

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 26 April 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	19 Lowndes Close, London, SW1X 8BZ,		
Proposal	Variation of Condition 1 of planning permission dated 2 June 2015 (RN: 14/07706) for the demolition of existing building and the erection of new single family dwelling; namely to install an air conditioning unit within an enclosure at rear third floor level, amendments to the roof profile, retention of the existing rendered and painted wall, omission of the ground floor windows fronting the internal lightwell area facing 5 Belgrave Place and alterations to the windows at first and second floor levels fronting Nos. 3 and 5 Belgrave Place.		
Agent	Savills (UK) Ltd		
On behalf of	c/o Agent		
Registered Number	15/09277/FULL	Date amended/ completed	1 December 2015
Date Application Received	5 October 2015		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

19 Lowndes Close is an unlisted single family dwelling house located within the Belgravia Conservation Area. Permission was granted in 2014 for the demolition of existing building and construction of a new single family dwelling. This permission was subsequently varied in 2015.

Permission is now sought to vary the approved 2015 scheme, namely to install an air conditioning unit within an enclosure at rear third floor level, alterations to the approved roof profile, retention of the existing rendered and painted wall, omission of the ground floor windows fronting the internal lightwell area facing 5 Belgrave Place and alterations to the windows at first and second floor levels fronting Nos. 3 and 5 Belgrave Place.

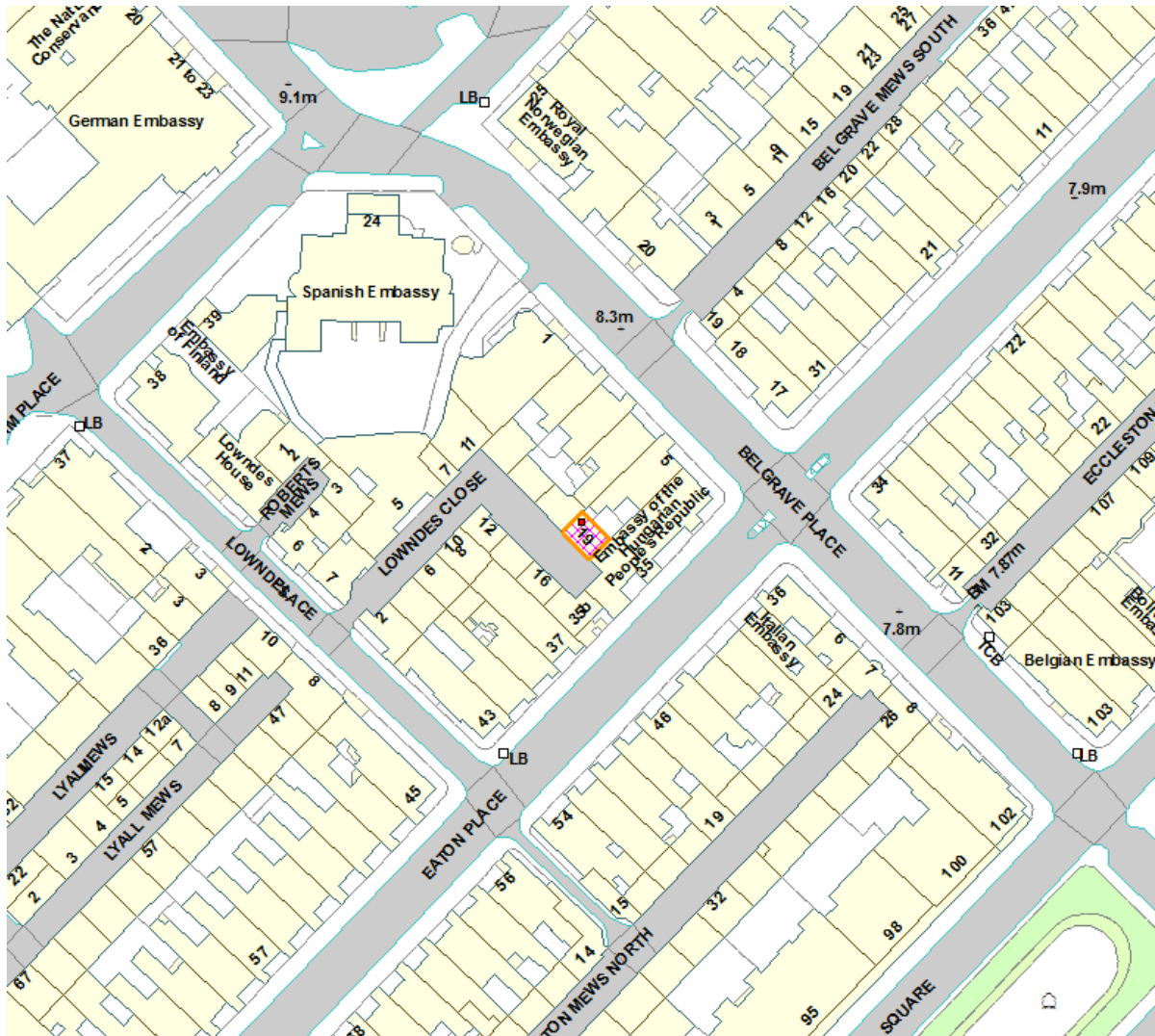
The key issues in this case are:

* The impact of the proposals on residential amenity.

* The impact of the proposed works on the character and appearance of the Belgravia Conservation Area.

The proposals are considered to comply with the Council's policies in relation to design, conservation and amenity as set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies and the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

BELGRAVIA RESIDENTS ASSOCIATION:

Any comments to be reported verbally.

ENVIRONMENTAL HEALTH:

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 24

Total No. of replies: 5

No. of objections: 5

No. in support: 0

Amenity

- loss of privacy and overlooking caused by proposed windows.
- noise from proposed air conditioning unit.
- loss of light caused by alterations to roof profile.
- suitable condition to ensure acoustic enclosure is installed to air conditioning unit prior to its operation.
- sense of enclosure.

Design

- massing of air conditioning unit.

Other considerations

- need precise details concerning exact size, depth and location of the acoustic screen prior to installation.
- if minded to approve following conditions should be included details of windows and doors; no structures and other apparatus on the main roof or rear third floor level and front elevation balconies; samples of facing materials; main roof and flat roof at rear third floor level not to be used for amenity purposes; and glass in the windows to the rear elevation must not be clear glass, and must be fixed permanently shut.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No. 19 Lowndes Close is a single family dwelling comprising ground, first, second and part third floor level. The building is not listed but lies within the Belgravia Conservation Area. The application property is located within a residential area.

6.2 Recent Relevant History

14/07706/FULL

Variation of Condition 1 of planning permission dated 29 April 2014 (RN: 13/11106/FULL) namely, to change the drawing numbers to allow an additional extension at rear third floor level and removal of air conditioning unit and enclosure.

Application Permitted 2 June 2015

14/07385/NMA

Amendments to planning permission dated 29 April 2014 (RN: 13/11106) for the demolition of existing building and the erection of new single family dwelling comprising ground, first, second and third floor levels with a newly excavated basement and installation of an air conditioning unit within an acoustic enclosure at rear third floor level; namely, relocation of the front door position on the eastern elevation to improve the internal circulation space at ground floor level.

Application Permitted 8 August 2014

13/11106/FULL

Demolition of existing building and the erection of new single family dwelling comprising ground, first, second and third floor levels with a newly excavated basement. Installation of an air conditioning unit within an acoustic enclosure at rear third floor level.

Application Permitted 29 April 2014

7. THE PROPOSAL

Permission is sought to vary Condition 1 of planning permission dated 2 June 2015 to enable amendments to the approved drawings. A number of the amendments proposed follow discussions between the applicant and occupiers of neighbouring properties.

The proposals comprise the installation an air conditioning unit within an enclosure at rear third floor level, an amendment to the rear roof profile and alterations to the design of the rear wall including rendering and painting the wall and omission of windows.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed amendments are in connection with the approved scheme to provide a new dwelling house. The principle of the new single dwelling house has previously been accepted and is in line with Policy S14 of the City Plan and saved Policy H3 of the UDP.

8.2 Townscape and Design

The principle of demolishing the existing building and constructing a new building has already been established by the 2014 and 2015 permissions. The townscape and design section of this report will therefore only consider the changes to the approved scheme. Works are currently on site to implement the previously approved scheme.

Roof profile

The proposal seeks to alter the rear profile of the approved roof that will face Nos. 3 and 5 Belgrave Place. The profile of the roof is to be shallower in terms of its pitch and therefore reduces the bulk of the top floor in this location. Three rooflights are proposed within the roof slope which are to be obscurely glazed. In design terms the proposed alterations are considered acceptable and the objections received are not considered to be sustainable.

Air conditioning unit and enclosure at rear third floor level

An air conditioning unit and enclosure was previously approved at rear third floor level in 2014. However the air conditioning unit and enclosure was omitted from the 2015 scheme as insufficient information was submitted to demonstrate whether the plant would comply with the City Council's planning noise conditions.

The current proposal seeks to install an air conditioning unit within an enclosure, again at rear third floor level, measuring 1.8m (high) x 1m (deep) x 1.4m (wide). The proposal will mean that the location of the air conditioning unit and enclosure will be located approximately 0.5m further to the north-west than approved in 2014. This change to the scheme does not raise significant design concerns and is not considered to have an adverse effect on the building or the Belgravia Conservation Area.

Alterations to the windows on rear elevation

The proposals seek to omit a number of windows previously approved on the rear elevation. The proposed alterations to the windows at rear first and second floor level fronting the larger lightwell area will be subject to a condition requiring the windows to be obscurely glazed.

The proposed amendments are considered acceptable in design terms and in accordance with Policies S25 and S28 of Westminster's City Plan: Strategic Policies and saved Policies DES 1, DES 5, DES 6 and DES 9 of the UDP and Section 12 of the NPPF. On this basis the objections on design grounds cannot be supported.

8.3 Residential Amenity

Policy S29 of the City Plan states that the Council will resist proposals that result in an unacceptable material loss of residential amenity and developments should aim to improve the residential environment. This is supported by saved Policy ENV 13 of the UDP. Several objections have been received relating to the proposed amendments on the grounds of sense of enclosure, loss of daylight and sunlight and noise from the air conditioning unit.

The amenity impact of the new dwellinghouse, including the new basement extension and construction impact, has already been established by the 2014 and 2015 permissions. The amenity section of this report will therefore only consider the impact of the changes to the approved scheme.

Roof alterations/alterations to rear elevation

The proposed modification to the roof profile reduces the bulk of the proposed new building when viewed from the neighbouring properties to the rear compared to the approved scheme. It is therefore considered acceptable in amenity terms. It is understood that these alterations are in response to concerns raised by the occupier of No. 5, Belgrave Place which is located to the rear of the application site.

The removal of windows to the rear elevation that previously looked into shared lightwells with Nos. 3 and 5 Belgrave Place causes no amenity issues and is considered beneficial to neighbours. The remaining window units to the rear elevation are to be obscure glazed and this will again be secured by condition.

Mechanical Plant

Objectors have raised concerns about noise from the proposed air conditioning unit as part of this scheme and an increased sense of enclosure.

The nearest noise sensitive windows are bedroom windows serving Flats 2 and 4 at No. 3 Belgrave Place. Environmental Health officers have assessed the acoustic information provided and have confirmed that the air conditioning unit is likely to comply with the City Council's planning noise conditions. Conditions are recommended to control noise from the plant and requiring the unit to be sited within a screened enclosure prior to the operation of the unit.

The single aspect bedroom windows of Flats 2 and 4 overlook a small lightwell (approximately 2m deep) and will therefore look onto the proposed air conditioning enclosure. The occupier of Flat 2 is located at the same level as the enclosure whereas Flat 4 will be looking down on the enclosure and so will be less affected. For both properties though the enclosure will be seen against the backdrop of the already approved third storey to the building. On this basis it is not considered that the windows of these residential flats would experience a material sense of enclosure to warrant refusing the application.

Conclusion

Although objections have been received from neighbours adjoining the application property, it is not considered on this occasion that the changes proposed to the approved scheme will materially impact upon the amenity of neighbouring properties in terms of loss of light, loss of privacy and increased sense of enclosure. The changes to the roof profile and removal of windows are considered to be beneficial. As such, the application is considered to accord with Policies S29 of Westminster's City Plan and ENV 13 of the UDP.

8.4 Transportation/Parking

Not applicable.

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

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

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

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

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 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

Not applicable.

9. BACKGROUND PAPERS

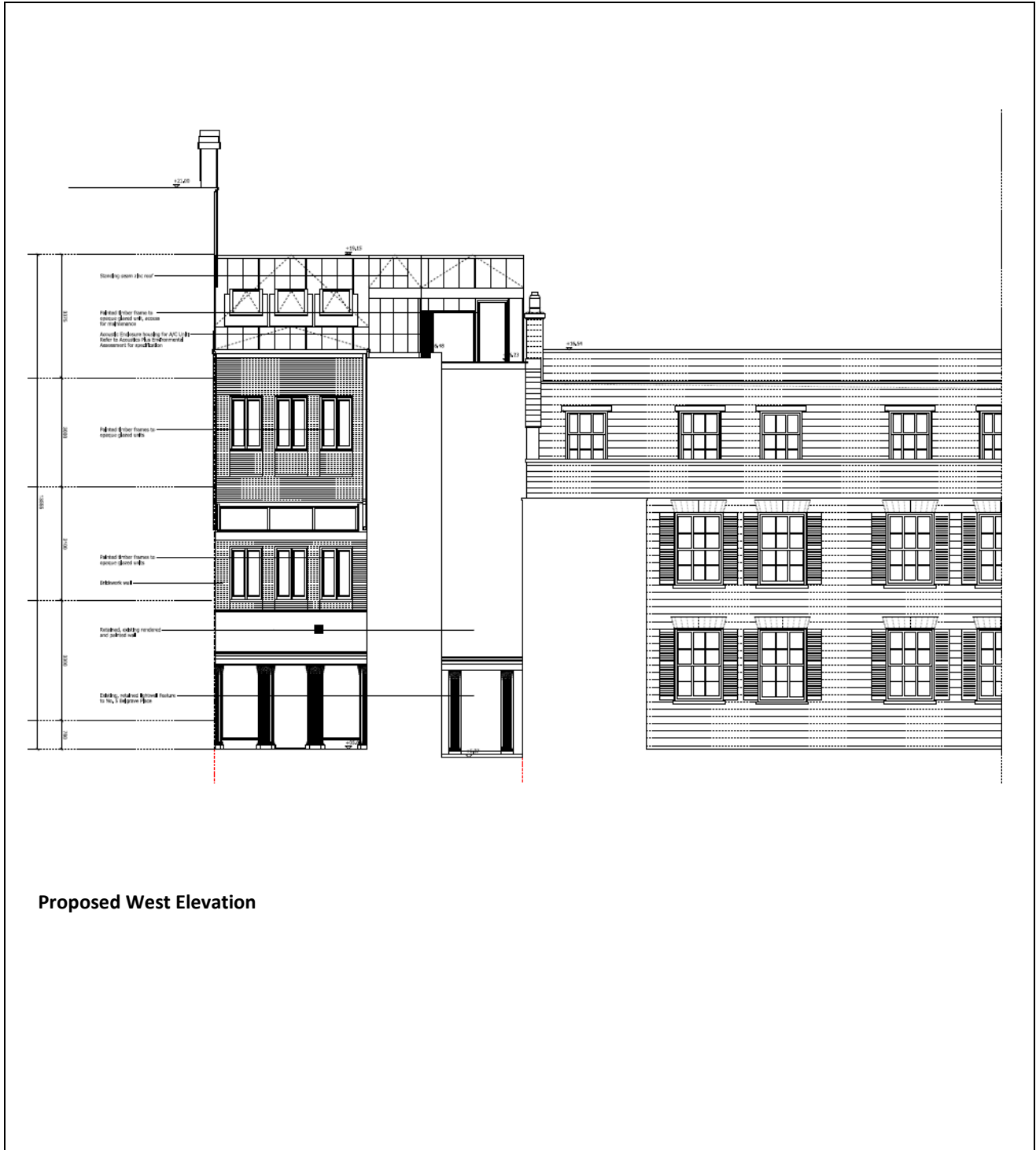
1. Application form
2. Memorandum from Environmental Health dated 2 February 2016.
3. E-mail from the residential occupier of 35 Eaton Place, SW1 received on 4 January 2016.
4. E-mail from the residential occupier of Flat 4, 3 Belgrave Place, SW1X 8BU received 5 January 2016.
5. Letter from Charles Russell Speechlys (representatives of 5 Belgrave Place, SW1X 8BU) dated 11 January 2016.
6. Letter from the residential occupier of Flat 2, 3 Belgrave Place, SW1X 8BU dated 13 January 2016 and 31 October 2014.
7. Letter from Belgrave Place Management Company (1989) Limited dated 21 January 2016.

Selected relevant drawings

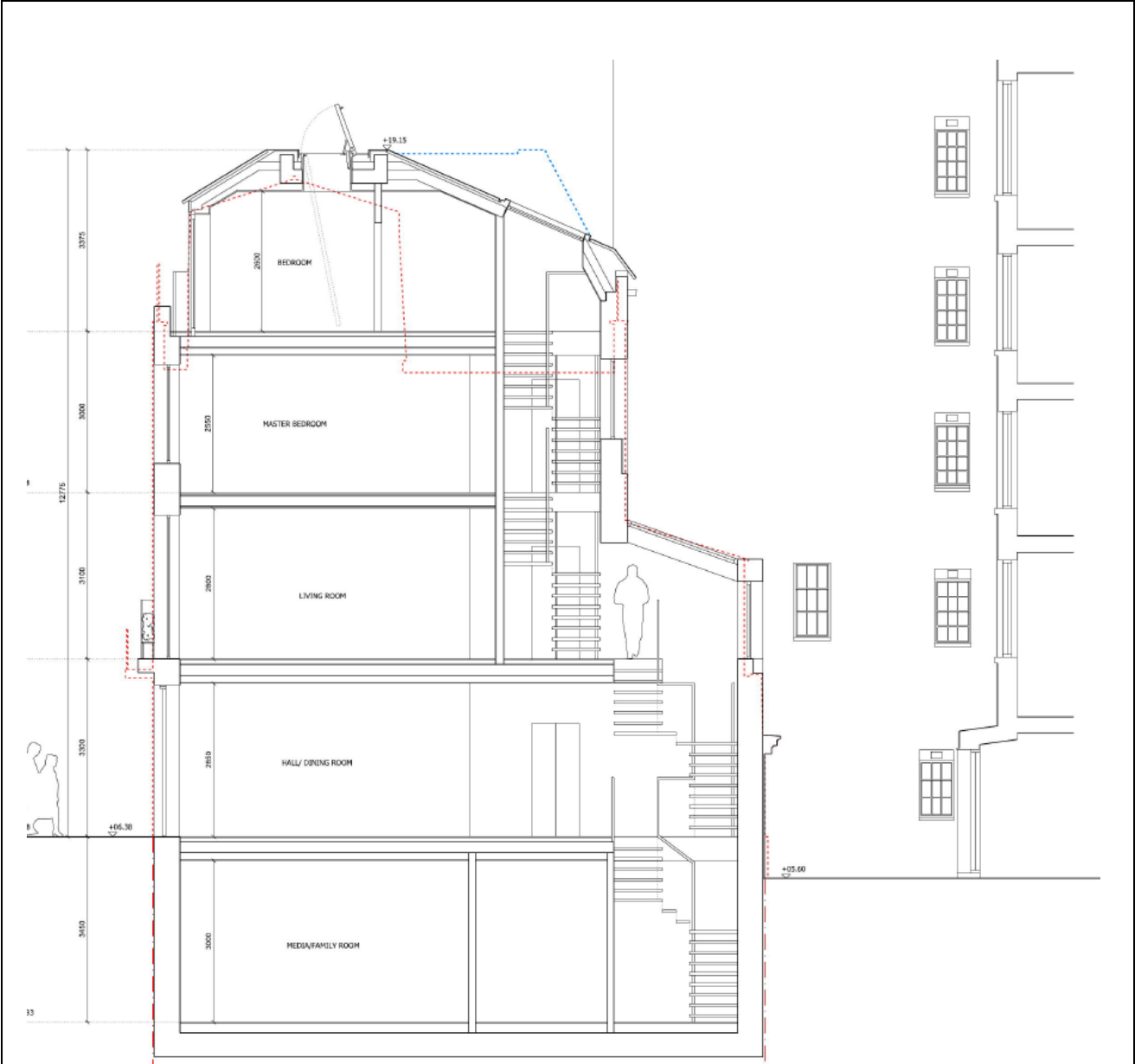
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT MATTHEW MASON ON 020 7641 2926 OR BY EMAIL AT mmason@westminster.gov.uk

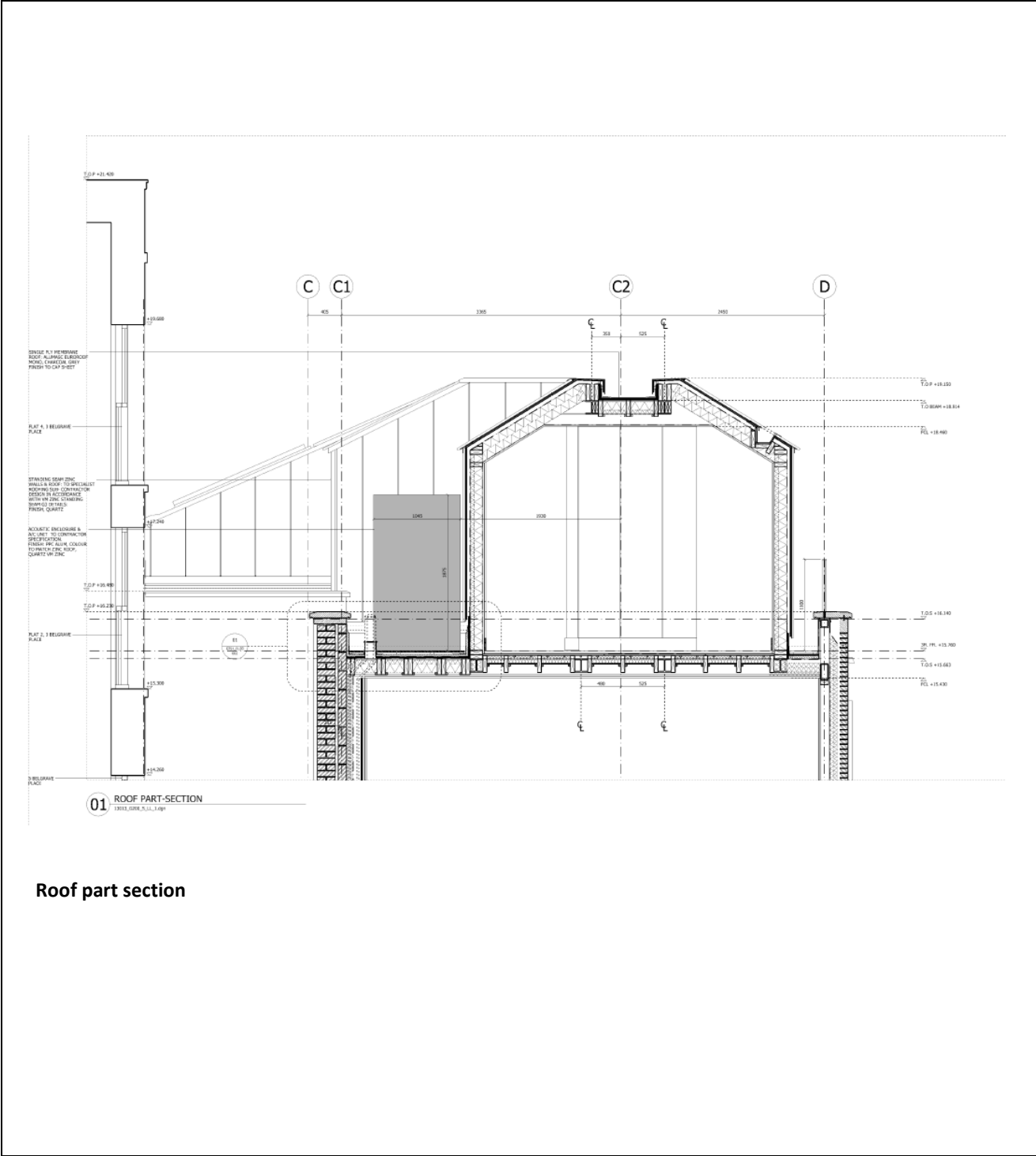
10. KEY DRAWINGS



Proposed West Elevation



Proposed Section AA



Roof part section

DRAFT DECISION LETTER

Address: 19 Lowndes Close, London, SW1X 8BZ,

Proposal: Variation of Condition 1 of planning permission dated 2 June 2015 (RN: 14/07706) for the demolition of existing building and the erection of new single family dwelling; namely to install an air conditioning unit within an enclosure at rear third floor level, amendments to the roof profile, retention of the existing rendered and painted wall, omission of the ground floor windows fronting the internal lightwell area facing 5 Belgrave Place and alterations to the windows at first and second floor levels fronting Nos. 3 and 5 Belgrave Place.

Reference: 15/09277/FULL

Plan Nos: G100_P_RF_002 Rev. B, G200_P_B1_001 Rev. A, G200_P_00_001 Rev. A, JA12_P_00_001, JA12_P_01_001, G200_P_01_001 Rev. A, JA12_P_02_001, G200_P_02_001 Rev. A, JA12_P_03_001, G200_P_03_OP02_001 Rev. C, G200_P_RF_OP02_001 Rev. D, G200_E_W_OP02_001 Rev. E, JA12_E_W_001 Rev. A, G200_E_E_001 Rev. A, JA12_E_E_001, G200_S_AA_001 Rev. A, JA12_S-AA-001, JA12_S_BB_001 Rev. B, G200_S_BB_001 Rev. A, G200_S_BB_OP02_OP03_001 Rev. A, Development Impact Study for the proposed development at 19 Lowndes Close, London SW1X 8BZ dated 2013 and the e-mail dated 12 March 2014, Daylight and Sunlight Study by Delva Patman Redler dated 6 November 2013, Planning Statement dated November 2013, Design and Access Statement dated November 2013 and e-mail dated 2 June 2015 from Savills., , For Information Purposes Only: Basement Construction Method Statement dated October 2013 (see Informative 4), , As amended by: G200_P_00_001 Rev. D, G200_P_01_001 Rev. H, G200_P_02_001 Rev. C, G200_P_03_OP02_001 Rev. F, G200_P_RF_OP02_002 Rev. F, G200_S_BB_001 Rev. B, G200_S_AA_004 Rev. B, G200_S_CC_002, GA200_E_W_OP02_001 Rev. G, C645_S_CC_002_REVC, 645_S_CC_003_REV, C645_E_W_001, C645_P_03_002, C645_P_RF_001, G100_P_RF_004, C645_S_AA_001 and Environmental Noise Assessment dated 102442.ad Issue 3 dated 7 September 2015.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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 You must keep to the terms of ensuring the City Council is satisfied that demolition on the site will only occur immediately prior to development of the new building as approved on the 20 July 2015 under reference 14/09905/ADFULL or in accordance with other measures as submitted to and approved by the City Council.

Reason:

To maintain the character of the Belgravia Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 4 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character and appearance of the Belgravia Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

- 5 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 Belgravia 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 keep to the terms of the detailed drawings of a) windows and doors and b) Juliet balconies (including fixing details) as approved on the 10 July 2015 under reference 15/04698/ADFULL or in accordance with details as submitted to and approved by the City Council.

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 Belgravia 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 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the main roof, flat roof at rear third floor level and balconies to the front and rear elevations hereby approved.

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 Belgravia 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 keep to the samples of the facing materials, including glazing, and elevations and roof plans annotated to show where the materials are to be located as approved under reference 15/06306/ADFULL as approved on the 18 August 2015 under reference 15/04698/ADFULL or in accordance with details as submitted to and approved by the City Council.

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 Belgravia 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 You must keep to the terms of the sample panel of brickwork which shows the colour, texture, face bond and pointing as approved under reference 15/04698/ADFULL on the 10 July 2015 or in accordance with details as submitted to and approved by the City Council., ,

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 Belgravia 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 use the main roof or the flat roof area at rear third floor level for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

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)

- 11 The glass that you put in the windows to the rear elevation must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect 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 keep to the terms of the construction management plan as approved under reference 14/09905/ADFULL on the 20 July 2015 or in accordance with details as submitted to and approved by the City Council.

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.

- 13 You must keep to the terms of the details of how you will reduce the development's environmental impact, in line with the requirements of S28 and S40 of Westminster's City Plan: Strategic Policies adopted in November 2013 as approved under reference 14/10090/ADFULL on the 27 January 2015 or in accordance with details as submitted to and approved by the City Council.

Reason:

To make sure that the development affects the environment as little as possible, as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013.
(R44BC)

- 14 (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.

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

Reason:

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

- 16 You must install the acoustic enclosure to the air conditioning unit hereby approved at rear third floor level and as detailed in the Environmental Noise Assessment dated 102442.ad Issue 3 dated 7 September 2015 prior to the operation of the air conditioning unit and must be retained at all times for as long as the air conditioning unit remains operational and in situ.

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.

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 Conditions 14, 15 and 16 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 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.
- 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 are advised that both Environmental Health and Building Control officers have stated that the means of escape from the basement is not acceptable. As the ground floor is shown as open plan it is recommended that the basement staircase should exit into a protected enclosure at ground floor level with direct access to the street.
- 6 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 7 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.
- 8 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.

- 9 For the avoidance of doubt the Construction Management Plan required under condition 12 shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act 1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.

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.