

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 9 August 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Harrow Road	
Subject of Report	380-384 Harrow Road, London, W9 2HU,		
Proposal	Erection of roof extension to provide new third floor, alterations to front and rear elevations, use of lower ground and ground floors as Class B1 offices and use of first, second and new third floors as 9 flats (Class C3).		
Agent	ADL Project Management Design Consultant		
On behalf of	77K Limited		
Registered Number	15/10082/FULL	Date amended/ completed	13 May 2016
Date Application Received	29 October 2015		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site is currently vacant and was most recently used as a mixed office and showroom use (sui generis) by the Disabled Living Foundation. The current application seek permission for the erection of a roof extension to provide a new third floor, alterations to the front and rear elevations, use of the lower ground and ground floors as Class B1 offices and use of the first, second and new third floors as 9 residential flats (Class C3).

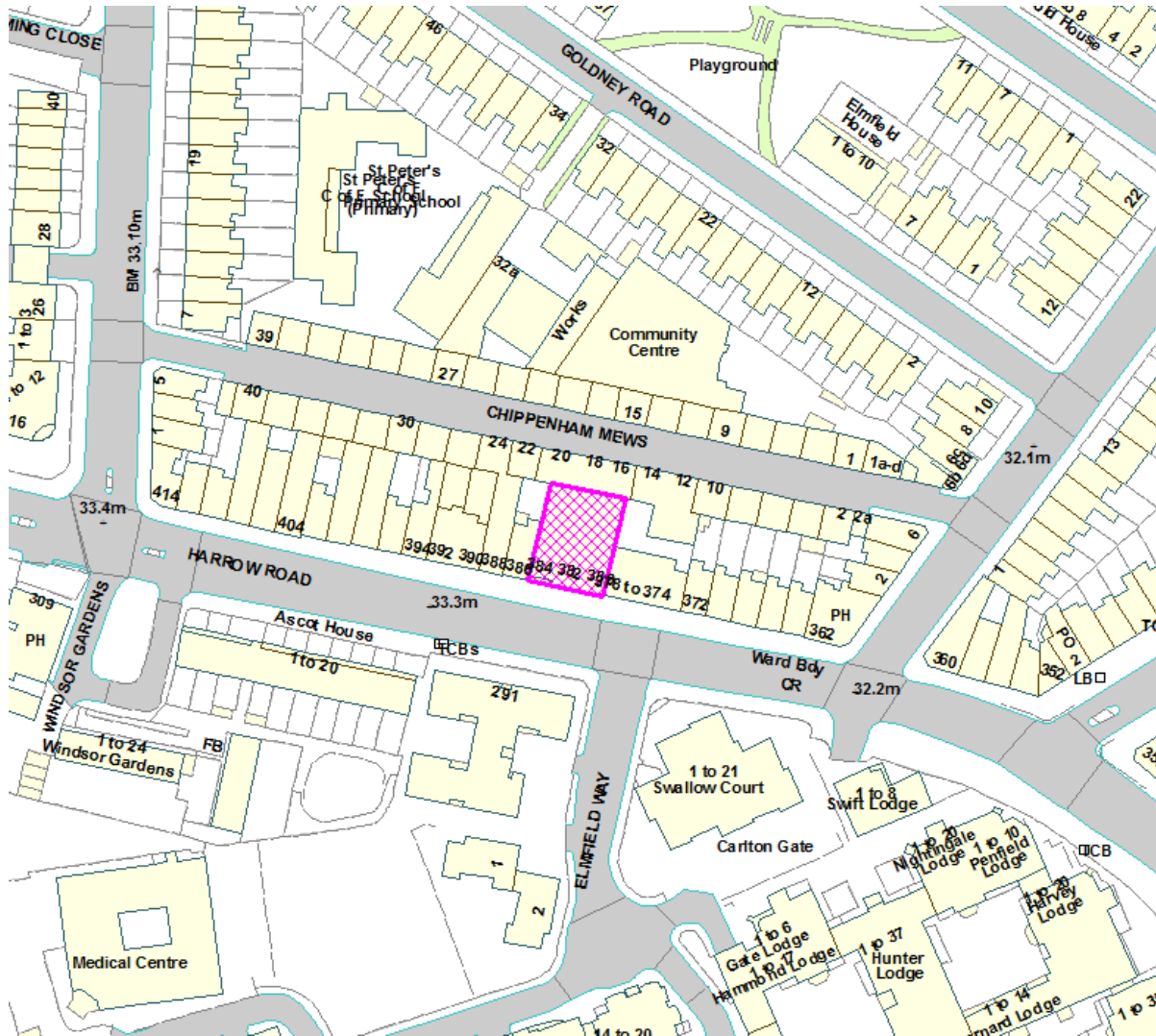
The key considerations in this case are:

- The acceptability of the office and residential uses proposed in this location within the North Westminster Economic Development Area (NWEDA).
- The impact of the development in design terms on the appearance of this part of the City.
- The impact on the amenity of neighbouring residents.
- The impact on the availability of on-street residents parking in the vicinity.

Following amendment during the course of the application to address initial officer concerns, the proposed development is considered to be acceptable in land use, design, amenity and transportation

terms and in accordance with the relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in July 2016 (the City Plan). As such, it is recommended that planning permission is granted subject to the conditions set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (top), rear elevation in conjunction with Chippenham Mews properties (middle) and rear in conjunction with No.372 to 378 Harrow Road (bottom).

5. CONSULTATIONS

CONSULTATION ON INITIALLY SUBMITTED SCHEME (JANUARY 2016)

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

BUILDING CONTROL

Concern regarding fire safety. Residential refuse store should not be accessed directly off the common escape stairway. Stair 2 should not have direct access to commercial unit on the ground floor and residential units on the upper floors. Common corridor providing access to stairs 1 and 2 should be separated with cross corridor fire door. Flat on top floor accessed straight from stair 1 does not have a protected entrance hall.

ENVIRONMENTAL HEALTH

Objection. Details should be provided to demonstrate that noise transference between the office accommodation and the residential accommodation in the same building and from external sources will not occur. Suggest conditions that would ensure these concerns are addressed.

CLEANSING MANAGER

Any response to be reported verbally.

HIGHWAYS PLANNING

Undesirable in transportation terms but could be considered acceptable. There is sufficient on-street residents parking capacity in the vicinity of the site to accommodate the likely increase in parking arising from the development. However, concerned that the insufficient cycle parking is shown on the submitted drawings. Conditions and informatives recommended.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 112.

Total No. of replies: 3.

No. of objections: 3.

No. in support: 0.

3 emails received raising objection on all or some of the following grounds:

Amenity

- Loss of light and air.
- Loss of privacy/ increased overlooking.
- Adverse amenity impact, particularly on occupier of properties in Chippenham Mews.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

CONSULTATION ON REVISED SCHEME – REVISED DETAILED DESIGN AND FORM (MAY 2016)

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

BUILDING CONTROL

Concerns regarding fire safety in respect of the means of escape and the layout of some of the flats.

ENVIRONMENTAL HEALTH

Concern remains about noise transference from the office accommodation and external sources to the residential accommodation, but acknowledge again that conditions could be used to address these concerns.

CLEANSING MANAGER

No waste storage shown for Class B1 office use and this needs to be provided. Capacity of the bin stores for waste and recycling for the residential units needs to be demonstrated to be sufficient.

HIGHWAYS PLANNING

Office cycle storage proposed is acceptable. Further details of the residential cycle store are required to demonstrate it is sufficiently large to accommodate the required number of bicycles.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 112.

Total No. of replies: 1.

No. of objections: 1.

No. in support: 0.

1 email received raising objection on the following grounds:

Design

- Bulk and height of scheme are out of scale with surrounding area.

Amenity

- Loss of light and air.
- Loss of privacy/ increased overlooking.

Other Matters

- Increased stress on local infrastructure (traffic, parking, noise etc).

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site comprises a mid 20th Century three storey building, plus basement floor, located on the north side of Harrow Road. The application site is entirely developed with no undeveloped curtilage land to the rear. The existing building has office/ showroom windows in

the boundary side walls with neighbouring properties to the east and west along Harrow Road. The building is not listed and is not located within a conservation area.

The building was last used as a mixed office and showroom use (sui generis), which was operated by the Disabled Living Foundation, who vacated the building in 2013. The site is within the North Westminster Economic Development Area.

Following the vacation of the site by the Disabled Living Foundation in 2013, the rear of the building, where it faced Chippenham Road, has been redeveloped separately pursuant to planning permission granted on 21 May 2014 for the use of this part of the site as four mews houses accessed from Chippenham Mews (see Section 6.2 of this report). Details of this application are also provided in the background papers to enable the relationship with the rest of the site facing Harrow Road, to which current application relates, to be fully understood.

6.2 Recent Relevant History

21 May 2014 – Permission granted for redevelopment of the rear of Nos.380-384 Harrow Road (Nos.16-22 Chippenham Mews) to provide 4x3 bedroom three storey dwellinghouses (Class C3) with basement floors (to Nos.16, 18 and 20 only) and ground floor garages (13/09224/FULL) (see decision letter and relevant approved drawings in background papers).

15 July 2015 – Application for prior approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 for use of basement, ground, first and second floors from office (Class B1a) to (Class C3) 23 self contained residential units was refused on grounds that the lawful use of the building was previously as a sui generis mixed office and showroom use (15/04474/P3JPA).

16 September 2015 – A Certificate of Lawful Existing Use or Development Application for use of first and second floors as offices within Class B1(a) was refused on grounds that the lawful use of these floors was as part of a mixed use of the whole building as offices and a showroom (sui generis) (15/06718/CLEUD).

2 November 2015 - Application for prior approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 for use of first floor from office (Class B1a) to 9 self contained residential units (Class C3) was refused on grounds that the lawful use of these floors was previously as part of a sui generis mixed office and showroom use of the whole building (15/08759/P3JPA).

2 November 2015 - Application for prior approval under Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 for use of second floor from office (Class B1a) to 7 self contained residential units (Class C3) was refused on grounds that the lawful use of these floors was previously as part of a sui generis mixed office and showroom use of the whole building (15/08760/P3JPA).

2 November 2015 – A Certificate of Lawful Proposed Use or Development for change of use of ground and basement floors from sui generis (showroom) and workshop (Class B1) use to office Class B1(a) office use was refused on grounds that the change of use proposed is a material change constituting development which requires planning permission (15/08517/CLOPUD).

7. THE PROPOSAL

The application seeks permission for the erection of a roof extension to provide new third floor, which would be in the form of a traditional slate hung mansard roof extension. It is proposed to substantially alter the existing front and rear elevations, with the front elevation replaced with a traditionally detailed facade that will mirror the general proportions and detailing of the original Victorian terrace to the west of the site along Harrow Road. The ground floor elevation will comprise traditionally detailed timber shop fronts.

To the rear the facades would be refaced, with the larger office windows in the rear facades replaced with windows of smaller proportions to suit the proposed residential use of the upper floors and to seek to limit overlooking to neighbouring properties.

It is proposed to use the ground and basement floors as Class B1 offices, with the upper floors at first, second and new third floor levels used as 9 residential flats (Class C3). The mix of residential units proposed is 2 studio flats, 4x1 bedroom units, 1x2 bedroom units and 2x3 bedroom units.

The application initially sought permission for alterations and extension to form a building of similar size and form, but designed in a much more contemporary manner. However, the design proposed would not have maintained the appearance of this part of the City. In order to overcome this concern that officer raised during the course of the application, the applicant has revised the scheme to adopt a more traditional approach to the form and detailed design of the building. The revised scheme was the subject of full reconsultation with neighbours and other interested parties in May 2016, as summarised in Section 5 of this report.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The site is located within the North Westminster Economic Development Area (NWEDA). Policy S12 in the City Plan seeks to ensure that development within the NWEDA area increases economic activity within the area or provides local services or improves the quality and tenure mix of housing and also contributes to a number of other priorities set out in the policy.

The loss of the existing mixed office and showroom use of the building is not objectionable given that the proposed development would provide Class B1 office accommodation at ground and basement level, which would provide a replacement use that would contribute to economic activity within the NWEDA.

The principle of providing new residential accommodation on the upper floors is considered to be acceptable in principle in land use terms and would be compliant with Policies S12 and S14 in the City Plan which encourage housing provision in this part of the City as it would contribute to improving the overall housing stock and mix of tenures in this part of the City.

The proposed residential accommodation on the upper floors would comply with or exceed the minimum space requirements set out by the Technical Housing Standards – Nationally

Described Space Standard and the minimum unit sizes specified by Policy 3.5 of the London Plan (2015).

The mix of units proposed, in terms of the number of bedrooms, would fall short of the requirement of Policy H5 in the UDP to provide 33% of all new residential units as 'family sized units' with 3 or more bedrooms. The scheme would provide 22% of the units (2 units) as 3 bedroom flats. However, whilst this falls short of the policy requirement, in this busy Harrow Road location, on a site where conversion of the existing building will not allow for the provision of external amenity space for any of the residential units due to the impact this would have on the amenity of neighbouring residents, it is considered that the provision of a lower proportion of family sized units is justified.

The applicant has submitted a Daylight and Sunlight Assessment that demonstrates that the residential accommodation proposed would accord with, or exceed, the requirements of the Building Research Establishment (BRE) Guidelines (2011) in terms of the amount of daylight they would receive.

The proposed development would create 796m² (GEA) of residential floorspace arranged as 9 flats. The flats proposed would not be excessively large in size and therefore they are considered to represent an optimised use of proposed residential floorspace in accordance with S14 in the City Plan. Given that the scheme would not create more than 1,000m² (GEA) of new residential floorspace and would not create 10 or more residential units, it does not generate a requirement to provide affordable housing under Policy H4 in the UDP and Policy S16 in the City Plan.

8.2 Townscape and Design

The detailed design and form of the existing building is of little architectural merit and as such the proposals to reface/ reclad the reinforced concrete frame of the existing building is welcome. Following amendment, the traditional detailed design proposed to the street elevation of the site in Harrow Road is considered acceptable in design terms and would comprise a well proportioned facade that would integrate well with the front facades of buildings in the the original Victorian terrace to the immediate west. Conditions are recommended to secure samples of facing materials and detailed drawings of various aspects of the detailing of the facade, including windows and the ground floor shop fronts.

The proposed roof extension would be marginally lower in height than the mansard roof extension to No.386 Harrow Road to the west of the site and would form a much less dominant and more recessive roof addition than the visually heavy roof form to the other neighbouring property to the east at Nos.374 to 378 Harrow Road. The roof extension would be confined to the front of the site facing Harrow Road and would not project back over the substantial rear wing of the building. The roof extension would have pitched mansard roof slopes to the front and rear, set back behind roof edge parapet. In this context, the height, bulk and detailed design of the roof extension are considered to be acceptable in design terms and the objection raised on grounds that the roof extension would be excessively bulky, too high and out of scale with surrounding area cannot be supported.

To the rear it is proposed to reface the existing building and reduce the size of the window openings so that they are more suitable for the residential use they would serve and to minimise overlooking to neighbouring occupiers. The new fenestration proposed would be

painted timber framed casement windows. Given the functional appearance of the rear of the building at present, the amendments proposed are considered to be acceptable and would serve to improve its general appearance in private views from neighbouring properties.

In summary the proposed extensions and alterations to the appearance of the building are considered to be acceptable, subject the recommended conditions set out in the draft decision letter, and would accord with Policies DES1, DES5 and DES6 in the UDP and S28 in the City Plan.

8.3 Residential Amenity

Although the proposed development includes the addition of a roof extension to the existing building, this would be limited to a single storey, would be lower than the buildings to the east and west of the site in Harrow Road and located only at the front of the site facing Harrow Road. In this location the roof extension would be at least 13 metres from the nearest residential windows facing the rear of the site, which are located in the rear elevation of properties in Chippenham Road. At this distance, and given the limited scale of the proposed roof extension, it would not result in a material loss of daylight or sunlight. Accordingly objections on these grounds cannot be supported and permission could not reasonably withheld on grounds of loss of daylight or sunlight.

Similarly, the bulk and height of the proposed roof extension would be sufficiently distant from neighbouring windows in Chippenham Mews so as not to cause a materially increased sense of enclosure. Windows to the rear of neighbouring properties in Harrow Road would face north at right angles to the proposed roof extension and as a result they would not suffer any increased sense of enclosure.

In terms of overlooking, the existing office accommodation contains a significant number of large windows in its rear, east and west elevations and these offer views to the east and west of the site towards the rear of neighbouring properties in Harrow Road and Chippenham Mews. The applicant intends to lessen the existing sense of overlooking by replacing the fenestration to the rear of the site with smaller window openings, some of which would be partially obscure glazed and fixed shut. It is considered that these amendments would lessen overlooking such that, notwithstanding the change of use of the upper floors to residential use, which is likely to increase occupancy of the building into the evening and at night, the proposed development would not result in a material increase in overlooking. Conditions are recommended requiring the obscure glazed elements of the windows to be obscured and fixed shut and the amendments to the size of the window openings to the rear and side elevations be carried out prior to occupation of the relevant office and residential parts of the development.

The scheme does not include any external amenity spaces as the use of the roofs to the rear as such would be likely to give rise to overlooking of neighbouring residential windows. A condition is recommended preventing the use of all of the roofs of the building as terraces or for sitting out on, so as to prevent overlooking.

In summary in amenity terms, subject to the recommended conditions, the proposed development would accord with Policies ENV6 and ENV13 in the UDP and Policies S29 and S32 in the City Plan.

8.4 Transportation/Parking

The Highways Planning Manager has confirmed that in this location there is currently sufficient remaining on-street parking provision, both during daytime hours and overnight, to accommodate the predicted increase in on-street parking that would occur as a result of the proposed development. As such, the proposal accords with Policy TRANS23 in the UDP and the objection on lack of parking grounds cannot be supported as a ground on which to reasonably withhold permission.

The Highways Planning Manager has expressed concern that the residential cycle store may not be sufficiently large to accommodate the required number of bicycles to accord with the London Plan (2015). The applicant has provided details of a cycle stacking system to seek to demonstrate that the area proposed is sufficiently large. Any further comments on this clarifying information will be reported verbally to the committee. The Highways Planning Manager does not object to the office cycle store. A condition is recommended to secure the cycle storage permanently for use by future occupants and office workers.

The proposed office accommodation and residential units would need to be serviced from Harrow Road. However, this is currently the case with the existing mixed office and showroom use of the building and as such the Highways Planning Manager does not find the continued use of the highway for servicing to be objectionable given it is unlikely to be used more intensively for this purpose than it is at present.

8.5 Economic Considerations

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

8.6 Access

The proposed development would provide level access to the residential accommodation at ground level with a lift serving all of the residential floors. Step free access would be provided to the office accommodation at ground floor only. Given this is a conversion of an existing building, this level of accessibility is considered to be acceptable and in accordance with Policies DES1 and TRANS27 in the UDP.

8.7 Other UDP/ City Plan/ Westminster Policy Considerations

The Basement and Mixed Use Revisions to the City Plan were submitted to the Secretary of State in December 2015. The independent examination was held in March 2016. Following the examination, a further consultation was held between 20 April and 5 June 2016, inviting responses to the proposed main modifications. Having considered the responses, none of the matters raised bring forward new issues which were not considered by the Inspector at the examination hearings in March and the Basement and Mixed Use Revisions to the City Plan were subsequently agreed by Full Council on 13 July 2016. Consequently this version of the City Plan is now the adopted version and full weight can be attributed to all of the policies within it for development management purposes.

Environmental Health have raised concerns with regard to the potential for the residential accommodation within the development to be adversely affected by noise from the office accommodation at ground level and from external sources such as road noise. These

concerns can be addressed by the imposition of the conditions recommended by Environmental Health, which would ensure that the structure of the building and the specification of the new windows would be sufficient to prevent excessive noise transference from these sources.

Building Control have raised concerns regarding fire safety in relation to the layout of a number of the flats and the arrangements of the means of escape within the building. Given that these concerns relate to the internal arrangement of a small number of areas of the building, these concerns can be resolved by the applicant without the need for planning permission. As such, permission for the current application cannot be withheld on these grounds. An informative is though recommended to advise the applicant of the concerns raised by Building Control.

In terms of biodiversity and sustainability and compliance with Policies S28 and S38 in the City Plan, the opportunities for improvements are limited in this case given the scheme comprises the conversion of an existing building. The application does though include the provision of a green roof (described as a 'roof garden') over the existing rear wing of the building above second floor level and this improvement in biodiversity terms is welcome. It will also serve to improve the appearance of the rear of the site in views from neighbouring properties. A condition is recommended to secure the provision of the green roof.

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.

The estimated Westminster CIL payment based on the GIA floorspace figures provided by the applicant is: £181,800.

8.11 Environmental Impact Assessment

The proposed development is of insufficient scale to require the provision of an Environmental Impact Assessment. Sustainability and biodiversity issues are addressed in Section 8.7 of this report.

8.12 Other Issues

None relevant.

9. BACKGROUND PAPERS

1. Application form.

Responses to Consultation on Initially Submitted Scheme (January 2016)

2. Email from Building Control dated 19 January 2016.
3. Memo from Environmental Health dated 29 January 2016.
4. Email from the occupier of 5 Chippenham Mews dated 1 February 2016.
5. Email from the occupier of 21 Chippenham Mews dated 1 February 2016.
6. Email from the occupier of 19 Chippenham Mews dated 1 February 2016.

Responses to Consultation on Revised Scheme (May 2016)

7. Email from Building Control dated 2 June 2016.
8. Memo from Environmental Health dated 17 June 2016.
9. Memo from the Cleansing Manager dated 28 July 2016.
10. Email from the occupier of 21 Chippenham Mews dated 20 May 2016.

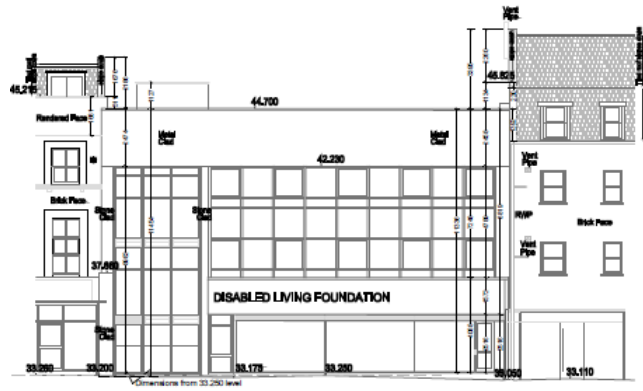
Selected relevant drawings

Existing and Proposed Plans, Elevations and Sections.

(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 THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

10. KEY DRAWINGS

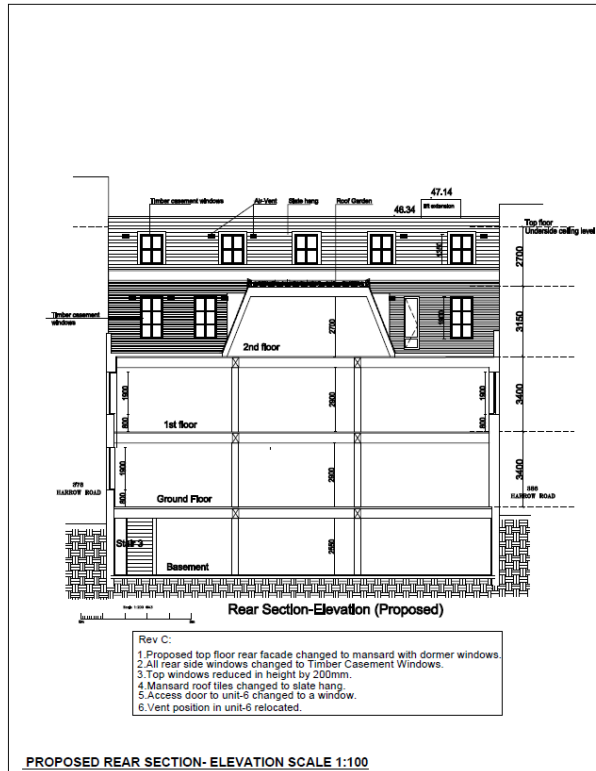
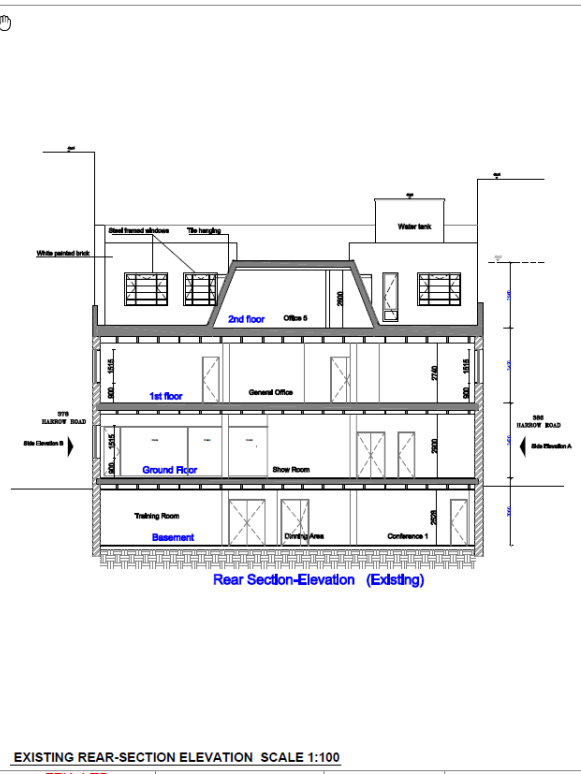


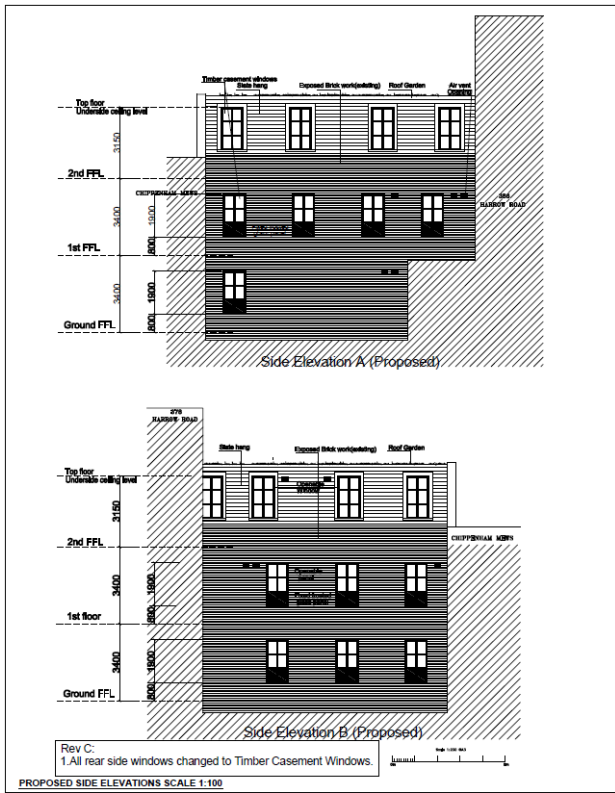
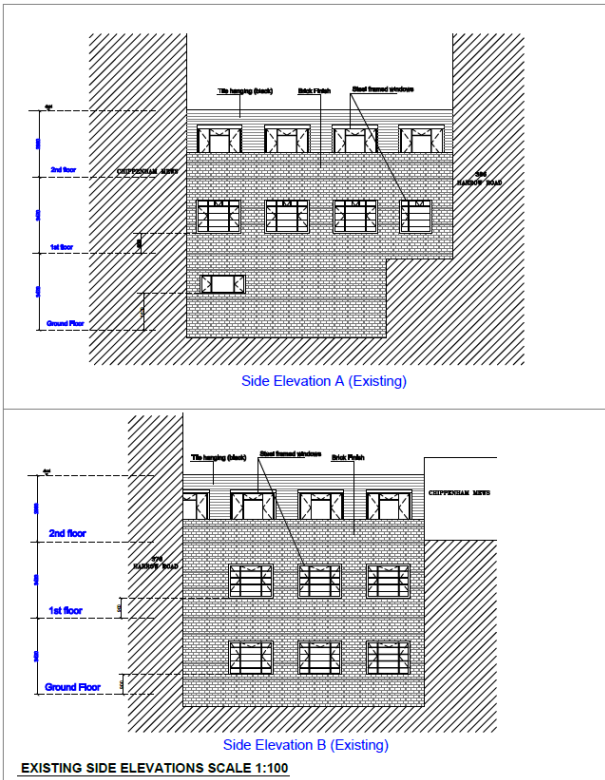
380-384 Harrow Road - Front Elevation

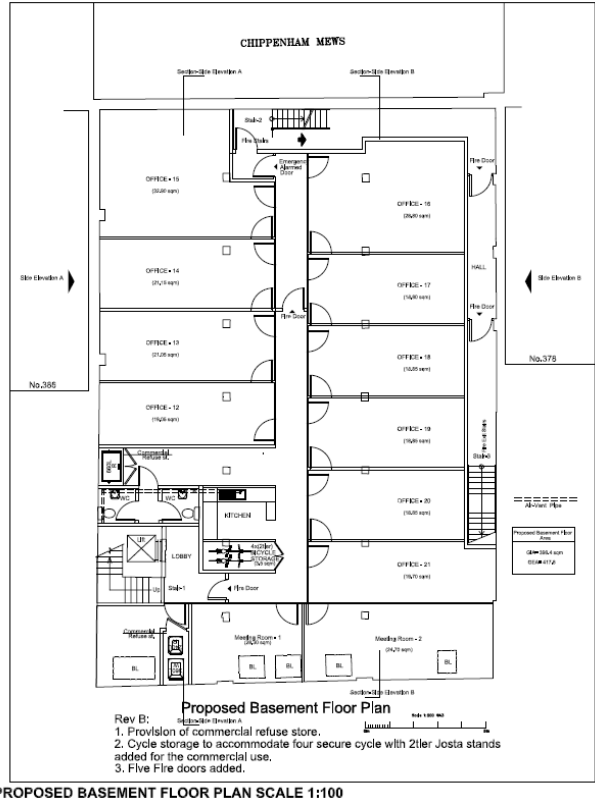
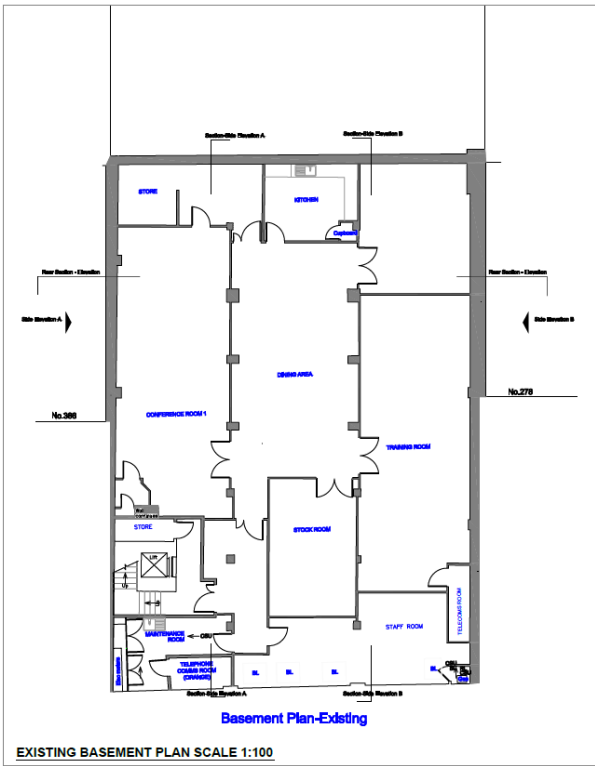
TOPO-Survey Front Elevation

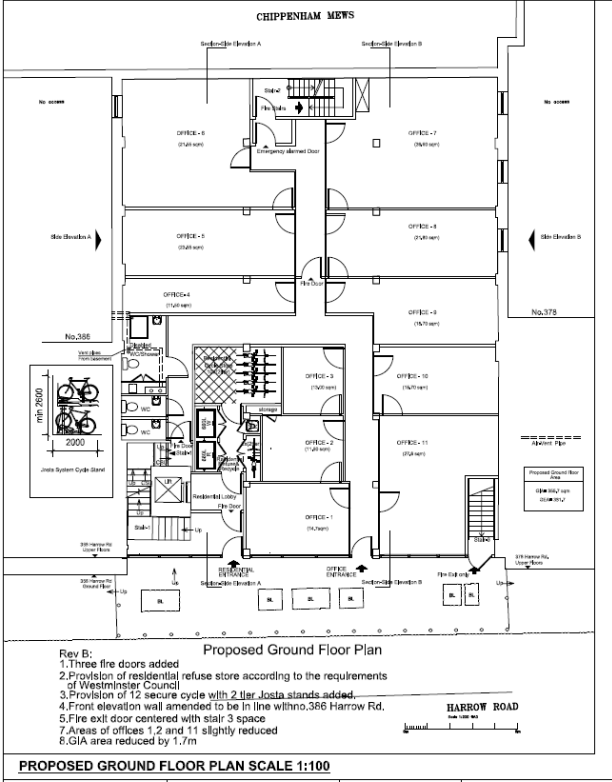
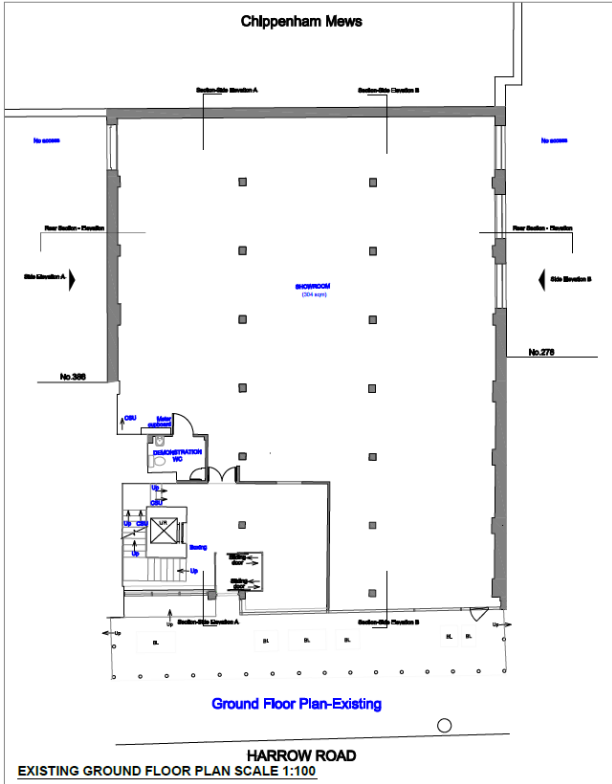


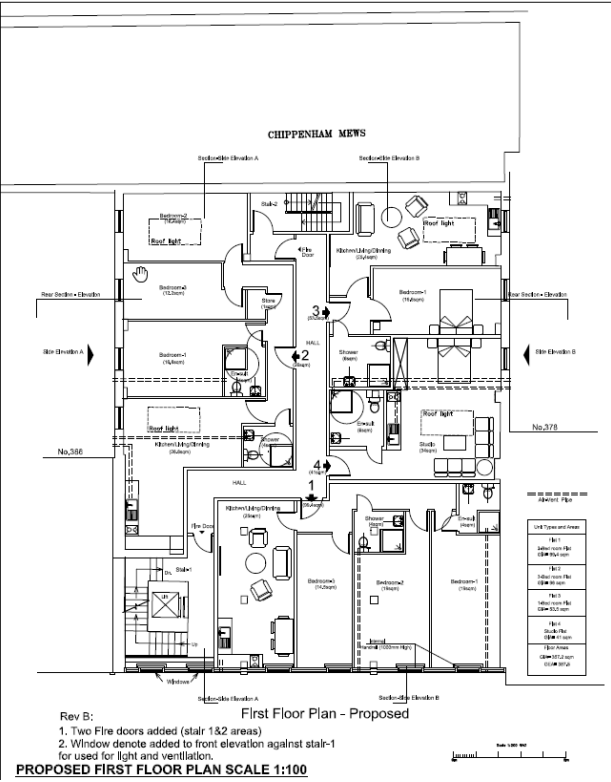
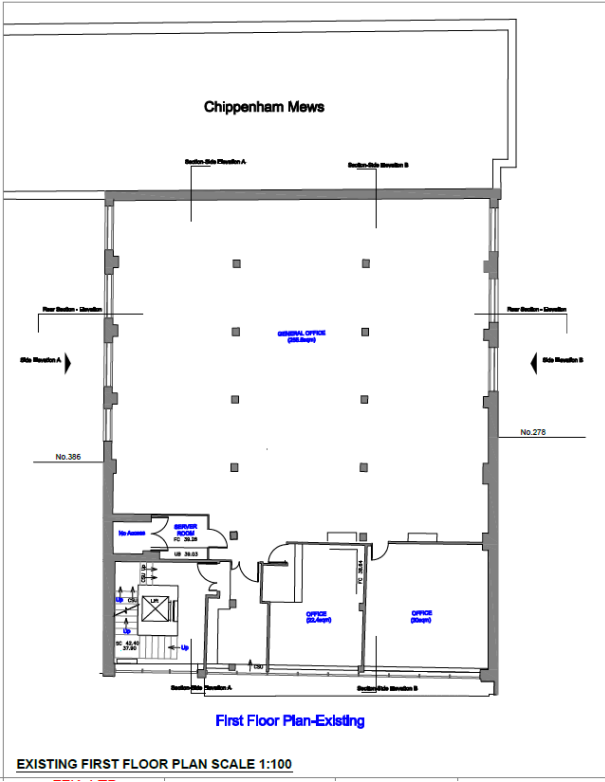
PROPOSED FRONT ELEVATION SCALE 1:100 @A3

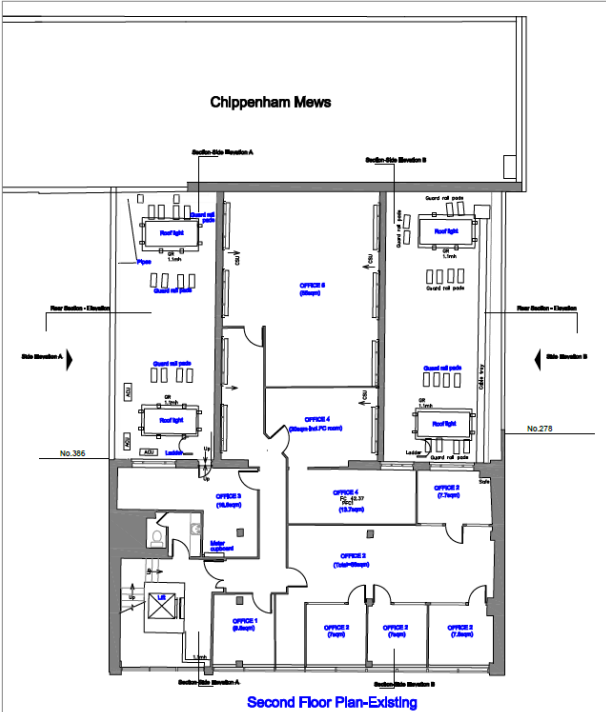




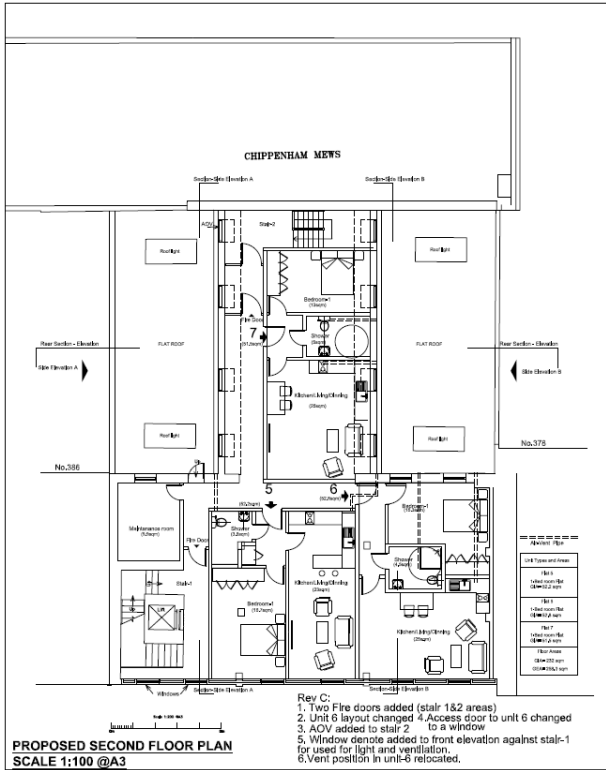




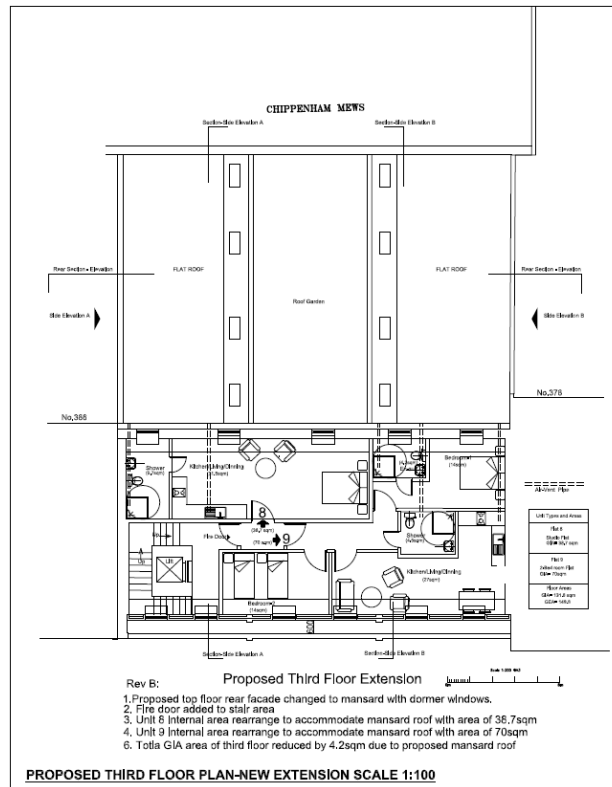




EXISTING SECOND FLOOR PLAN SCALE 1:100



PROPOSED SECOND FLOOR PLAN SCALE 1:100 @A3



DRAFT DECISION LETTER

Address: 380-384 Harrow Road, London, W9 2HU,

Proposal: Erection of roof extension to provide new third floor, alterations to front and rear elevations, use of lower ground and ground floors as Class B1 offices and use of first, second and new third floors as 9 flats (Class C3).

Plan Nos: T2093-01 (site location plan), T209/EX001, T209/EX002, T209/EX003, T209/EX004, T2093/EX031, T2093/EX022, T2093/EX023, T2093/EX024, T2093/EX025, T2093/GA011 Rev.B, T2093/GA012 Rev.B, T2093/GA013 Rev.B, T2093/GA014 Rev.C, T2093/GA015 Rev.B, T2093/GA016 Rev.B, T2093/GA021 Rev.C, T2093/GA022 Rev.C, T2093/GA023 Rev.C, T2093/GA024 Rev.C, T2093/GA025 Rev.C, T2093/GA031 Rev.C, T2093/GA041, Design and Access Statement dated 30/11/15 (as amended by revised drawings listed and email from Peter Higginbottom dated 4 July 2016), Cycle Works 'Josta' manufacturer's specification, Daylight and Sunlight Study dated 12 May 2016.

Case Officer: Oliver Gibson

Direct Tel. No. 020 7641 2680

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

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

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 You must apply to us for approval of samples of the facing materials you will use, 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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

- (a) All new windows and doors (elevations and sections at 1:20 or larger).
- (b) Decorative detailing around window openings and to roof level parapet.
- (c) The ground level shop fronts and fascia panels (elevations and sections).
- (d) The north (rear) elevation at second floor level with materials annotated.
- (e) The lift overrun with cladding material annotated.

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 detailed drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 You must not paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 6 The facing brickwork to the front elevation must match the front elevation brickwork at No.386 Harrow Road in terms of its colour, texture, face bond and pointing.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 7 The mansard roof extension at 3rd floor level hereby approved shall be clad in natural slate and retained in this material to the front and rear roof slopes.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 8 All new windows, doors and shop fronts hereby approved shall be formed in painted timber and retained in this material and finish.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 9 You must not use any of the roofs of the building, including the roof of the new 3rd floor extension hereby approved, for sitting out or for any other purpose. You can however use the roofs to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 10 Prior to occupation of the office accommodation at ground floor level and the residential accommodation on the first, second and third floors you must replace all the windows in the rear (north) and side (east and west) elevations of the building in accordance with windows shown on drawings T2093/GA022 Rev.C and T2093/GA025 Rev.C.

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 (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 11 The windows panes annotated as 'fixed frosted glass panel' on drawing T2093/GA025 Rev.C shall be fitted with obscure glazing and fixed shut prior to occupation of the whole of the office accommodation at ground floor level and the residential units at first floor level that these windows serve. Thereafter these window panes shall be permanently retained with obscure glazed and fixed shut.

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 (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

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

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

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

Reason:

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

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (July 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 15 You must provide each office and residential cycle parking space shown on the approved drawings (as supplemented by the email from Peter Higginbottom dated 4 July 2016 and the Cycle Works 'Josta' manufacturer's specification) prior to occupation of the respective office and residential parts of the development. Thereafter the office and residential cycle spaces must be retained and the spaces used for no other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 16 Before anyone moves into the office and residential parts of the development, you must provide the separate stores for waste and materials for recycling shown on drawing numbers T2093/GA011 Rev.B and T2093/GA012 Rev.B. You must clearly mark them and make them available at all times to everyone using the residential and office parts of the development.

(C14FB)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 17 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the 'roof garden' on the roof of the second floor rear wing, to include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details prior to occupation of the residential part of the development and thereafter retain and maintain the 'roof garden' in accordance with the approved management plan.

Reason:

To enhance the appearance of the development and enhance the biodiversity of the environment, as set out in S28 and S38 of Westminster's City Plan (July 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

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 (July 2016), 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 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.
- 3 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)

- 4 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 5 You are advised that Building Control have raised concern regarding fire safety in respect of the proposed internal means of escape and the layout of a number of the flats, particularly those which are open plan. The concerns identified by Building Control are as follows:

- Residential refuse store should not be accessed directly off the common escape stairway.
- Stair 2 should not have direct access to commercial unit on the ground floor and residential units on the upper floors.
- Cross corridor fire doors required to separate escape staircases.
- Lobby protection is required between staircase and common corridor serving residential flats.

- Common corridor serving flats and the staircase require ventilation.
- Flat layout 6 does not comply with Building Regulations.
- Fire strategy is require for the open plan flats.

For further advice on how to address the concerns identified above you may wish to contact our Building Control Team on 020 7641 6500 or at districtsurveyors@westminster.gov.uk.

- 6 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 7 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)
- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 9 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 10 The term 'clearly mark' in condition 16 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 11 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 12 You should be aware that the Class B1 office accommodation at ground and basement level hereby approved cannot be converted in future to residential accommodation under the prior approval process by virtue of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the Class B1 office accommodation (if used as Class B1(a) offices) was not the lawful use of the ground and basement floors on 29 May 2013.