

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 18 October 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	3 Strutton Ground, London, SW1P 2HX,		
Proposal	Demolition of existing building and erection of an eight storey building over basement providing six residential flats (Class C3) on the upper floors and a retail unit (Class A1) at ground and basement levels including associated plant at basement, ground and sixth floor levels, roof terraces at sixth and seventh floor levels and PV panels at roof level.		
Agent	Alchemi Group		
On behalf of	Goswell Properties Ltd		
Registered Number	16/02061/FULL	Date amended/ completed	29 March 2016
Date Application Received	7 March 2016		
Historic Building Grade	Unlisted		
Conservation Area	No		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

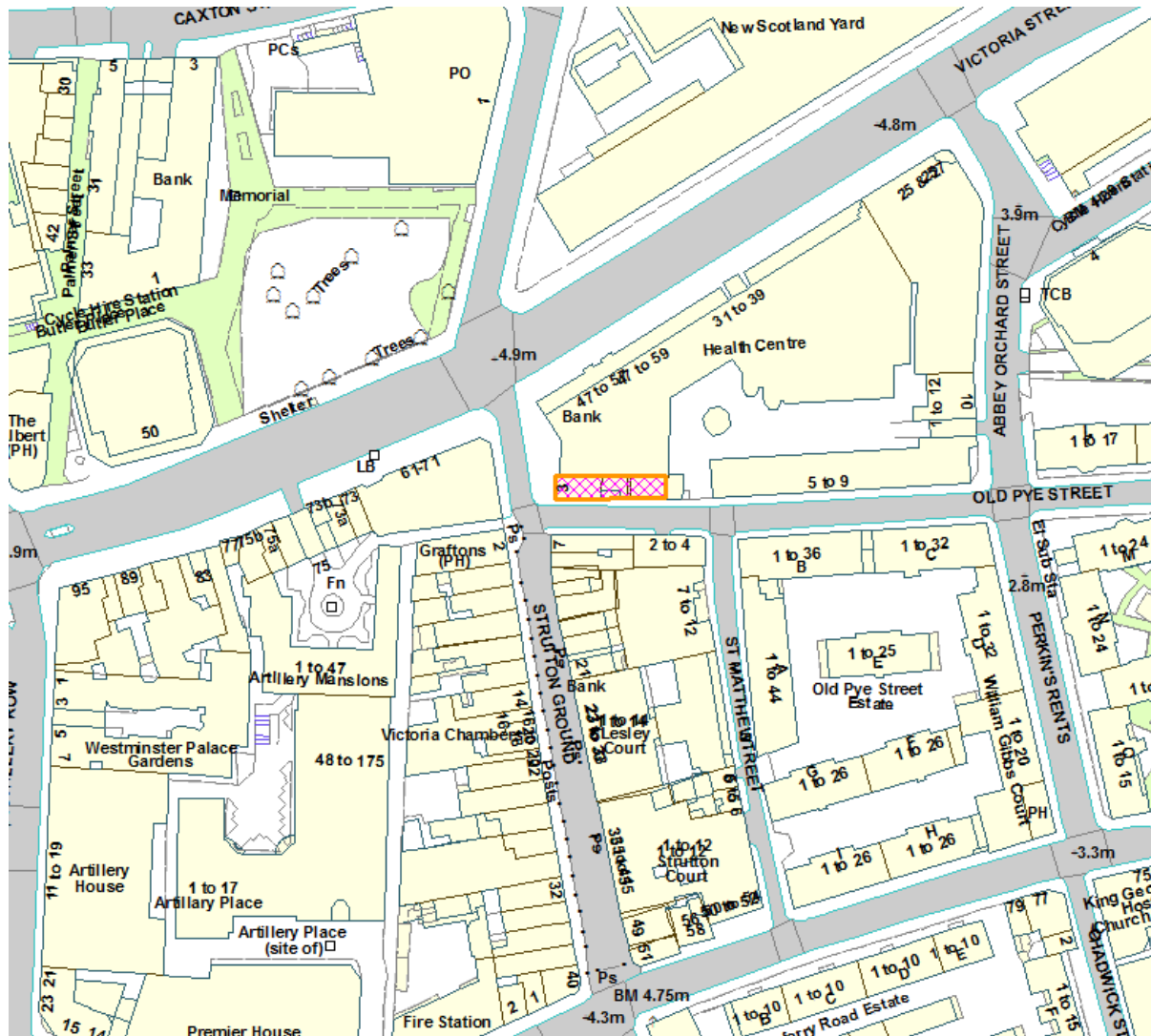
3 Strutton Ground is an unlisted building which is not located in a conservation area. Permission is sought to demolish the existing four storey building over basement and redevelop to create an eight storey building over basement. The retail unit (Class A1) will be retained and six self-contained flats (Class C3) are sought on the upper floors. A net increase of three residential units would be provided. Amenity and design objections have been received from the Thorney Island Society and one neighbouring owner/occupier.

The key issues for consideration in this case are:

- * The impact of the proposals on the character and appearance of area;
- * The relationship between the site and neighbouring residents.

The proposals are considered acceptable in land use, amenity and design terms and comply with the City Council's policies as set out in the Unitary Development Plan (January 2007) and Westminster's City Plan (July 2016).

3. LOCATION PLAN



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3 Strutton Ground

4. CONSULTATIONS

THORNEY ISLAND SOCIETY

The building is very tall for its context. The building will result in light loss in Old Pye Street. Concerned that unusual brickwork may become unsightly if the niches attract nesting birds.

WESTMINSTER SOCIETY

No objection. The existing building is fairly undistinguished and what is proposed will stand out to a greater extent. The design borrows from the adjacent 55 Victoria Street. Suggest that further thought is given to the choice of materials. The mix of uses is acceptable even if the appearance of the structure is rather strident.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

CLEANSING

No objection subject to conditions.

HIGHWAYS PLANNING

No car parking is provided. On street parking occupancy in the area has not yet reached an unacceptable level of deficiency (over 80% occupancy). However, to mitigate the impact of the development, car club membership is considered the strongest mechanism to reduce car ownership of future occupiers.

ADJOINING OWNERS/OCCUPIERS

No. Consulted: 45

Total No. of replies: 1

One objection has been received from the owner/occupier of 2-4 Old Pye Street raising objection on the following grounds:

AMENITY

- Loss of light;
- Increased sense of enclosure;
- Overlooking;

DESIGN

- Negative impact on conservation area;
- Inappropriate massing;
- Brick choice does not complement or respect buildings in Old Pye Street.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

3 Strutton Ground is a rendered and metal-clad building originally dating back to 1950's. The building currently comprises of a retail unit at basement and ground floor levels with three self-contained residential flats on the upper three floors. The building directly adjoins the recently completed and substantially taller 55 Victoria Street development. The longer flank elevation of 3 Strutton Ground runs along Old Pye Street.

5.2 Recent Relevant History

In 2005 permission was granted and subsequently implemented for the erection of an additional storey and rear extension in connection with the creation of three self-contained flats.

Works have recently been completed at 55 Victoria Street for alterations including extensions at roof level and to the rear to create a part eight, part 10, part 12 storey building with replacement of the façade in association with the use of the building as 54 residential units (Class C3), retail (Class A1) and bank (Class A2).

6. THE PROPOSAL

Permission is sought to demolish the existing building that occupies 3 Strutton Ground and the newly built brick plant space connected to 55 Victoria Street at the rear on Old Pye Street. The replacement building will comprise of eight storeys above basement and will retain a retail unit at part basement and part ground floor levels. The remainder of the building including would be used as six self-contained residential flats. The proposal would provide three additional residential units over the existing situation.

DETAILED CONSIDERATIONS

6.1 Land Use

Retail

The development will re-provide the Class A1 retail unit maintain the same street frontage with the addition of a short shopfront return on Old Pye Street. The existing unit has a floorspace of 124sqm whilst the proposed unit would be marginally reduced in size by 11sqm. This reduction is considered acceptable given the requirement to provide additional ancillary areas for the new residential units such as bicycle and waste storage. The replacement retail complies with Policy S21 of the City Plan.

Residential use

The proposed development consists of six residential units over the seven upper floors with ancillary areas at part basement and ground floor levels. The increase in residential floorspace is supported under Policies S14 of the City Plan and H3 of the UDP.

The breakdown in units is as follows: 2 x 2 beds and 4 x 3 beds. The provision of 3-bed units is above the target set by Policy H5 which seeks 33% or more of units to be family sized. Given the narrowness of the site and inability to provide more than one unit per floor, the mix is considered acceptable in this instance.

The residential units vary in size from 146.2sqm for a two bed unit and up to 189.1sqm for the sixth and seventh floor duplex. The majority of flats have a similar size and layout given the constraints of the narrow site. Notwithstanding this the new flats would provide a good standard of accommodation in this dense urban location with the majority of window being south facing.

The units and are not considered oversized and as such comply with Policy S14 which requires the number of residential units on development sites to be optimised. All unit sizes exceed the requirements of the national space standards and all bedrooms are over the required minimum 7.5sqm for a single bedroom and 11.5sqm for a double bedroom (for a detailed area schedule please see background papers).

6.2 Townscape and Design

3 Strutton Ground is an architecturally undistinguished building and it lies outside a conservation area. As such, there is no in principle objection to its demolition subject to a satisfactory replacement.

The proposed replacement building is significantly higher than the existing but still approximately 8m lower than the adjoining 55 Victoria Street. It is also approximately 4m lower than 61-71 Victoria Street which is the building that forms the opposite corner of Strutton Ground and Victoria Street. The building would be significantly higher than the development to the south in Strutton Ground, but the new building does step down from the higher development on Victoria Street and provides a transition in scale to the lower development to the south.

This transition in scale, at present, takes place on the site of 3 Strutton Ground. The proposal would moderate the transition with an additional step and would spread the transition across the width of the application site to the development to the south. It is not considered that this transition in scale is any worse than the existing situation and could be considered as a more measured step down in scale than exists at present.

The architectural expression of the building is of a brick structure with punched openings for windows, asymmetrically placed across the façade. The approach is similar to that of the adjacent new building on Victoria Street, but there is a greater variety to the placement of windows and more innovative use of brickwork. The building now masks the blank side wall of the building to the north and offers an active and architecturally attractive face to the street.

It is considered that the proposed building is a significant improvement over the current situation on the site. While there is a de facto increase in height on the site, this, in effect, is helping to soften the large transition in height from the Victoria Street frontage to the lower buildings in Strutton Ground, which is the situation that currently exists on site. This is considered to be an enhancement to the overall form of development in the area.

6.3 Residential Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a loss of daylight/sunlight, particularly to existing dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

The nearest residential would be the adjoining 55 Victoria Street although currently unoccupied, the properties within 5-9 Old Pye Street and opposite at 2-4 Old Pye Street. The owner of 2-4 Old Pye Street has raised objection on the grounds that the development would result in a loss of light, loss of privacy and increased sense of enclosure.

2-4 Old Pye Street benefits from an extant permission to erect a roof extension and change its use from offices to a single family dwelling. The owner has advised that the permitted scheme has been partly implemented, although not fully. During an officer site visit the building appears to be vacant. The permitted scheme at No.2-4 rearranged the fenestration pattern for the residential use.

The applicant has undertaken a daylight and sunlight assessment in accordance with the BRE guidelines. Three windows within the permitted scheme at 2-4 Old Pye Street would experience losses in VSC marginally above the 20% recommended by the BRE. Those windows would serve a mezzanine/landing area between ground and first floors (28.3% loss) and two bedrooms at first and second floor levels (26.1% loss and 22.2% loss respectively). Given that the losses to those rooms are relatively low and the rooms affected do not serve as main living areas, the losses are considered acceptable in this instance.

All other surrounding windows tested comply with the BRE Guidelines. It is considered that the replacement building will not result in a sufficiently harmful loss of light to surrounding properties to justify refusing permission.

Sense of Enclosure

Policy ENV13 also states that developments should not result in an increased sense of enclosure. The replacement building will have a greater height and bulk when compared to the existing; however this will largely be set against the massing of 55 Victoria Street, especially when viewed from the windows in 2-4 Old Pye Street. A street width of separation would remain. It is considered that the resulting relationship between the new building and neighbouring occupiers would not result in an unacceptable increase in sense of enclosure.

Privacy

Policy ENV13 seeks to resist development which would result in an unacceptable degree of overlooking. The application proposes two roof terraces to front of the building at sixth and seventh floor levels. The terraces will not overlook residential properties.

In terms of the new windows, the most affected existing residential would be 2-4 Old Pye Street which would see windows introduced on the opposite side of the street. Currently No.2-4 is overlooked by the numerous windows and balconies to the rear of 55 Victoria Street but they are at a greater distance than those proposed. There will be an increased sense of being overlooked given the new windows will be closer, however they will remain a street width apart and the majority of the new windows will serve bedrooms. It is considered that the replacement building will not lead to an unacceptable loss of privacy.

6.4 Transportation/Parking

It is impractical to provide car parking on-site. The most recent on-street parking surveys show that both night time and day time occupancy is below the 80% deficiency level set out in Policy TRANS23 (42% and 78% respectively). The applicant is willing to commit to providing lifetime (25 years) car club membership for all residents of the development. It is recommended that this be secured by Grampian condition.

12 cycle spaces will be provided within the basement which is in compliance with the London Plan. It is recommended that the spaces be secured by condition. In terms of servicing, given the use of the existing building, it is not considered that the impact on the highway would increase with the introduction of three residential units.

6.5 Economic Considerations

The development will have a beneficial economic effect through additional local spending during construction and occupation as well as the social benefits from the provision of additional housing.

6.6 Access

Both the retail and residential entrances will have level access. The residential access will be from Old Pye Street and all units will have level access internally by virtue of the new lift serving all floors. The residential units have been designed to meet Lifetime Home Standards.

6.7 Other UDP/Westminster Policy Considerations

Plant

Mechanical plant is to be located at basement, ground and sixth floor levels. Subject to conditions Environmental Health have no objection and as such it is considered that the plant will not result in noise nuisance or a loss of neighbouring amenity.

Refuse /Recycling

The waste stores are located at ground floor level. The Cleansing Manager is satisfied with the refuse arrangements and the provision of the storage is recommended to be secured by condition.

Sustainability

Policy S28 of the City Plan requires developments to incorporate exemplary standards of sustainable and inclusive urban design and architecture.

The NPPF establishes a presumption in favour of sustainable development. London Plan Policy 5.3 also requires developments to achieve the highest standards of sustainable design, with Policy 5.2 seeking to minimise carbon emissions through a 'Be Lean, Be Clean and Be Green' energy hierarchy.

It is estimated that for the whole site the proposal will achieve an overall total carbon reduction of 21.5% over Part L 2013 Target Emission Rate, which broadly aligns to Code for Sustainable Homes Level 4 standard in terms of carbon emissions. Photovoltaic panels are

proposed at roof level which is to be secured by condition. The sustainability credentials of the development are considered acceptable.

6.8 London Plan

This application raises no strategic issues.

6.9 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.

6.10 Planning Obligations/CIL

It is estimated that the Westminster's Community Infrastructure Levy charge for this development would be £200,000.

In agreement with the applicant, a Grampian condition is recommended to secure car club membership (25 years) for future occupiers of the residential units. The condition will invite the applicant to submit a unilateral undertaking to secure this.

6.11 Other Issues

The Thorney Island Society raised concern over the brick recesses providing opportunity for nesting birds. The bricks are 55mm in height, and allowing for 10mm mortar joints, would leave a maximum 75mm high gap. The applicant has reassured officers that the gaps are not large enough for a pigeons to nest. Sliding windows will be located behind the perforated brickwork to allow for cleaning if necessary. Similar perforated brickwork has been employed on the Stirling Prize nominated Saw See Hock LSE Student Centre, which form visual inspection does not appear to have an issue with nesting birds.

7. BACKGROUND PAPERS

1. Application form
2. Response from Thorney Island Society dated 29 April 2016.
3. Response from Westminster Society dated 12 April 2016.
4. Memorandum from Highways Planning dated 16 April 2016.
5. Memorandum from Environmental Health dated 4 May 2016.
6. Memorandum from Cleansing dated 3 October 2016.
7. Letter from owner/occupier of 2-4 Old Pye Street dated 27 April 2016.

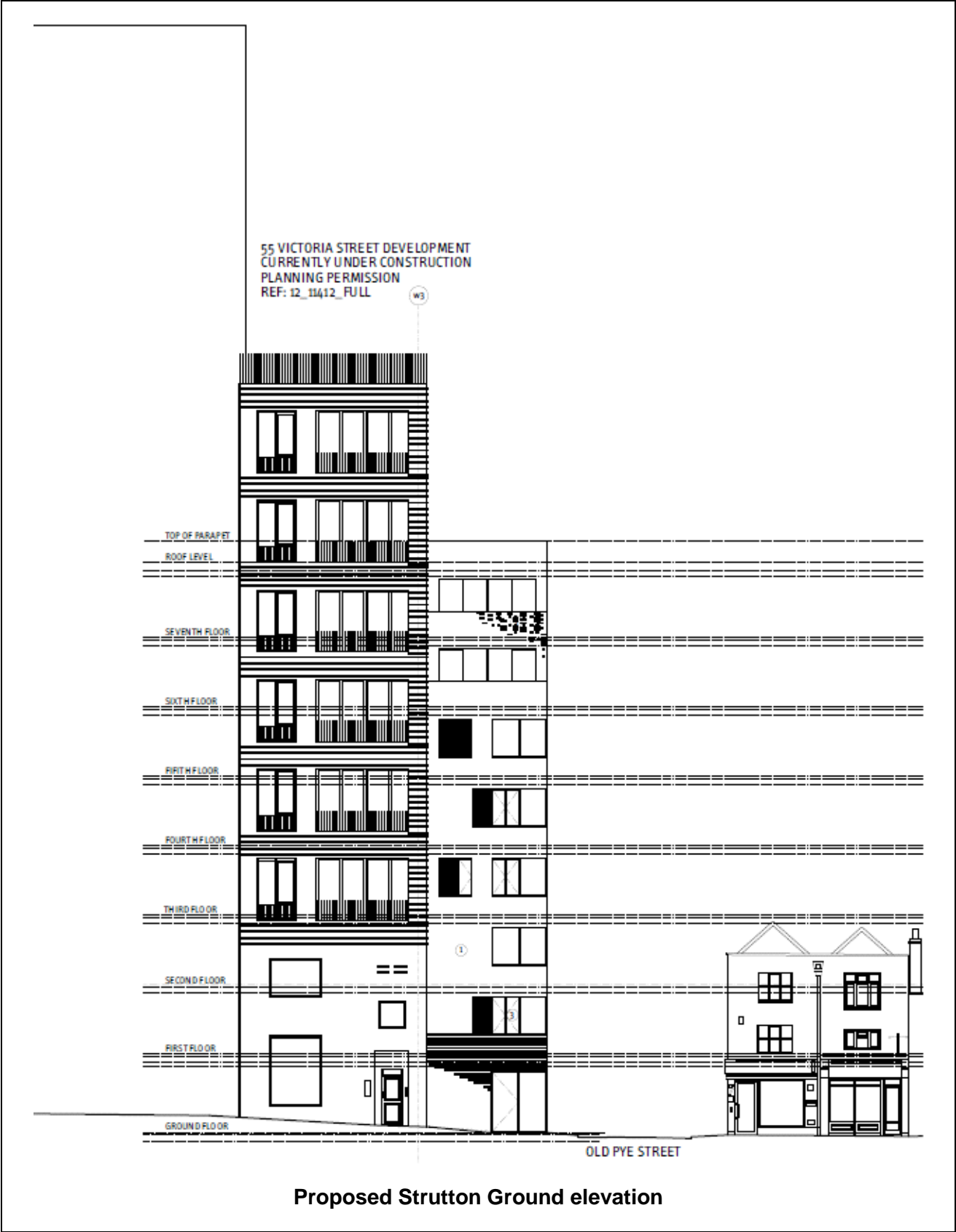
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk

55 VICTORIA STREET DEVELOPMENT
CURRENTLY UNDER CONSTRUCTION
PLANNING PERMISSION
REF: 12_11412_FULL



Existing Strutton Ground elevation





Existing Old Pye Street elevation



Proposed Old Pye Street elevation

DRAFT DECISION LETTER

Address: 3 Strutton Ground, London, SW1P 2HX,

Proposal: Demolition of existing building and erection of an eight storey building over basement providing six residential flats (Class C3) on the upper floors and a retail unit (Class A1) at ground and basement levels including associated plant at basement, ground and sixth floor levels, roof terraces at sixth and seventh floor levels and PV panels at roof level.

Plan Nos: TSG00; TGS01 RevB; TSG02; TSG03; TSG04; TSG05; TSG06; TSG07; TSG08; TSG09; TSG10 RevC; TSG11 RevF; TSG12 RevE; TSG13 RevE; TSG14 RevE; TSG15 RevD; TSG16 RevD; TSG17 RevE; TSG18 RevE; TSG19 RevE; TSG20; TGS21 RevD; TSG22 RevD; TSG23 RevC; TSG24 RevC; 120 RevP1; 121 RevP1; 122 RevP1; External Plant Assessment; Daylight and Sunlight Report; Energy and Sustainability Statement; Planning Statement. For information purposes: Construction Management Plan; Statement of Community Involvement.

Case Officer: Vincent Nally

Direct Tel. No. 020 7641 5947

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) new windows including surrounding details (detailed drawings at a scale of 1:10);
- (b) new external doors including surrounding details (detailed drawings at a scale of 1:10);
- (c) new shopfront (detailed drawings at a scale of 1:20).

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 details. (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 apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

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 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 (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 LA90, 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 (July 2016), 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.

- 8 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.

- 9 You must install the mitigation measures as recommended within the acoustic report submitted as part of the planning application. You must then maintain the measures for as long as the machinery remains in place

Reason:

To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC)

- 10 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.

- 11 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 (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.

- 12 You must provide the waste store shown the approved drawings before anyone moves into the

property. You must clearly mark it and make it available at all times to everyone using the property. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

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)

- 13 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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.

- 14 The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To make sure that the development is completed and used as agreed, and to make sure that it meets H5 of our Unitary Development Plan that we adopted in January 2007. (R07AB)

- 15 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

Photovoltaic panels

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (July 2016). (R44AC)

- 16 You must not use any part of the development until we have approved appropriate arrangements to secure the following.

Measures to mitigate on-street parking pressures.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BA)

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (July 2016) and in TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

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 Please contact our Environmental Health Service (020 7641 2000) to make sure you meet their requirements under the Control of Pollution Act 1974 and the Environmental Protection Act 1990. (I07AA)
- 3 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)
- 4 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.

- 5 Conditions 7, 8 and 9 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)

- 6 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 7 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.
- 8 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)

- 9 Under condition 16 we are likely to accept a Unilateral Undertaking to secure car club membership (25 years) for future residential occupiers of the development. Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition.