

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 3 May 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	10 Fairholt Street, London, SW7 1EG		
Proposal	Demolition of existing building behind retained ground floor front facade; excavation to enlarge existing lower ground floor and creation of new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.		
Agent	Nathaniel Lichfield & Partners		
On behalf of	Grandlane Developments Ltd		
Registered Number	15/11506/FULL	Date amended/ completed	23 March 2016
Date Application Received	10 December 2015		
Historic Building Grade	Unlisted		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

10 Fairholt Street, the former Swag and Tails Public House, is an unlisted building of merit within the Knightsbridge Conservation Area. The building comprises basement, ground and one upper storey.

Permission is sought for demolition of the existing building behind a retained ground floor front facade; excavation to enlarge the existing lower ground floor and creation of a new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of a new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.

A similar application was approved by committee on 31 March 2015 (14/11233/FULL). Works have recently commenced on site to implement this permission.

This latest application is broadly similar to the permission dated 31 March 2015. The most notable

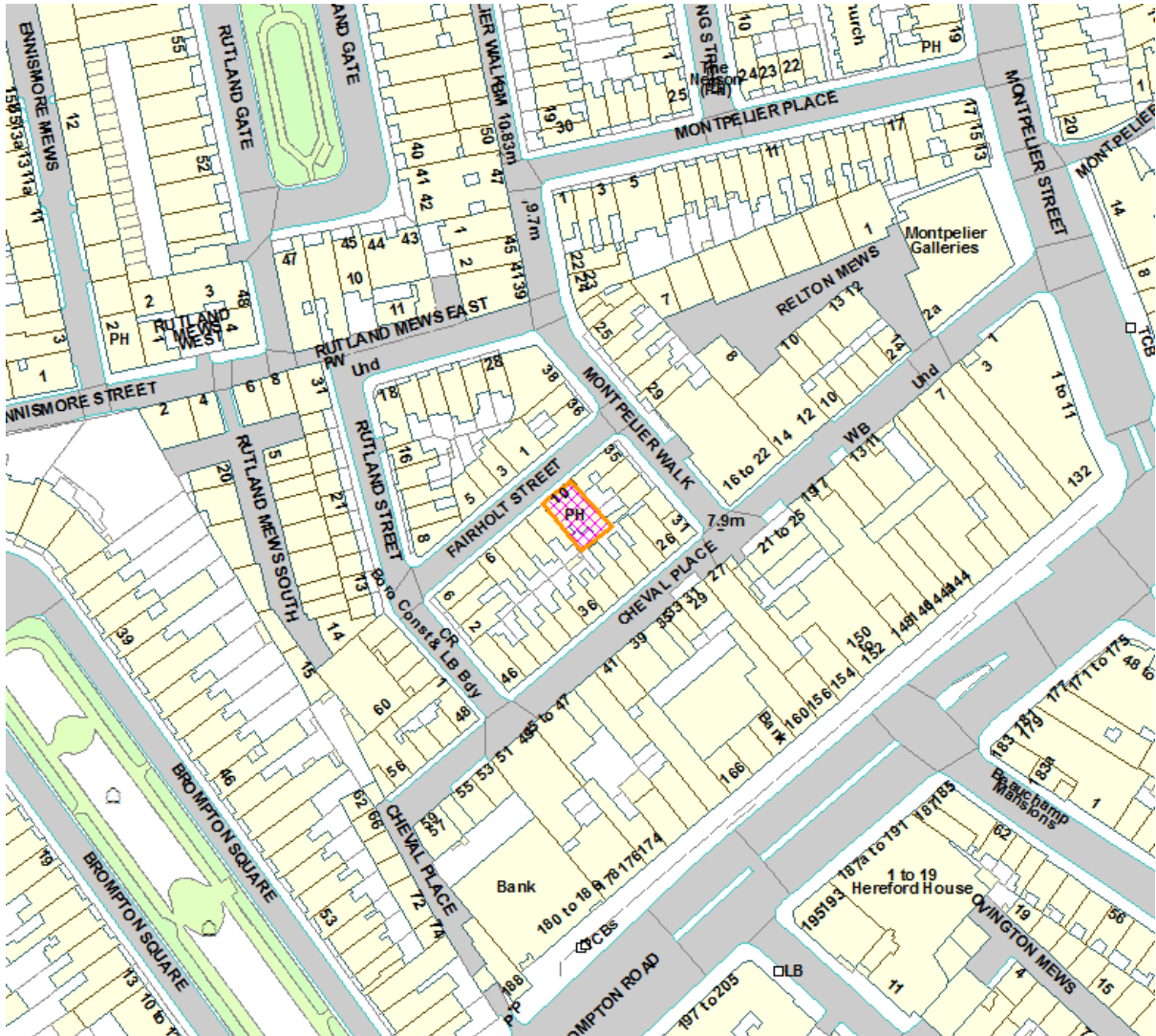
alteration is to the approved mansard, which has slightly increased in height, shape, and bulk. The detailed design of the mansard as well as the front and rear elevations has also altered.

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.

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). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (prior to works)



Front elevation (existing)



View from rear/ within site (existing)

5. CONSULTATIONS

KNIGHTSBRIDGE ASSOCIATION:

Objection on following grounds:

Amenity

- The increase in size of the mansard roof level will have a detrimental impact on adjacent houses in Montpelier Walk.

Design

- The increase in size of the mansard roof level is not in scale with the building as whole and out of character to the area.

Construction Management

- Construction Management Plan should address: control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, no parking bays to be suspended other than in Fairholt Street, a transport assessment, impact of multiple basement developments taking place in the locality.
- The same construction management plan condition should be applied as per the 2015 permission requiring consultation with the Knightsbridge Association.
- Scaffolding permit has expired and should be re-applied for.

BUILDING CONTROL:

The structural method statement and soil/ hydrology is considered acceptable.

ENVIRONMENTAL HEALTH:

No objection subject to standard conditions.

HISTORIC ENGLAND:

Do not consider it is necessary for this application to be reported to English Heritage.

HIGHWAYS PLANNING MANAGER:

Any response to be reported verbally.

ARBORICULTURAL MANAGER:

No objection.

ENVIRONMENT AGENCY:

No comment.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS:

No. Consulted: 36;

Total No. of Replies: 2.

Objections from neighbours on one or more of the following grounds:

Amenity

- The increase in size of the mansard roof level will have a detrimental impact on adjacent houses in Montpelier Walk in terms of sense of enclosure, and loss of light.

Design

- The increase in size of the mansard roof level is not in scale with the building as whole and out of character to the area.

Construction Management

- Construction Management Plan should address: control of dust and emissions, awareness of local street conditions, wheel and street washing facilities, no parking bays to be suspended other than in Fairholt Street, a transport assessment, impact of multiple basement developments taking place in the locality.
- The same construction management plan condition should be applied as per the 2015 permission requiring consultation with the Knightsbridge Association.

ADVERTISEMENT/SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No.10 Fairholt Street, the former Swag and Tails Public House, is an unlisted building of merit within the Knightsbridge Conservation Area. The building is located outside the Central Activities Zone as defined in the UDP and it is not located within a designated shopping centre or frontage. The building has been vacant since approximately May 2009 and it comprises basement, ground and one upper storey. The site is a short distance from Brompton Road with its retail and commercial uses, however, Fairholt Street itself has a quiet residential character.

6.2 Recent Relevant History

There have been a number of planning decisions relating to this site.

Planning permission was granted on 26 February 2013 for:

Extension of existing basement level; erection of extensions at rear ground and first floor levels including the creation of roof terrace at first floor level; erection of new mansard roof extension; alterations to elevations including creation of new garage and front door; all in connection with use as a single family dwelling (Ref. 12/01003/FULL).

Most recently, planning permission was granted on 31 March 2015 for:

Demolition behind retained ground floor front façade; excavation to enlarge existing lower ground floor and create new basement level; erection of extensions at ground and first floor level including the creation of roof terrace at first floor level; erection of new mansard roof extension; alterations to elevations including new front door; all in connection with use as a single family dwelling (14/11233/FULL).

Works have commenced on site to implement the 2015 permission.

7. THE PROPOSAL

This latest application is broadly similar to the permission dated 31 March 2015 (14/11233/FULL). The most notable alteration is to the approved mansard, which has slightly increased in height, shape, and bulk. The detailed design of the mansard as well as the front and rear elevations has also altered.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The recent planning permissions granted in 2013 and 2015 agreed the loss of the loss of the public house. The provision of new residential accommodation is supported under Policies S14 of the City Plan and H3 of the UDP.

8.2 Townscape and Design

The works are generally identical to those already approved in 2015. The most notable alteration is to the approved mansard, which has increased in height, shape and bulk slightly, by approximately 320mm. The design of the mansard has also altered. Due to the increase in height the massing is slightly greater which provides a balance with the overall appearance of the building. The dormers have also been aligned to the windows below, which is considered an improvement on the previous scheme.

The detailed design of windows has slightly altered on the front and rear elevations. To the front, the first floor windows have been slightly enlarged and to the rear, sliding louvers have been added to windows for privacy and light control. The alterations are considered acceptable and would not harm the character or appearance of the conservation area.

In respect of the basement development, emerging policy CM28.1 of the City Plan states that basement developments to residential buildings should not involve excavation of more than one storey below the original floor level. The proposed basement is more than one storey which does not comply with this policy. However, the proposed basement is identical to that which was approved on 31 March 2015 and works have commenced on site to implement this permission. This is a significant material consideration in the assessment of this planning application and could be considered the applicant's 'fallback' position. Accordingly, an objection to the basement development on this basis would not be sustainable.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

The works are generally identical to those already approved in 2015. The most notable alteration is to the approved mansard, which has slightly increased in height, shape, and bulk. In comparison to the 2015 permission, the mansard is approximately 320mm higher and encroaches approximately 265mm closer to the boundary with properties in Montpelier Walk.

The main issue is the impact of the enlarged mansard roof on the amenity of the occupants of neighbouring properties, particularly those residents in Montpelier Walk, in terms of sense of enclosure and loss of light.

The height of the proposed mansard roof is still considered to be broadly consistent with the height of the existing buildings in the terrace. It is not considered that the additional impact in height and bulk would result in a material loss of light or increased overshadowing to surrounding residential occupiers. The massing of the extension satisfies the requirements of the Building Research Establishment (BRE) guide 'Site Layout Planning for Daylight and Sunlight' (2011).

It is also considered that the hipped mansard design is still sufficiently set back from the rear elevation of properties in Montpelier Walk, which would help to minimise the apparent increase in bulk of the development. It is not considered that the development would result in an unacceptable degree of sense of enclosure to these properties.

Given its subterranean location, the proposed two storey basement extension would not cause unacceptable loss of amenity for the occupiers of neighbouring properties in terms of loss of light, increased sense of enclosure or increased overlooking.

The other alterations and extensions including terraces above ground are similar to the building envelope of the extant 2015 permission, and are not considered to adversely affect neighbours in terms of light, privacy, sense of enclosure.

Subject to conditions, the proposals would not adversely affect neighbouring residential amenity and as such accord with Policies S29 of the City Plan and ENV13 of the UDP.

8.4 Transportation/Parking

It is not considered that the change of use from a public house to a single family dwelling would result in an increased impact on traffic generation in the area and is likely to alleviate on street parking pressure compared to when the public house was operating. It is also considered that there would be ample space within the dwelling to store several bicycles. The proposals are considered acceptable in highways terms and accord with Policies TRANS10 and TRANS23 of the UDP

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The provision for disable access will be improved by the installation of a lift providing full and level access to all floors. Living areas on the lower ground floor lead into the courtyard garden with a level threshold between internal and external finishes.

8.7 Other UDP/Westminster Policy Considerations

Mechanical plant

Mechanical plant is proposed at basement level. An acoustic report has been submitted as part of the application which includes background noise surveys around the site and, from this are set targets for the operation of the new plant which must be below existing background noise levels.

The proposals are acceptable subject to conditions relating to plant noise and vibration. On this basis, it is not considered that the plant operation would adversely affect the amenities of neighbouring residents.

Trees

The Arboricultural Manager has no objection to the proposals. There was a Tree of Heaven, in an adjacent garden at 9 Fairholt Street but this has recently been removed with the agreement of the Arboricultural Manager.

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

The proposed development is not large enough to warrant an Environmental Impact Assessment.

8.12 Other Issues

Basement Excavation

Residents 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. Such concerns have been raised by many neighbouring occupiers.

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 (2012) (“the NPPF”) 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 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.

Should permission be granted, these statements will not be approved, nor will conditions be imposed requiring the works to be carried out in accordance with them. The purpose of the reports 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. The City Council adopted the Supplementary Planning Document 'Basement Development in Westminster' (October 2014), which was produced to provide further advice on how current policy can be implemented in relation to basement

development. The emerging basement policy has also gained significant weight and is currently being examined by the Planning Inspectorate. The relevant considerations from the emerging basement policy have been considered above.

Given the above, and in these circumstances, though noting the strong objections which have been received, the objections on these grounds are not considered sustainable

Construction Management

The Knightsbridge Association and neighbouring residents have raised concerns in relation to the management of construction traffic during construction. Applications cannot reasonably be refused on these grounds. The Construction Management Plan (CMP) submitted as part of the application is considered acceptable. The document demonstrates how the basement will be excavated and the proposed measures to minimise disruption are considered appropriate to this site.

However, a condition is recommended to secure a more fully detailed construction management plan to be submitted to and approved in consultation with the Knightsbridge Association.

The applicant is advised by informative to consult and liaise regularly during works with the Knightsbridge Association and site neighbours particularly with regard to construction management issues.

A further condition is recommended to control the hours of construction works, particularly noisy works of excavation. This is the most that can be achieved under planning law.

9. BACKGROUND PAPERS

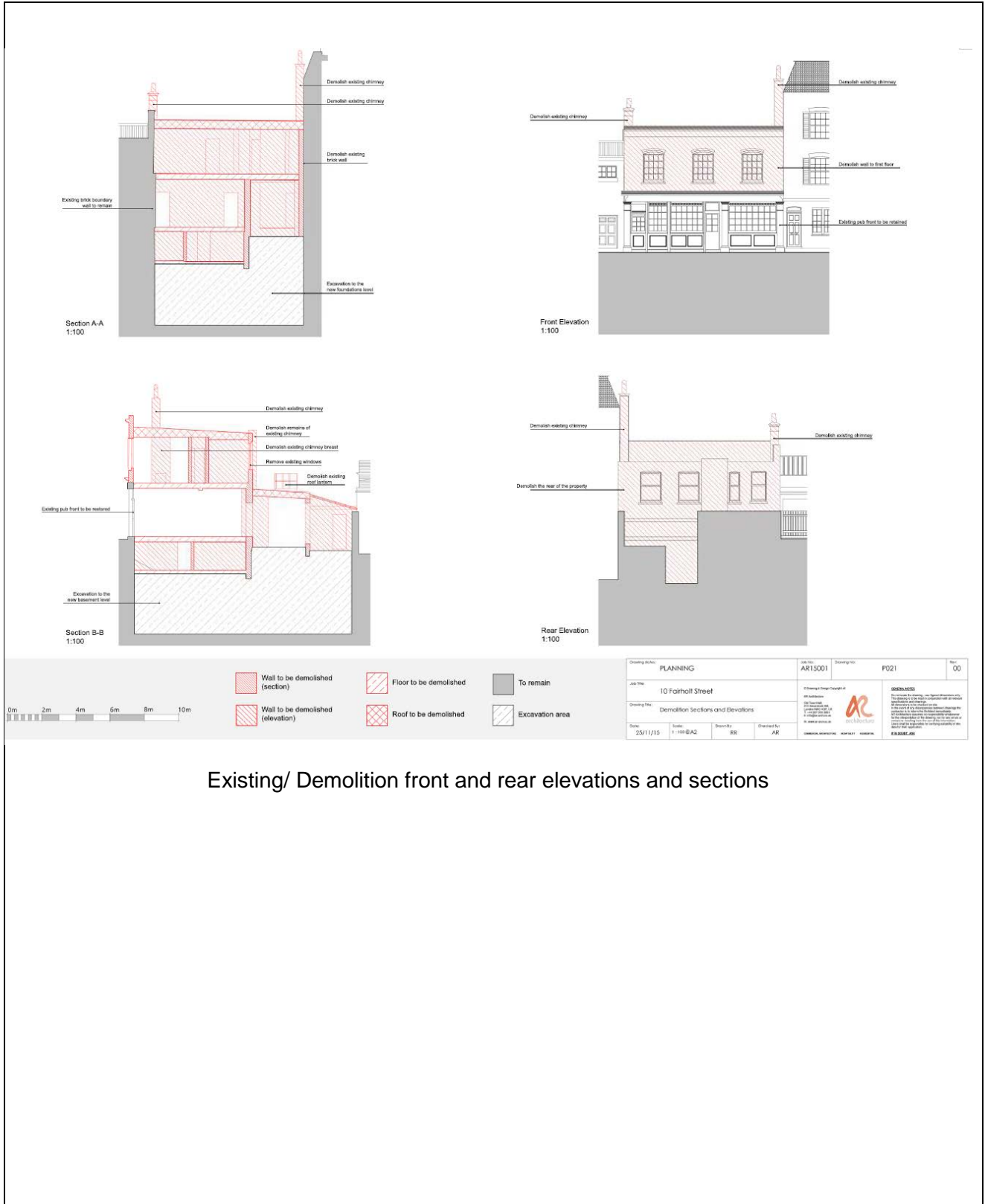
1. Application form.
2. Responses from the Knightsbridge Association dated 04 January 2016 and 21 January 2016.
3. Response from Environmental Health dated 12 January 2016.
4. Response from Historic England (Listed Builds/Con Areas) dated 21 December 2015.
5. Response from Building Control dated 21 April 2016.
6. Response from Environment Agency (Thames Region) dated 22 December 2015.
7. Response from Arboricultural Manager dated 05 January 2016.
8. Letter from Ada Architects Ltd on behalf of the owner/ occupier of 34 Montpelier Walk dated 04 January 2016.
9. Letters from owner/ occupier of 2 Rutland Street dated 28 December 2015 and 29 December 2015.

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 DAVID DORWARD ON 020 7641 2408 OR BY EMAIL AT ddorward@westminster.gov.uk

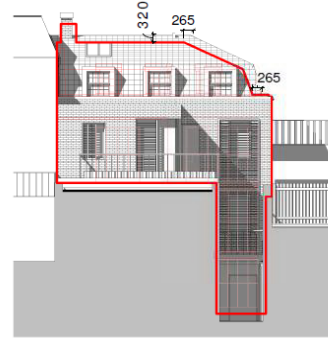
10. KEY DRAWINGS



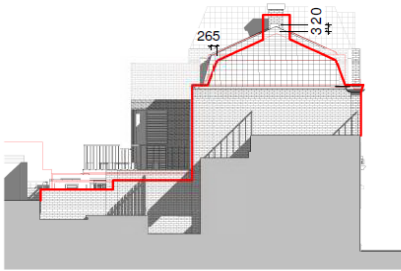
Existing/ Demolition front and rear elevations and sections



Front Elevation
1 : 100



Proposed Rear Elevation
1 : 100

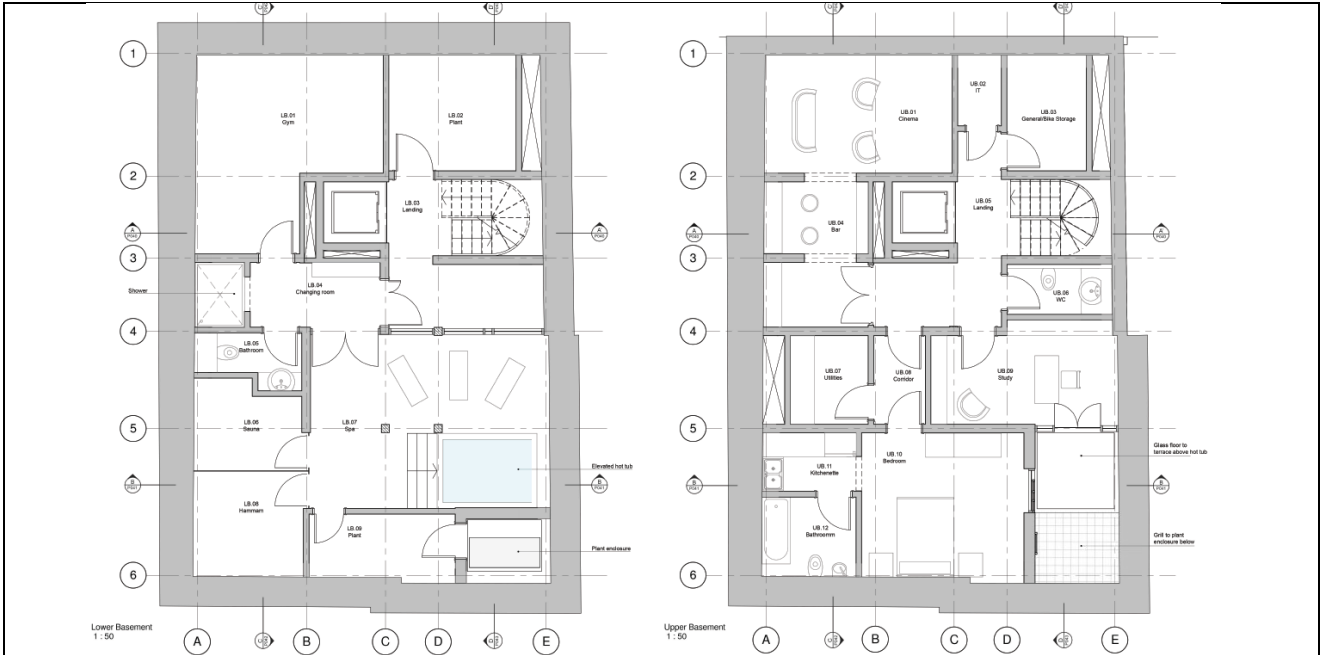


Proposed Side Elevation
1 : 100

Outline of 2015 Planning Approved scheme shown in red.

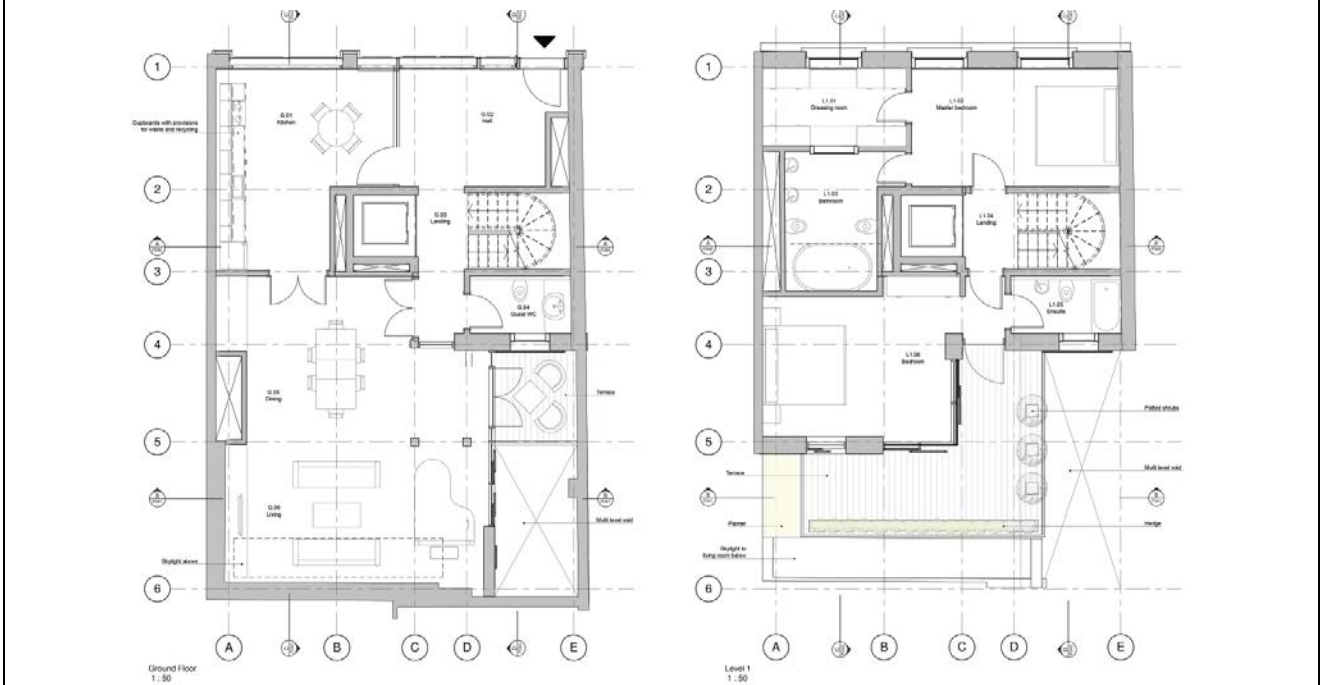
Number	Date	Description	Drawings/Notes	Project No.	Drawing No.	Rev.
			FOR INFORMATION	AR15001	POSS	
			Job No: 10 Fairholt Street	Client: 10 Fairholt Street	Architect: ARCHITECTURE	
			Drawing Title: Overlay	Date: 01/11/16	Scale: 1:1000 A2	Drawn By: RR
						Checked By: SV

Proposed elevations/ overlay drawing with outline of 2015 permission



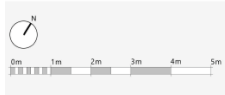
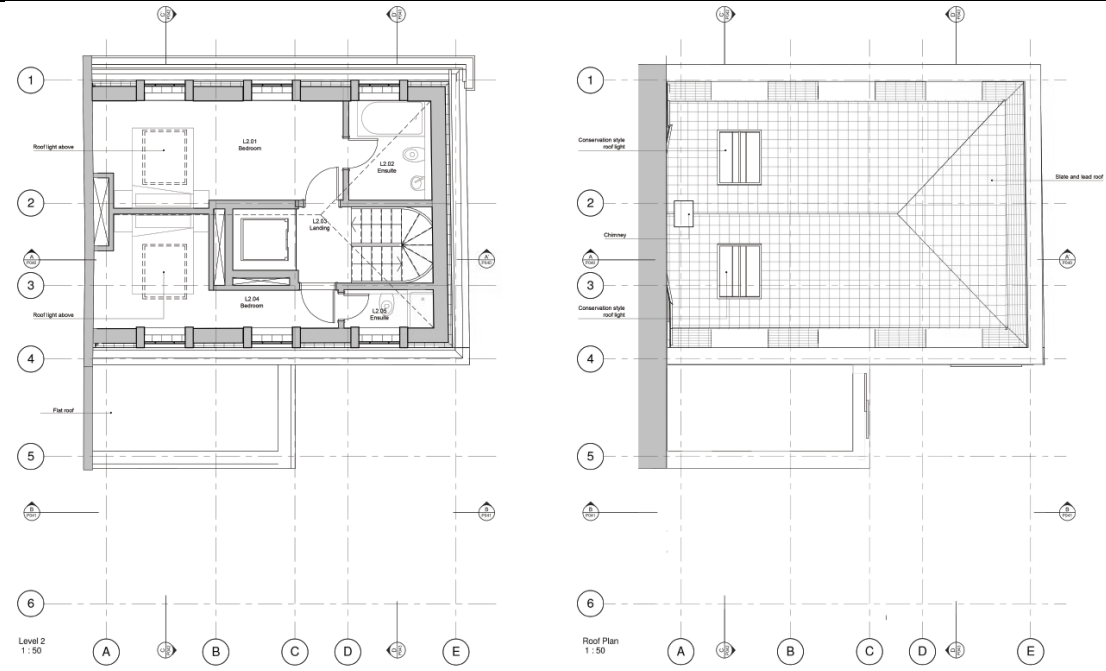
Drawing title	PLANNING	AR15001	Drawing No.	P030	Scale	00	
Job title	10 Fairhol Street	<small>AR</small> ARCHITECTURE 10 FAIRHOL STREET DUBLIN 2 TEL: 01 454 4090 WWW.ARCHITECTURE.IE		<small>AR</small> ARCHITECTURE 10 FAIRHOL STREET DUBLIN 2 TEL: 01 454 4090 WWW.ARCHITECTURE.IE			
Drawing title	Proposed Plans Basement Levels	Drawn by	RR	Checked by	AR		
Date	25/11/15	Scale	1:50&A2	Drawn by	RR	Checked by	AR

Proposed plans lower and upper basement floor levels



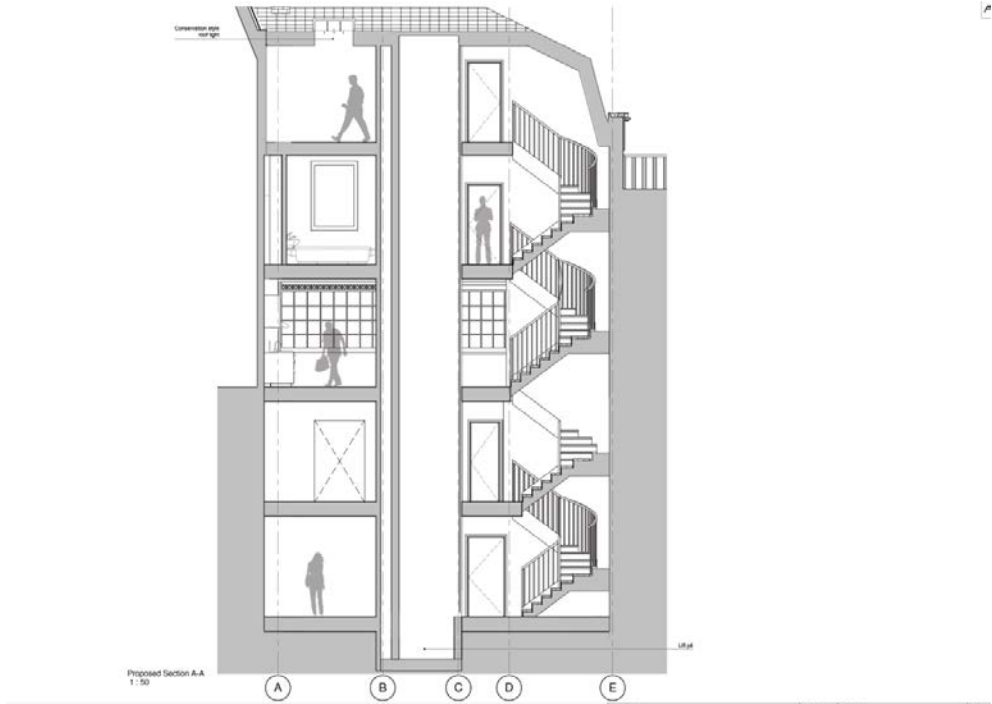
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Job title	10 Fairhol Street	<small>AR</small> ARCHITECTURE 10 FAIRHOL STREET DUBLIN 2 TEL: 01 454 4090 WWW.ARCHITECTURE.IE		<small>AR</small> ARCHITECTURE 10 FAIRHOL STREET DUBLIN 2 TEL: 01 454 4090 WWW.ARCHITECTURE.IE			
Drawing title	Proposed Plans Ground Floor and First Level	Drawn by	RR	Checked by	AR		
Date	25/11/15	Scale	1:50&A2	Drawn by	RR	Checked by	AR

Proposed plans ground and first floor levels



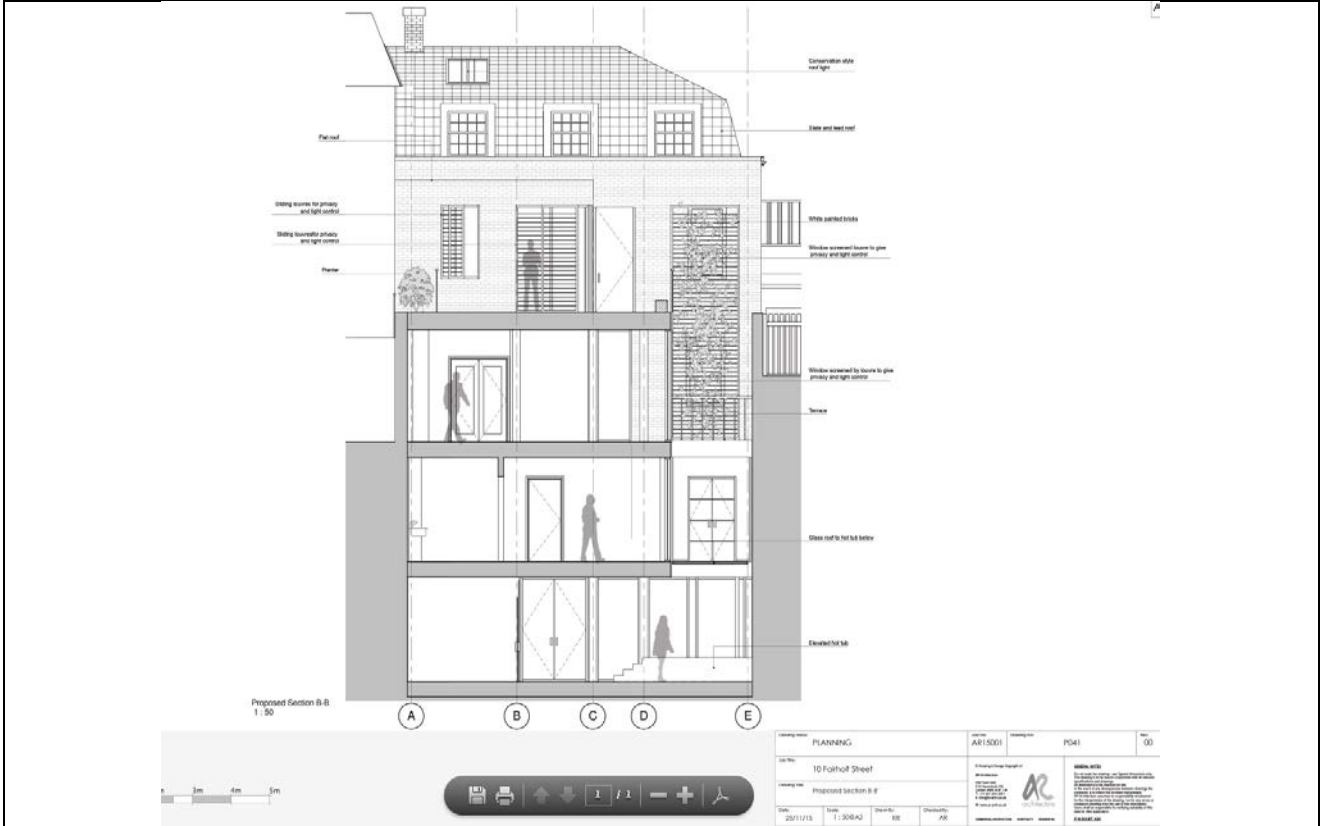
Drawing title	PLANNING	Arch No	AR15001	Drawing No	PD32	Rev	00
Job No	10 Fairholt Street	Project Name	10 Fairholt Street	Client	AR	Scale	1:50
Drawing No	Proposed Plans Upper Levels	Author	AR	Check	AR	Date	25/11/15

Proposed plans upper ground floor levels

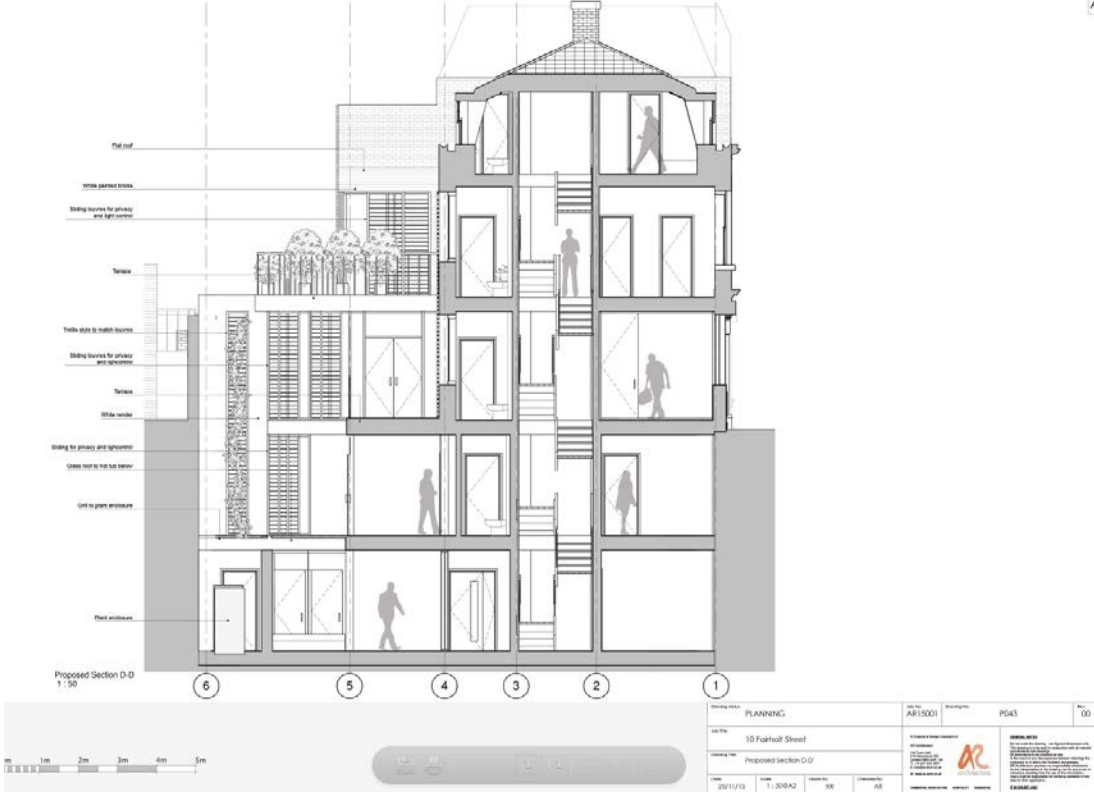


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Job No	10 Fairholt Street	Project Name	10 Fairholt Street	Client	AR	Scale	1:50
Drawing No	Proposed Section A-A	Author	AR	Check	AR	Date	25/11/15

Proposed section AA



Proposed section BB



Proposed section DD

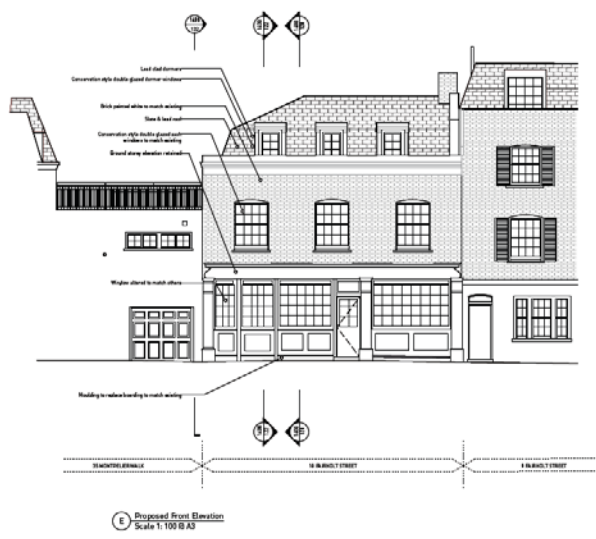


Front Elevation
1:50



Drawing title	PLANNING	AR15001	Drawing No.	PG50	Rev.	00
Job title	10 Faitholt Street		Client			
Drawing No.	Proposed front Elevation		Author			
Date	25/1/15	Scale	1:50&A2	Drawn by	AS	<p>NOTES:</p> <p>1. This drawing is a technical drawing and is not to be used for any other purpose without the written consent of the Architect.</p> <p>2. The Architect is not responsible for any errors or omissions in this drawing.</p> <p>3. The Architect is not responsible for any errors or omissions in any other drawings or documents prepared by other professionals.</p> <p>4. The Architect is not responsible for any errors or omissions in any other drawings or documents prepared by other professionals.</p>

Proposed front elevation

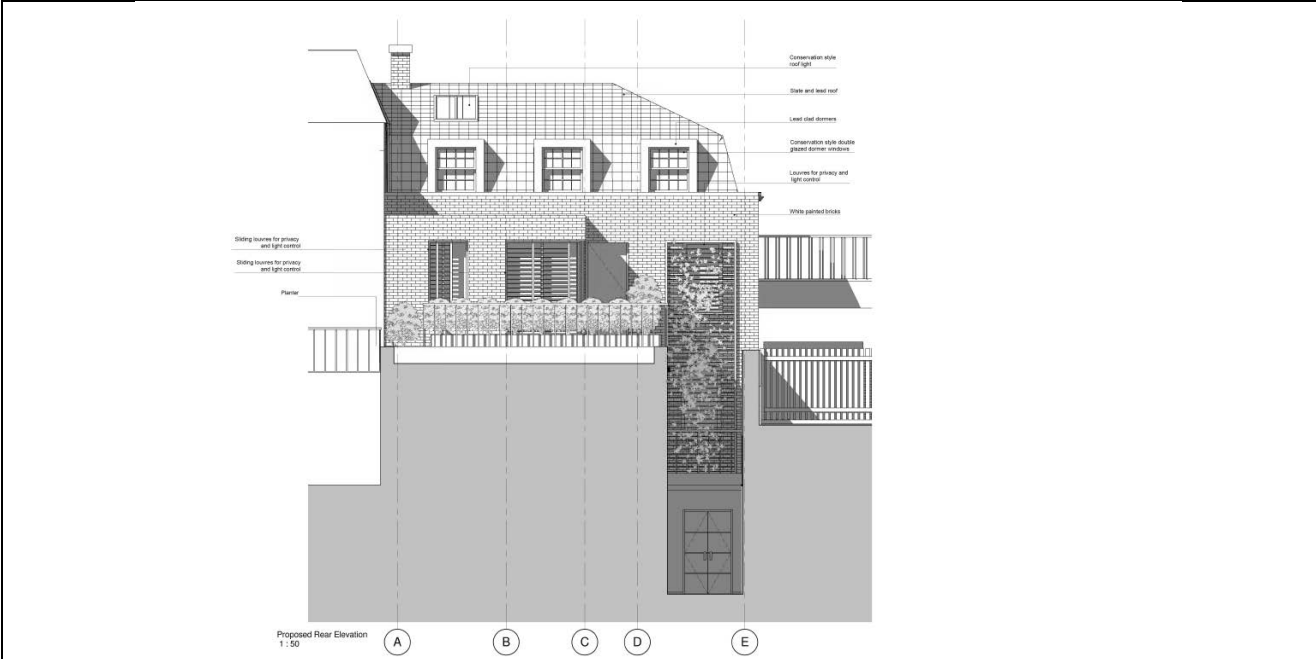


Proposed front Elevation
Scale 1:100 @ A3

Rev	Revision	Date	Description	Author	Drawn	Checked
1	AS	20.01.2015	PLANNING			

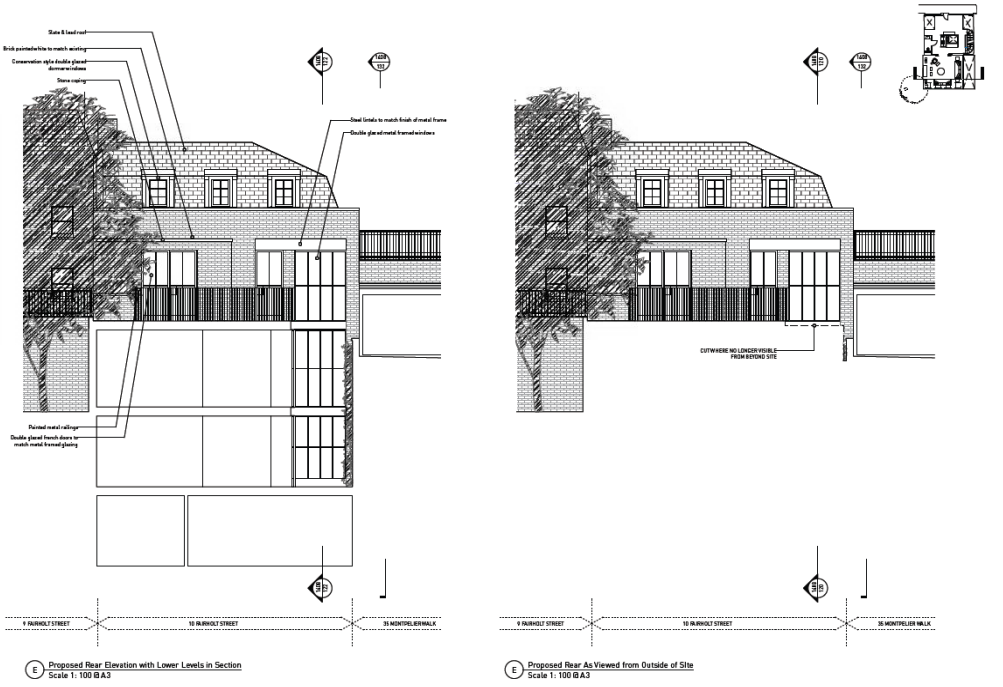


Approved 2015 permission front elevation



Drawing title:	PLANNING	Job No:	AR1501	Drawing No:	POS1	Rev:	00
Job Title:	10 Fairhall Street	Architect:	AR	Scale:	1:50	Drawn By:	AR
Drawing No:	Proposed Rear Elevation	Client:	1:509A2	Checked By:	AR	Issue:	1:509A2

Proposed rear elevation



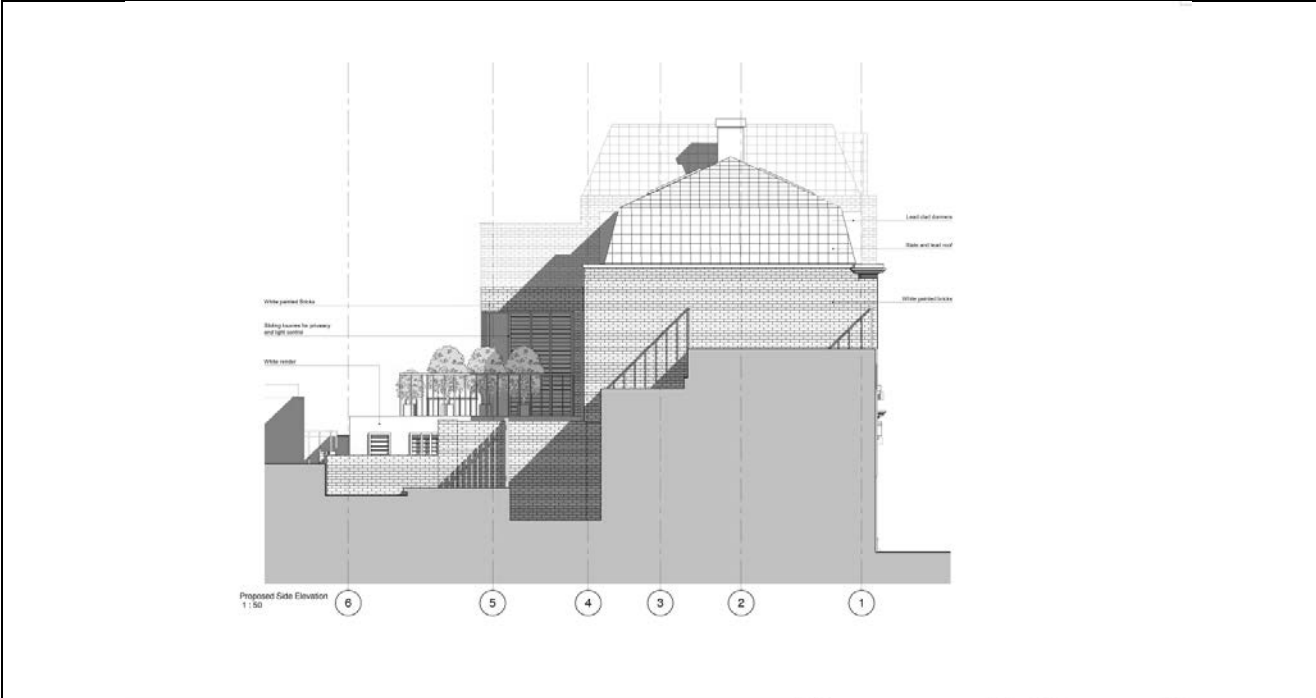
Proposed Rear Elevation with Lower Levels in Section
Scale 1:100 @ A3

Proposed Rear As Viewed from Outside of Site
Scale 1:100 @ A3

1. Do not scale this drawing.
2. For structural dimensions and details see Structural Engineers drawings.
3. All dimensions are to be checked on site prior to commencement of any work, or preparation of any shop drawings.
4. All entries to be checked, correct and dimensions, are to be reported to the Architect.
5. All temporary works to be responsibility of the contractor.
6. This drawing is to read in conjunction with all relevant Architects drawings and specifications and with other consultants information.

Revision	Date	Description	Revision	Date	Description
P2	26.02.2015	PLANNING			
P3	12.03.2015	PLANNING			

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 88 Great South Walk, London SE1 8SE
 020 7726 8787 tdo@tdo-architecture.com
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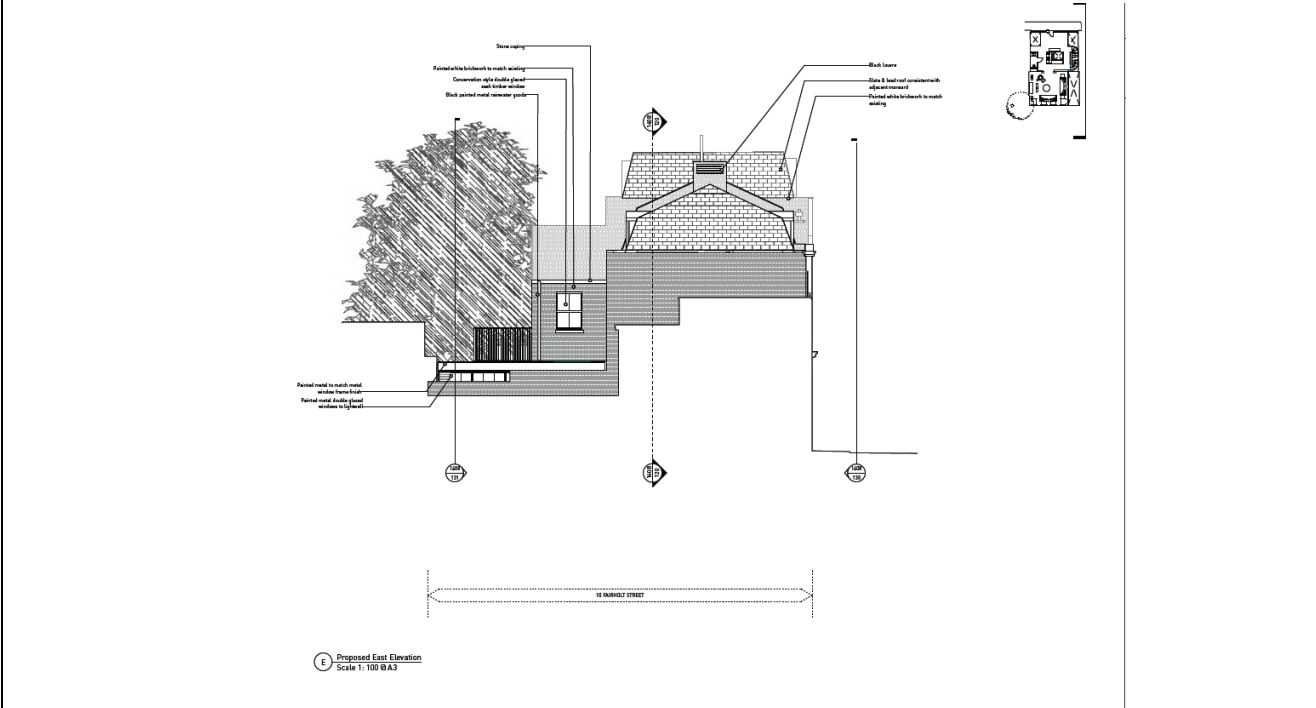


Scale bar: 0m, 2m, 4m, 6m, 8m

Navigation icons: Home, Back, Forward, Refresh, Print, Zoom In, Zoom Out, Close

Project Name	PLANNING	Project No.	ART15001	Revision No.	PG02	Date	00
Client Name	10 Fulham Street	Project Description	Proposed Side Elevation	Author	AR	Checked	
Date	25/11/15	Scale	1:50/BA2	Sheet No.	RE	Discipline	AE

Proposed side elevation



Revision table:

Revision	Date	Description	Revision	Date	Description
P2	25.02.2015	PLANNING			

Navigation icons: Home, Back, Forward, Refresh, Print, Zoom In, Zoom Out, Close

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10 Fulham Street, London SE1 1BE
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Approved 2015 permission side elevation

DRAFT DECISION LETTER

Address: 10 Fairholt Street, London, SW7 1EG,

Proposal: Demolition of existing building behind retained ground floor front facade; excavation to enlarge existing lower ground floor and creation of new basement level; erection of extensions at ground and first floor level including the creation of a roof terrace at first floor level; erection of new mansard roof extension; installation of mechanical plant; and associated alterations; all in connection with use as a single family dwelling.

Reference: 15/11506/FULL

Plan Nos: P000, P001, P010, P011, P012, P0202, P021, P030, P031, P032, P040, P041, P042, P043, P050, P051, P052, P053, P060, P061; Design and Access Statement by AR Architecture; Planning and Heritage Statement by NLP; Daylight and Sunlight Assessment by Daylight and Sunlight (UK) Ltd; Environmental Noise Survey by Hann Tucker; Construction Management Plan by Grandlane; Engineering Report by CTP (for information purposes).

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

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 Knightsbridge 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 samples of the facing materials you will use, 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. (C26BC)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must apply to us for approval of a sample panel of brickwork for the front and rear elevations 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that

we adopted in January 2007. (R26BE)

- 6 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

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 Knightsbridge 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 use the flat roof at rear second floor level for sitting out or for any other purpose. You can however use the roof for maintenance purposes or 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)

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

- All new windows.

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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge 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 The new railings hereby approved shall be painted black and maintained in that colour.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge 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 apply to us for approval of detailed drawings showing how waste is going to be stored and how materials for recycling will be stored separately. You must not occupy the residential unit until we have approved what you have sent us. The provision for waste and recycling storage is to be made permanently available and used for no other purpose.

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling 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. (R14CC)

- 11 (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.

- 12 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.

- 13 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 11 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

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

- 14 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 in consultation with the Knightsbridge Association.

The plan shall consider the issues set out in Appendix 2 of our Supplementary Planning Document - Basement Development in Westminster. These include measures to mitigate dust and to confirm the other relevant codes and standards that you will need to comply with.

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.

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 have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 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 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.

- 5 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.
- 6 Conditions 12 and 13 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)
- 7 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team,
Environmental Health Service,
Westminster City Hall,
64 Victoria Street,
London,
SW1E 6QP,
Phone: 020 7641 2000,

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 8 You should consult regularly with the Knightsbridge Association's Transport and Environment Committee and also site neighbours about Construction Management issues.
- 9 Thames Water have offered the following advice:

Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required.

You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

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.