matter between the owners of the land. For clarification, the works to re-surface the driveway and

the replacement gates were granted permission on 29 January 2014 as part of the works to extend and alter the existing house.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

Not applicable.

8.7 Other UDP/Westminster Policy Considerations

Plant

The application proposes plant in connection with the basement swimming pool, however the exact detail of plant is yet to be specified.. The submitted acoustic report has been reviewed by the City Council's Environmental Health, who has advised that any future plant needs to adhere with a background noise level under normal circumstances, rather than during construction hours of the adjacent Lords Cricket ground which is when the survey appears to have been carried out. An appropriate condition (6) has been attached accordingly with a supplementary acoustic report also required to demonstrate compliance with condition 6.

Refuse /Recycling

The development would not materially impact the existing arrangements for refuse and recycling. The City Councils Highways Officer advises that further details need be secured through condition however it is not considered necessary in this instance.

Trees

The submitted arboricultural report identifies a line of Leyland Cypress trees (H2) on the neighbours plot and a Swedish Whitebeam within the application site garden. The basement development does not present a risk to these trees as it is outside of their root protection area, notwithstanding a small portion within that belonging to the Leyland Cypress Trees.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.11 Other Issues

Certificate of Ownership

A neighbour has stated that the requisite notice was not served on neighbouring owners in accordance with the completion of certificate B. This has been queried and a revised certificate was completed and submitted to the Council which has been logged with the application. On the basis of the information provided by the applicant, officers are satisfied that the interests of neighbouring landowners have not been prejudiced.

Basement

The impact of this type of development is at the heart of concerns expressed by residents across many central London Boroughs, heightened by well publicised accidents occurring during basement constructions. Residents, including those of two of the neighbouring properties in this instance, are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member

of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

A construction methodology statement has been provided as part of the application and the City Council's Building Control Surveyors have raised no concerns regarding this statement. Should permission be granted, this statement will not be approved, nor will conditions be imposed requiring the works to be carried out in accordance with it. The purpose of the report is to show that there is no foreseeable impediment to the scheme satisfying the Building Regulations in due course. It is considered that this is as far as this matter can reasonably be taken as part of the consideration of the planning application. Detailed matters of engineering techniques, and whether these secure the structural integrity of the development and neighbouring buildings during the course of construction, are controlled through other statutory codes and regulations, cited above. To go further would be to act beyond the bounds of planning control.

The City Council have been preparing guidance and policies to address the need to take into consideration land instability, flood risk and other considerations when dealing with basement applications. Last year the City Council adopted the Supplementary Planning Document 'Basement Development in Westminster' (24th October 2014), which was produced to provide further advice on how current policy can be implemented in relation to basement development - until the formal policy can be adopted. Consultation on the formal policy, 'Draft Basements Policy', is currently underway, and will form part of the local plan (replacing the UDP) once adopted.

The basement guidelines and basements policy documents have different status in the planning process. The SPD having now been adopted can be given considerable weight (known as material weight or a material consideration). Weight will be afforded to parts of the new basement policy for applications submitted after 1st November 2015. The policy is therefore not relevant in assessing this application. Requiring that the basement to remove its lower element to fully accord with the new policy as suggested by neighbours would be unreasonable.

Construction impact

Objections have been received from neighbouring residents regarding the impact of construction work associated with the proposed basement, especially given the fact that the driveway to the application site is shared with No. 12A, the timescale for the proposed construction phase and general disturbance associated with construction activity.

Whilst planning permission cannot be withheld on the basis of these objections, a Construction Management Plan has been submitted with the application. A revised construction management plan was issued during the application which reduced the

frequency of concrete deliveries and moved the location of the skip to the private road. These detailed including the revised arrangement is considered appropriate and reasonable at application stage. However, a condition is recommended to secure a more fully detailed construction management plan, in particular detailing a vehicular route map which at this stage is missing, prior to the commencement of works. A further condition is recommended to control the hours of construction works, particularly noisy works of excavation. With specific regard to works on a Saturday, it is noted that the condition attached to the permission will prevent any noisy excavation works on a Saturday.

9. BACKGROUND PAPERS

1. Application form
2. Response from St John's Wood Society, dated 2 November 2015
3. Response from Highways Planning - Development Planning, dated 2 November 2015
4. Response from Building Control - Development Planning, dated 30 October 2015
5. Response from Environmental Health, dated 19th February 2016
6. Email from occupier of 12A Elm Tree Road, dated 12 November 2016
7. Letter from occupier of 12a, Elm Tree Road, dated 13 November 2015
8. Letter from on behalf of 12a, Elm Tree Road from Simply Planning dated 29 January 2015
9. Letter from occupier of 3 Elm Tree Road, London, dated 13 November 2015
10. Letter from occupier of 8A Elm Tree Road, London, dated 13 November 2015
11. Letter from occupier of 1 Elm Tree Court , Elm Tree Road , dated 14 November 2015
12. Letter from occupier of 18 Elm Tree Road, London, dated 19 November 2015
13. Letter from occupier of 107 and 109 Elm Tree Court, Elm Tree Road, dated 25 November 2015
14. Letter from occupier of 107 and 109 Elm Tree Court, Elm Tree Road, dated 25 November 2015
15. *Petition from residents of Elm Tree Court, signatures from 10 addresses, dated 30 November 2016
16. Letter from occupier of Assistant Secretary (Estates), Marylebone Cricket Club, dated 14 December 2015

Selected relevant drawings

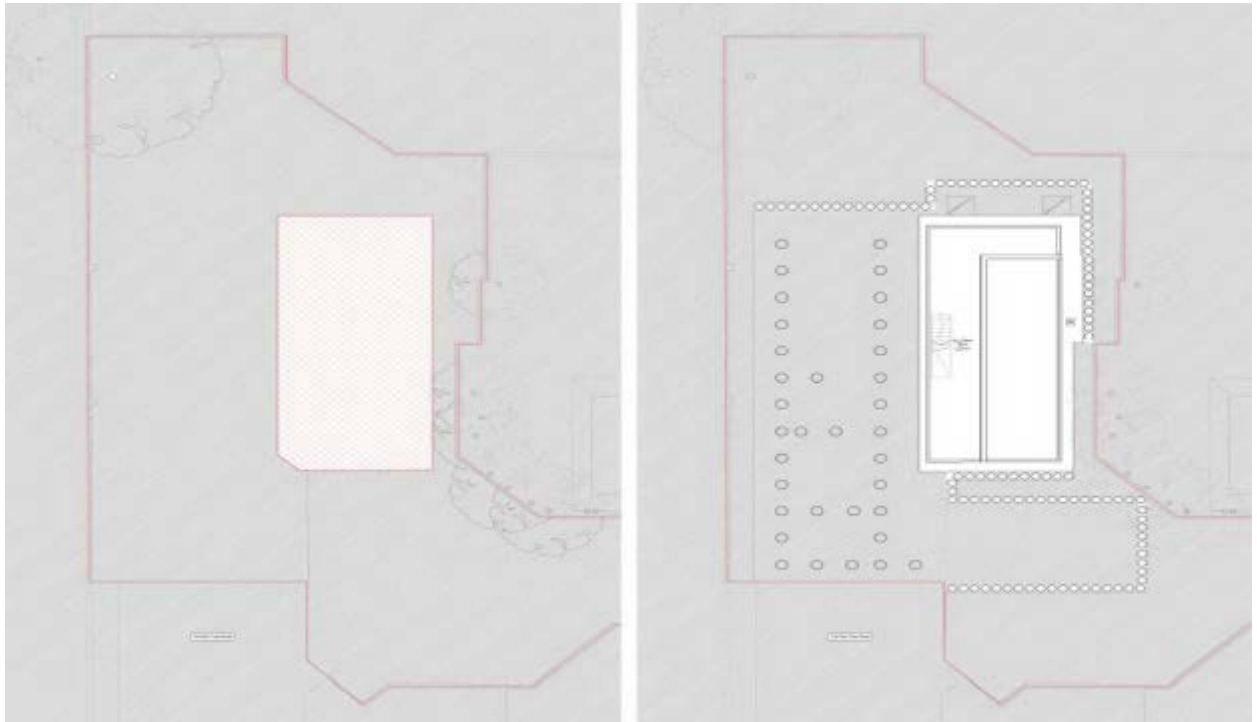
Proposed ground floor and elevations.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT KIMBERLEY DAVIES ON 020 7641 5939 OR BY EMAIL AT northplanningteam@westminster.gov.uk

10. KEY DRAWINGS

Proposed basement levels



PLANNING 13050

City of Seattle
Department of Planning & Development Center (3200) Floor 300
3200 1st Avenue, Seattle, WA 98101
Phone: 206.435.3300
www.seattle.gov/planning

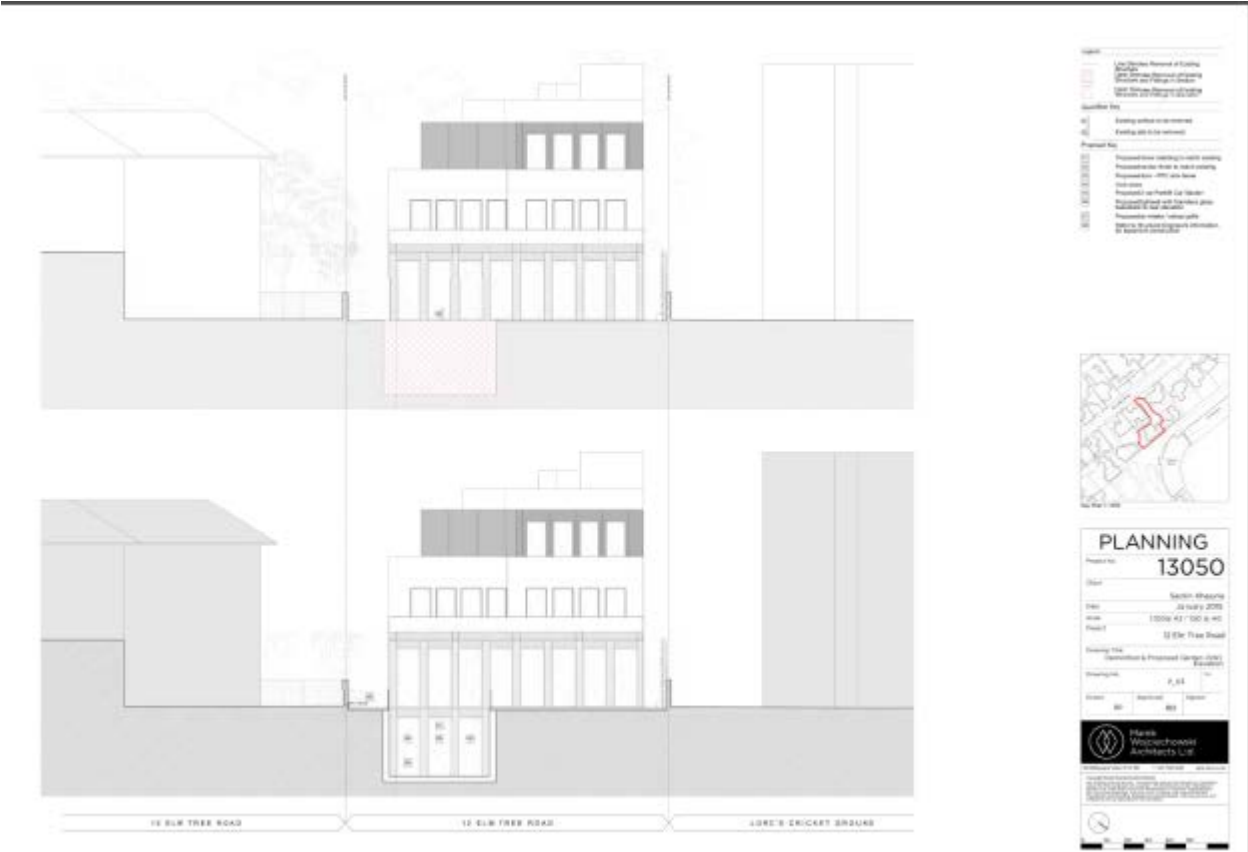
Project Name: [Redacted]
Project Number: [Redacted]
Project Location: [Redacted]

Scale: 1" = 10'-0"

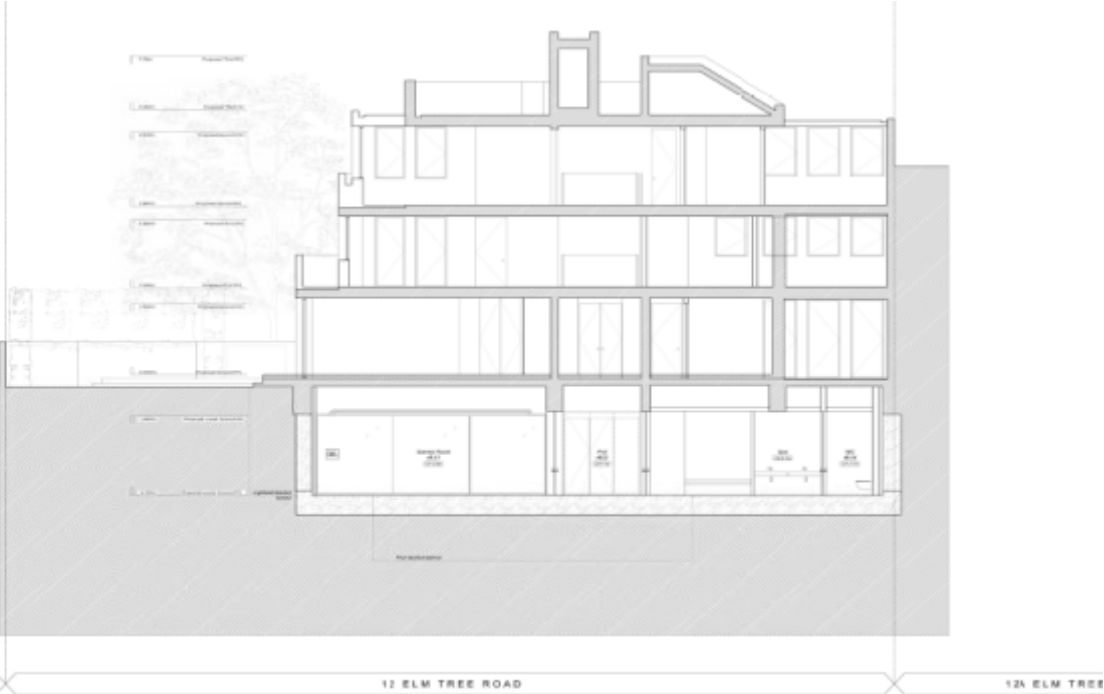
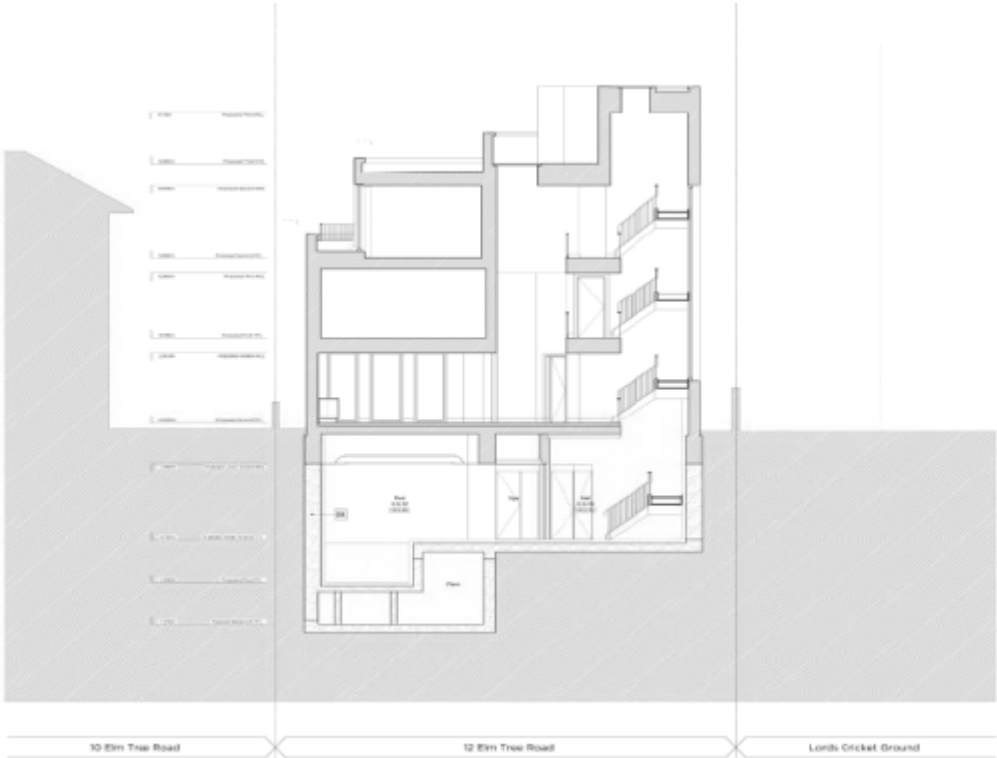
North Arrow

City of Seattle
Department of Planning & Development Center (3200) Floor 300
3200 1st Avenue, Seattle, WA 98101
Phone: 206.435.3300
www.seattle.gov/planning

Proposed Elevations/ lightwells



Proposed Sections



DRAFT DECISION LETTER

Address: 12 Elm Tree Road, London, NW8 9JX,

Proposal: Excavation of basement with a rear lightwell, to provide a swimming pool.
Installation of associated plant.

Reference: 15/08361/FULL

Plan Nos: 13050-P_00 (location plan), 13050-P_00, 13050-P_01, 13050-P_02, 13050-P_03, 13050-P_04, 13050-P_05, 13050-D_04, 13050-D_05, Design and Access Statement prepared by Marek Wojciechowski Architects, Odhran Brennan, Report on impact of trees prepared by John Cromars's Arboricultural Company, Ground Investigation Report Basement Development prepared by Aviron Associates Limited, Construction Management Plan, Construction Management Report rev B, Noise report prepared by Emtec dated 8 February 2016; For information only: Structural engineer's structural methodology statement Prepared by Engineer:

Case Officer: Samuel Gerstein

Direct Tel. No. 020 7641 4273

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 Except for basement excavation work, 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.

You must carry out basement excavation work only:

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

Noisy work must not take place outside these hours. (C11BA)

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 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 St John's Wood 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 You must apply to us for approval of detailed drawings of the following parts of the development:
- i) Proposed ballustrate to rear light well.
 - ii) Details of the proposed car lift including manufacturers specification.

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 details.

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 St John's Wood 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)

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 St John's Wood 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 Pre Commencement Condition. Notwithstanding the Construction Management Plan submitted, no development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:
- (i) a construction programme including a 24 hour emergency contact number;
 - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
 - (v) wheel washing facilities and measures to control the emission of dust and dirt during

construction; and

(vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 6 (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 5 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 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.
- (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:

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(2) of our Unitary Development Plan that we adopted in January 2007 (UDP), 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.

- 7 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.

- 8 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 6 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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 (UDP), 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.

- 9 The car stacker installed must be finished in the same surface material as the front drive and shall remain in its closed (down) position at all times other than to allow cars to enter and exit.

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 St Kohns Wood 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)

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 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 3 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 4 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)
- 5 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 6 In respect of condition 8, you are advised that this acoustic report should address both the car lift and any other plant/machinery.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.