

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 18 October 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	7-10 Dean's Mews, London, W1G 9EF		
Proposal	Demolition and redevelopment to provide four dwellings including external terraces on the western elevation to two dwellings (No. 7 and 8) and the installation of 8 air conditioning units (2 units per dwelling).		
Agent	Savills		
On behalf of	The King's Fund		
Registered Number	16/05491/FULL	Date amended/ completed	13 June 2016
Date Application Received	13 June 2016		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application site relates to 7-10 Dean's Mews which are unlisted buildings located within the Harley Street Conservation Area. They were until recently used in connection with the Convent of the Holy Child Jesus. All buildings are vacant.

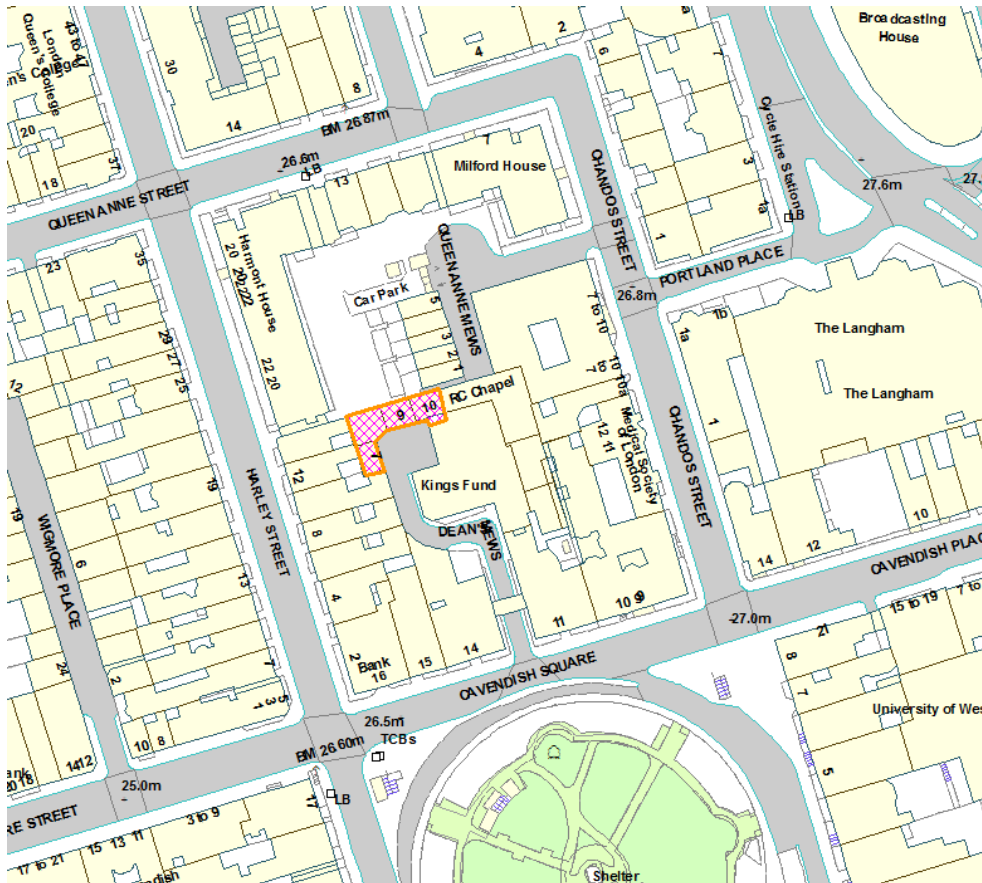
Permission is sought for the demolition and redevelopment to provide four dwellings including external terraces on the western elevation to two dwellings and the installation of 8 air conditioning units (2 units per dwelling).

The key issues for consideration are:

- * The impact of the dwellings upon the amenity of neighbouring residents.
- * Whether the principle of demolition of unlisted buildings of merit is acceptable.
- * The impact of the replacement building upon the character and appearance of the Harley Street Conservation Area and the setting of nearby listed buildings.

The application is considered acceptable in land use, amenity, design and conservation terms, and highways terms and is in accordance with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan).

3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013.
All rights reserved License Number LA 100019597

4. PHOTOGRAPHS

Photograph 1. Front elevation of 8, 9 and 10 Dean's Mews



Photograph 2. Front elevation of 7 Dean's Mews



Photograph 3. View to rear of site and surrounding properties**Photograph 4. View of rear wall**

5. CONSULTATIONS

COUNCILLOR ROBERTS: Considers that the application should be heard at Planning Committee and is in support of the comments made by the objectors.

MARYLEBONE ASSOCIATION:

Objection – questions whether the dual use of 12 Harley Street has been considered within the daylight and sunlight report.

The proposals do not reflect a typical mews development. They appear out of context with the mews character and are bulky with the additional sheer storey.

We would expect to see a construction management plan, going beyond the base requirements to ensure consideration has been given to neighbouring residents and their amenity.

No objection following re-consultation.

CLEANSING:

No objection subject to securing the use of the waste store in the adjacent King's Fund building by the new development.

ENVIRONMENTAL HEALTH:

No objections subject to conditions.

HIGHWAYS PLANNING MANAGER:

Objection-loss of existing off-street car parking and lack of car parking provision for the new residential units.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 34

Total No. of replies:

No. of objections: 6

No. in support: 0

No. of comment: 2

Objection

12 letters of objection (from 8 respondents) have been received on the following grounds:

Loss of privacy

- to private residential gardens and habitable windows of neighbouring properties
- no plans or sections to demonstrate the proximity to existing residential properties
- opaque glazing specified does not satisfy the concerns relating to loss of privacy
- the dwelling faces onto private gardens.

Daylight and sunlight

- the dual use of 12 Harley Street nor the medical uses of 10, 12 and 14 Harley Street which is considered to be different to those uses considered 'commercial' as part of the BRE guidance, have not been taken into account in the daylight and sunlight report.
- The updated daylight and sunlight report demonstrates that surrounding windows will be affected and do not agree with the recommendation within the report that the impacts will be minor.

Design

- The height of the buildings fails to maintain the subordinate nature of the mews.

Construction impacts

- Nearby medical and residential uses are sensitive to noise, dust and other impacts arising from construction and therefore a construction management plan should be required. Questions who is responsible for security during construction; children play in the neighbouring gardens

2 letters of comment have been received and can be summarised as:

- building work should be undertaken during normal working hours and not at weekends.
- access to the Mews should be maintained and consideration given to its narrow arrangement.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site relates to 7-10 Dean's Mews which are unlisted buildings located within the Harley Street Conservation Area. They were, until recently used in connection with the Convent of the Holy Child Jesus. All buildings are vacant.

Dean's Mews is a cul-de-sac accessed through an archway off Cavendish Square. The area in front of the properties provides access and turning area for delivery and refuse vehicles. The King's Fund building is located to the east. The site is located within the Core Central Activities Zone (Core CAZ).

7 Dean's Mews is a residential (Class C3) dwelling which accommodated the Provincial Nun and contains an integral garage. It directly abuts the grander larger town houses of Harley Street to the east.

8-10 Dean's Mews provided accommodation for the nuns (Sui Generis), including facilities for their study and prayer. This building abuts the properties at Queen Anne Mews and the Harley Street Q-park to the north.

The surrounding area comprises a mix of uses including residential, medical, offices and research and conference facilities.

6.2 Recent Relevant History

There is no relevant planning history.

7. THE PROPOSAL

Planning permission is sought for the demolition of the existing buildings and their re-development to provide four single family dwellings. The dwellings will all comprise of three bedrooms. Nos. 7 and 8 will both have a terrace on the western elevation at second floor level. Each dwelling shall provide cycle storage for two cycles. There will be one central bin store provided within existing bin storage in the King's Fund building.

Each dwelling is intended to have its own mechanical plant (2 air conditioning units per dwelling); No. 7 and 8 will locate the plant on the terraces. The plant for No. 9 will be within the form of a chimney stack at roof level and the plant serving No. 10 will be sunk in a well below the parapet.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Residential use

7 Deans Mews is lawfully a residential property. The principle of redeveloping this building for residential purposes is acceptable in land use terms.

However, 8-10 Dean's Mews previously provided accommodation for nuns. In line with how the Council has previously dealt with convents, it is considered that convents fall within a Sui Generis use. The nuns of the Convent of the Holy Child Jesus lived together as a family, where they studied, prayed, taught, ate together and had one household purse.

The nature of the convent use is as a religious order, covering all aspects of their religious calling, and goes beyond that of residential accommodation. It is considered that on the information presented, the convent use falls outside of the definition of residential hostels, nor does it a form of special needs housing, as defined by the Council's policies. As such, the convent falls outside of consideration under policies H6 of the UDP and S15 of the City Plan and is not a use specifically protected by these policies.

Policy S6 states that the Core CAZ is a suitable location for a range of commercial and cultural uses and complementary residential use. The area is generally mixed, with both commercial and residential uses being the predominate land uses. Residential use within this locality would maintain a balance between the residential and commercial uses and would ensure that the core strategic commercial function of the Core AZ can continue to thrive.

Policy H3 in the UDP aims to maximise the amount of housing outside the Core CAZ and, where appropriate, within the Core CAZ. This is emphasised by City Plan policy S14 which

states that residential use is the priority across Westminster except where specifically stated. Therefore the principle of providing residential floorspace to replace 8-10 Dean's Mews is supported by City Plan policies S6 and S14 and UDP policy H3.

All the residential dwellings will be family sized, providing three bedrooms and exceed the requirements set out in the GLA Housing Standards in terms of their size. They all provide double aspect and are acceptable in terms of their standard of accommodation.

Table 1. Proposed residential uses

Unit	Proposed number of bedrooms	Existing GIA (sqm)	Proposed GIA (sqm)	Minimum space standards (GIA) (sqm)	Amenity space (sqm)
7	3	105.72	115.95	108	10.30
8	3	158.73	190.55	108*	4.92
9	3	111.07	149.39	108*	-
10	3	106.84	165.65	108*	-
Total		482.35	621.54		15.22

*8,9 and 10 are all four storey dwellings- the minimum space standards do not provide size for 4 storeys and the figure given is based on a 3 storey.

Two of the dwellings will provide amenity space in the form of terraces. The site is located in close proximity to public open spaces, notably Cavendish Square. Whilst houses of this size would normally be expected to provide outdoor amenity space, given the constraints of this site, and the surrounding development, any other amenity spaces that could be provided have the potential to be overlooked. It is not considered that planning permission can be withheld for these reasons.

Affordable housing

The increase in residential floorspace does not trigger the requirement to provide a proportion of affordable housing within this scheme.

Optimisation

Officers raised concern that Policy S14 requires the amount of housing on development sites to be optimised. The applicant contends that there are several constraints with the site (narrow depth, relationship to the properties to the rear and the linear form of the building which makes it inefficient). It also advises that the development of the site to provide flats would only provide one additional unit and fewer bed spaces (22 bed spaces in the current scheme, whilst a flat option would provide 18); they would be single aspect and would not achieve the BRE guidelines for daylight and sunlight for new developments. The applicant also considers that the historic subdivision of the site as four units would be lost. The applicant has not provided a study to show that a flat scheme is unworkable.

The housing that is presented in the scheme, forming four single family dwellings comprising of three bedrooms (two with outside amenity space), on the basis of the

scheme presented and without other options presented, is considered to provide better quality housing than a potential flat scheme. Given the policy position to increase the amount of housing and the requirement for a proportion to comprise single family dwellings, the redevelopment of the site is considered to adequately optimise the residential use of the site. It is considered that a refusal on the grounds of optimisation would be difficult to sustain.

8.2 Townscape and Design

The application site is located at the end of Dean's Mews, which is a small L-shaped mews with a mixed character, located within the Harley Street Conservation Area. Nos. 9 and 10 Dean's Mews are identified as unlisted buildings of merit in the conservation area audit. Nos. 4-6 Deans Mews are listed, as are 2-14 Harley Street (Grade II) and nos. 11 -14 Cavendish Square (Grade II*) which back onto the mews.

The main design issues to be considered are the principle of demolition of the existing buildings and the design of the proposed replacement buildings, taking into account the Council's statutory duty in the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the preservation of the settings of listed buildings and the preservation and enhancement of the Harley Street Conservation Area.

Principle of Demolition

The proposals involve the demolition of 7-10 Deans Mews.

No. 7 is a two storey modern mews buildings which dates from 1967 and, although of a consistent scale with other properties to this side of the mews, does not contribute positively to the character and appearance of the area. Its demolition would not harm the character and appearance of the conservation area and there would be no objection to its loss, subject to an acceptable replacement.

Nos. 8-10 Dean's Mews do make a positive contribution to the townscape and character and appearance of the area. No.10 is two storeys (with later mansard) and retains its original mews character, proportions and scale. Nos. 8-9, while not of significant architectural merit, also have a simple, robust character, which is appropriate within the historic context of a mews. Only Nos. 9 and 10 are identified as unlisted buildings of merit in the conservation area audit, but 8 & 9 are effectively one building and share the same detailing, and both are therefore considered to be of some merit.

However, although they do contribute to the character of the mews, it is considered this contribution is limited. These are modest buildings and the applicant has demonstrated in its heritage statement that 8-10 have been substantially rebuilt and retain limited historic fabric. In this is a very enclosed location, it is considered that their loss would constitute less than substantial harm (using the tests in the NPPF). The harm caused to heritage assets has to be weighed against public benefits and the benefits of appropriately high quality new housing in this location could be sufficient to outweigh that harm.

Replacement buildings and impact on the character and appearance of the conservation area.

The proposed scheme would create four new townhouses in London stock brick. Existing plot boundaries/ footprints would be maintained and a variety of architectural detailing is used to differentiate each house.

With regards to height and bulk, the existing buildings are a mix of two storeys (plus mansard) and three storeys, creating a varied roofline. Nos. 8-10 would be replaced with four storey townhouses across the entire northern end of the mews. A three storey building would replace the existing three storey building at no. 7 but this would be taller than the existing and adjoining buildings. Although floor to ceiling heights are being reduced from those in the existing buildings, the overall increase in heights across the site ranges from around 1.5 - 4m.

In this location, it is considered the contrast of more modestly-scaled mews buildings with the taller, grander buildings lining the main streets is important to the character of the mews and conservation area and a reminder of the historic pattern of development in the area. The proposed increase in height across the entire site will create a significantly more imposing building, which will dominate the mews and views from the residential properties to the north. At pre-application stage, it was therefore suggested that the top, attic storey be removed and/ or the roof detailed in part as a mansard.

However, the applicant has pointed to the fact that this is an unusual and varied mews, the street slopes downwards towards the application site, meaning a taller building will be less prominent on this site and the King's Fund building is already significantly taller than the rest of the buildings in the mews. An increase in height in this location is therefore considered acceptable.

In terms of detail and materials, the elevations are principally formed in London stock brick, with rustication formed of bands of blue/black brick, windows will be painted timber and roofs will be natural slate. These materials are acceptable in this context, as is the mix of classical detailing, although it is considered the choice of design detail, incorporating rustication and bays, does give the buildings gives an appearance more typical of large townhouses than the simple robust detailing typically found in a mews context.

Some minor changes have been made to the detail following comments at pre-application advice, adding blind windows to the attic storey to provide more consistency to the front elevation and provide greater coherence to the overall design. Some additional detailing (brick arches and banding) have also been added to the rear to help break up this elevation. A mix of fenestration is still proposed across the site and it is considered sash windows would be most appropriate to this context and style of building and create a more coherent design. An amending condition is therefore proposed to require sash windows rather than casements.

Overall, on balance, although there will be some harm to the character of the mews and setting of adjoining listed building, the new scheme is considered acceptable in this context, particularly taking into account the large scale of the buildings which adjoin it and the enclosed nature of the site and is of an appropriately high quality to outweigh the less than substantial harm caused by the loss of the unlisted buildings.

8.3 Residential Amenity

Sunlight and Daylight

A daylight and sunlight assessment has been submitted with the application which assesses the impact of the development with regard to BRE guidelines for daylight and sunlight to new and existing developments. The submitted report considers the impacts of the proposals on nearby sensitive properties including residential properties at 12 and 14 Harley Street, 4 and 5 Dean's Mews, 14 and 15 Cavendish Square, Harmond House, 1 and 2 Queen Anne Mews and 7-10 Chandos Street. Objections citing loss of daylight/sunlight have been received on behalf of the owners of 10, 12 and 14 Harley Street and 1, 2, 3 and 3a Queen Anne Mews.

Daylight

Under the BRE guidelines the amount of daylight received to a property may be assessed by the Vertical Sky Component which is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the window will have the potential to provide good levels of daylight. For buildings that neighbour a new development, the guidance suggests that daylight will be adversely affected by the development if its windows achieve a VSC below 27% and have their levels reduced to less than 0.8 times their former value.

The report demonstrates that the windows serving the objectors' properties at Harley Street and Queen Anne Mews and the remaining windows in surrounding properties achieve compliance with the BRE guidelines in respect of VSC assessment. The objections on the losses to daylight levels at neighbouring properties cannot be supported and the proposed scheme is unlikely to have a material impact upon the living conditions of neighbouring occupiers in terms of daylight.

No Sky Line

The 'No Sky Line' (NSL) method measures the daylight distribution within a room, calculating the area of working plane inside the room that has a view of the sky. Accurate assessment of the No Sky Line method is dependent upon knowing the actual room layouts or having reasonable understanding of the likely layouts. BRE guidelines states that if the no-sky line is reduced by 20% this will be noticeable to its occupants.

The report demonstrates that all windows serving the objectors' properties at Harley Street and Queen Anne Mews and the remaining windows in surrounding properties achieve compliance with the BRE guidelines in respect NSL daylight assessment.

Sunlight

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the level of sunlight received is

below 25% (and 5% in winter), the loss is greater than 20% either over the whole year or just during winter months and the loss over the whole year exceeds 4%, then the loss would be noticeable.

In respect to sunlight, only those windows facing within 90 degrees of due south require testing. The windows located within Harmont House and 1 and 2 Queen Anne Mews were therefore tested.

There are two windows, R1/ground at ground floor level (serving bedroom) and R1/first at first floor level (serving living room) of No. 1 Queen Anne Mews that will have reductions in excess of those recommended in the BRE guidelines, as detailed in the table below.

Table 2. Sunlight for 1 Queen Anne Mews

Room	Existing (Winter)	Proposed (Winter)	Loss (Winter)	Winter loss %	Existing (Annual)	Proposed (Annual)	Loss (Annual)	Annual loss %
R1/Ground (bedroom)	1	0	1	100%	27	19	8	29.63
R1/First (living room)	9	0	9	100%	39	25	14	35.9%

It is acknowledged that the Queen Anne Mews developments (Nos. 1-5) are designed with the living room windows facing a westerly direction and therefore benefit from sunlight in the afternoon. These properties are oriented in such a way that the living room window is positioned in one of the most optimum positions to benefit from sunlight. With this in mind, it is evidenced that the current property experiences low probable sunlight hours in winter months, but benefit from above annual probable sunlight hours. This is likely to be attributed to its inner city location and the location of one of the windows at ground floor level. It is not uncommon for ground floor windows to experience low winter sunlight hours in inner city locations. In regards to annual probable sunlight hours, both windows currently exceed the target, which is generally uncommon in urban locations such as this. Whilst these windows would experience annual losses in excess of 20% the proposed hours remain at a level that can be considered acceptable for this inner city location.

Consideration has also been given to the design of the scheme. Substantial alterations would be required, particularly to the dwelling at No.10 and may involve the loss of floors and number of bedrooms, preventing the delivery of the wider planning benefits of the scheme including all dwellings being of a family sized (three bedrooms).

In this instance, the windows are assessed to receive adequate sunlight hours over the whole year. It is considered that a refusal on these losses would be difficult to sustain.

Internal levels for proposed development

The BRE report shows that the proposed residential dwellings would receive adequate light throughout.

Overlooking and Sense of Enclosure

Objections have been received on the grounds of overlooking from the introduction of windows on the rear (northern) elevation. One objector states that the proposed use of obscure glazing is not considered to alleviate the loss of privacy. The rear elevation of existing building is currently blank. Directly abutting the application site to the north is a private garden of Harmont House, the entrance to the Harley Street Q-park car park and 1-5 Queen Anne Mews.

Officers raised concern that the windows on the rear boundary would be dependent upon a neighbouring site for daylight and ventilation. The agents suggest that there are policies in place that would prohibit the future development of the site to the north, and the removal of the rear windows would limit the re-development potential of the site. They also consider that there is a limited depth of the site, which limits the depth of the rooms and limits the amount of natural light the development achieves.

All the windows contained within the rear elevation of No. 10 are indicated to be opaque glazing. The windows serving stairwells and bathrooms in the rear elevation of number 8 and 9 will also be opaque glazing. The applicant has confirmed that they are agreeable to a condition requiring the identified rear windows to be opaque glazing and fixed shut. The condition shall require a sample of the opaque glazing to be submitted.

The condition would not restrict the opening of the windows to the front and given the installation of mechanical plant to serve the dwellings, it is considered that they can be adequately ventilated. Whilst the applicant has been advised that the windows on the rear boundary would be dependent upon a neighbouring site for daylight, these have not been removed or reduced from the scheme. This is disappointing and officers consider that a significant number of the windows could be removed especially where there are open plan living rooms at first floor level. However the application must be considered on its merits and this situation is a risk for the developers, if any development proposals come forward for the neighbouring site. This situation would result in bad neighbour development and an informative is recommended to advise the applicant of this.

No. 1 Queen Anne Mews is the closest residential property to the party wall and is positioned at right angle to the application site. The windows in the rear elevation of this neighbouring building, nearest to the proposed development serve a bedroom at ground floor level, living room at first floor and bedroom at second floor level.

The windows in the rear elevation of no. 10 Dean's Mews would have an oblique view towards 1 Queen Anne Mews and with the addition of opaque glazing to be fixed shut; it is considered that the rear windows would not lead to a significant loss of privacy to any neighbouring building that would warrant refusal of the application.

The clear glazed windows contained within the rear elevation of No's 8 and 9 would have an outlook over the gardens shared by surrounding properties and the car park vents. The residential properties directly to the north are in excess of 45m away, and would not result in direct overlooking of any residential properties.

Therefore, on balance taking into account the depth of the site and the extent of windows, including the use of opaque glazing, the development is unlikely to lead to a significant

loss of privacy to the detriment of neighbouring occupiers that would warrant refusal of the application.

The existing buildings vary in height along the northern and western elevation. The replacement building would be increased by at least 4m on the rear boundary (No's 8, 9 and 10) and 2m to No. 7. The most impacted properties would be 1 Queen Anne Mews and 12 and 14 Harley Street, the latter have objected on the grounds of the increase in the height of the building.

Policy ENV13 of the UDP states that the City Council will seek to ensure new developments do not result in a 'significant increase in the sense of enclosure'. It is acknowledged that the occupants of 1 Queen Anne Mews and 12 and 14 Harley Street will feel more 'closed in' than at present. However, the rear windows of 1 Queen Anne Mews do not directly face the application site. The increase in the height of the building adjacent to 12 and 14 Harley Street, whilst they do face the application site, this elevation would be increased in height by two metres. It is therefore not considered that the resulting relationship between the site and the adjoining residential buildings would result in an unacceptable degree of enclosure to reasonably withhold planning permission.

8.4 Transportation/Parking

Car Parking

The existing dwelling at 7 Dean's Mews has an integral garage providing 2 car parking spaces. TRANS 23 states that "the permanent loss of any existing off-street residential car parking space will not be permitted other than in exceptional circumstances". The applicant states that the existing garage is impractical, given the dimensions of the ground floor and the access from Dean's Mews. They also state that the provision of any off-street car parking in the development may have an impact on the design of the dwellings, the potential to reduce the number of bedrooms for the dwelling, which may in turn impact on the viability of the scheme. The garage is not safeguarded by condition and it is acknowledged that it could be converted to provide additional habitable accommodation without planning permission.

UDP Policy TRANS 23 requires sufficient off-street parking to be provided in new residential schemes to ensure that parking pressure in surrounding streets is not increased beyond identified 'stress levels'. 2011 census figures indicate 29% of households in the West End ward have one or more cars. 'Stress levels' are considered to have occurred where the occupancy of on-street legal parking bays exceeds 80%. Within a 200m radius of the site, parking occupancy during the day is 82%; overnight parking occupancy reduces to 71%. Overnight residents can park on single yellow lines which further reduces the parking stress level to 19%.

The proposed development would generate a requirement for maximum of two unallocated car parking spaces, based on current car ownership levels for the West End ward. As there is no provision to provide an integral garage space as part of the redevelopment, the applicant has therefore indicated its willingness to provide two off-street parking spaces within a local car park (unspecified) for a period of 25 years. The arrangement set out by the applicant to provide alternative off-street car parking is

considered acceptable and would be secured by a Grampian condition requiring the submission of full details, which would be through a S106 planning obligation.

Cycle Parking

The plans indicate 2 cycle parking spaces will be provided at ground floor level for each of the dwellings. The proposal is consistent with the London Plan (2016) and a condition is recommended to ensure that they are provided and retained.

8.5 Economic Considerations

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

8.6 Access

Access to the new dwellings would be retained as existing from Dean's Mews. There will be level access from street level into the dwellings.

8.7 Other UDP/Westminster Policy Considerations

Noise

Two of the residential buildings would provide rear external terraces at second floor level. They would be located in close proximity to the commercial buildings at 12 and 14 Harley Street. It is noted that No. 12 Harley Street has an extant dual permission for medical and residential uses. The building however is currently in medical use.

The proposed terrace serving no. 7 is 10.3sqm in area and 1.2m deep. In respect to the terrace at no. 8, this would provide 4.92sqm and is 2.3m deep. Both terraces are indicated to be screened by a brick wall 0.9m high supporting a privacy screen to a height of 1.7m along the rear of the property. No. 12 and 14 Harley Street both have terraces at rear first floor level which are common features in central London given the limited space for gardens.

As the roof terraces are proposed to be used in connection with two separate residential units, and given the distances from neighbouring properties and the screening proposed, this is unlikely to give rise to any significant noise disturbance and would help to maintain privacy for both the occupiers and neighbouring occupiers.

Plant

The application has been considered in the context of Policies ENV6 and ENV7 of the UDP and S32 of the City Plan. These policies seek to protect nearby occupiers of noise sensitive properties and the area generally from excessive noise and disturbance.

Mechanical plant comprising of 8 air conditioning units; two units per dwelling will be located at roof level. The acoustic report indicates that the air conditioning units to serve No. 7 and 8, acoustic louvres are required. Calculations indicate that with the specified acoustic louvres and distance attenuation; the plant will be compliant with the City Council's noise criteria.

A condition is recommended to ensure that the envelope of the new building will provide adequate insulation to the residential properties from external noise.

Refuse /Recycling

The applicant has indicated its willingness to provide a central waste and recycling storage facilities for the residential units within the existing refuse area of the King's Fund building. The cleansing officer has confirmed that the King's Fund refuse area has capacity to accommodate the waste and recycling for the 4 residential units. As the applicant is the King's Fund the existing waste and recycling storage facilities are within the control of the applicant, a condition is recommended to ensure that this facility is maintained for the lifetime of the development.

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

The King's Fund is seeking to develop the site for the rental market in order to generate income for the charity. As the developer has charity status and is for investment purposes for the charity, charity relief may be available that allows the scheme to be exempt from paying CIL contributions. A final decision on this will be made by the City Council in its capacity as CIL collecting authority.

The Fund has also offered its expertise as a 'critical friend' to assist in the City Council's review of its community supportive housing. The letter from the Fund dated 6 October 2016 sets out the terms of the offer, and a further offer to provide specialist input in the design and construction of a well-being garden for residents at Beachcroft House in Shirland Road. This is a Council proposal still as pre-application stage. In its letter the Fund makes it clear that this officer is driven by its own social responsibility as a Westminster based charity with specialist expertise in supported housing. It expressly advises that the offer shall not carry any material weight in the determination of the planning application. It is not proposed, therefore, to secure the offer by conditions or by Section 106 agreement in the normal way.

8.11 Environmental Impact Assessment

An environmental impact assessment is not applicable for a development of this size.

8.12 Other Issues

Construction impact

Objections have been received in respect to the impacts arising from construction on surrounding residential and medical uses. The application falls outside level 1 and 2 categories that are applicable to the new Code of Construction Practice, which will help ensure that the impacts of the development process are ameliorated as much as reasonably possible.

The Environmental Inspectorate has determined that the application would not be suitable for an upgrade to Level 2 as it falls well under the threshold and the requirements would be too onerous for a site on this scale. However, the work will need to be carried out in accordance with other regulatory codes.

9. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 18 July 2016 and 18 August 2016
3. Response from Cleansing, dated 29 June 2016 and 24 August 2016
4. Response from Highways Planning, dated 21 June 2016 and 12 August 2016
5. Response from Environmental Health, dated 7 July 2016
6. Letter from occupier of 4 Dean's Mews, London, dated 13 July 2016
7. Letter from occupier of 4 Dean's Mews, London, dated 13 July 2016
8. Letter from occupier of DLBP, 1 Gracechurch Street, dated 8 July 2016
9. Letter from occupier of DLBP, 1 Gracechurch Street, dated 8 August 2016
10. Letter from occupier of 5 Milford House, 7 Queen Anne Street, dated 19 August 2016
11. Letter from occupier of 2 Queen Anne Mews, London, dated 15 September 2016
12. Letter from occupier of JJL, 30 Warwick Street, London, dated 16 September 2016
13. Letter from occupier of DLBP, 1 Gracechurch Street, London, dated 16 September 2016
14. Letter from occupier of JJL, 30 Warwick Street, London, dated 23 September 2016
15. Letter from occupier of 2 Queen Anne Mews, London, dated 26 September 2016
16. Letter from occupier of 1 Queen Anne Mews, London, dated 28 September 2016
17. Letter from the King's Fund dated 6 October 2016.
18. Letter from occupier of 19 Harmont House, 20 Harley Street, dated 6 October 2016.

Selected relevant drawings

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

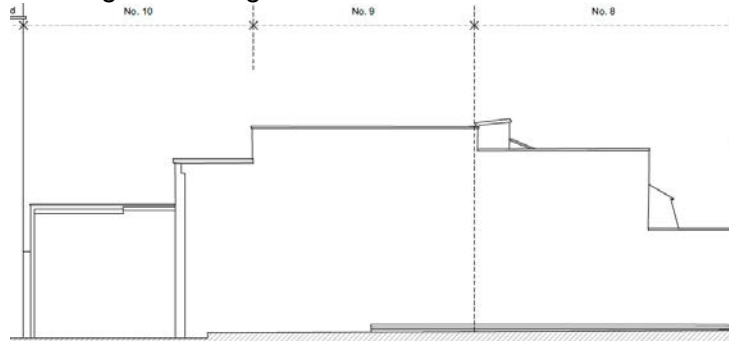
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MARK HOLLINGTON BY EMAIL AT mhollington2@westminster.gov.uk.

10. KEY DRAWINGS

Drawing 1. Existing unfolded front elevation



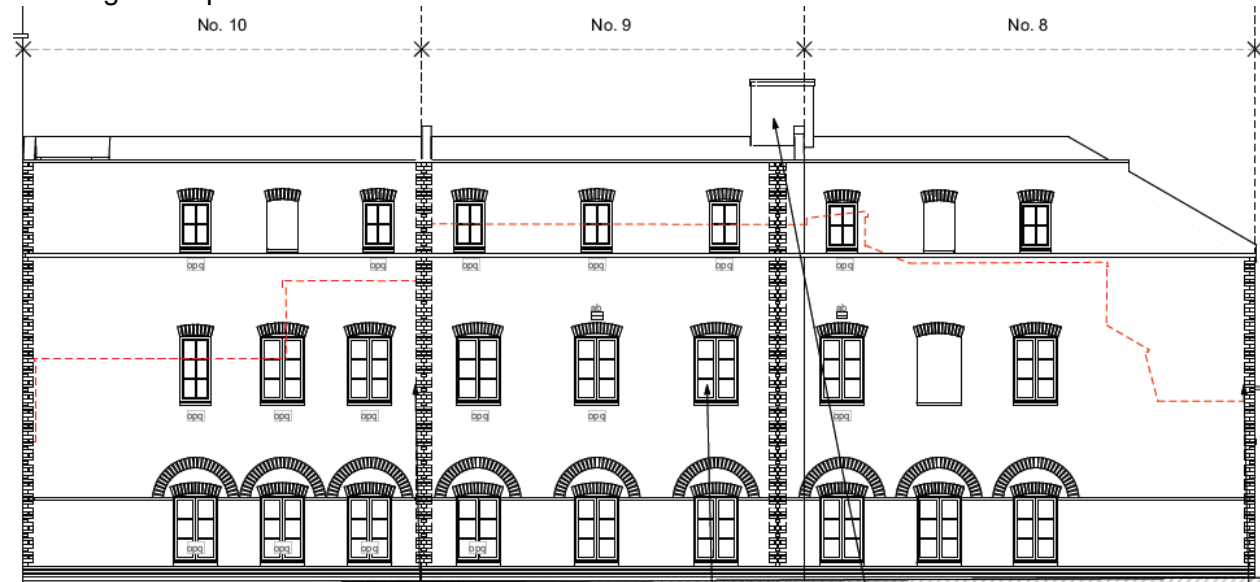
Drawing 2. Existing rear elevation



Drawing 3. Proposed unfolded front elevation



Drawing 4. Proposed rear elevation



Drawing 5. Proposed floor plans



DRAFT DECISION LETTER

Address: 7-10 Dean's Mews, London, W1G 9EF,

Proposal: Demolition and re-development to provide four dwellings including external terraces on the western elevation to two dwellings and the installation of 8 air conditioning units.

Reference: 16/05491/FULL

Plan Nos: 5884/PL20E; PL21G; PL22F; PL23G; PL24F; PL25D; PL26C; PL27B; PL28C; PL29D; PL30B; PL31C; PL32C; PL33C; PL34A.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

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 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 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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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 The provision of waste and recyclable storage as shown on drawings 5884/PL20E and 5884/PL34A must be made permanently available for the occupiers of 7-10 Dean's Mews and the King's Fund Building.

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)

- 5 You must not occupy any of the houses hereby approved until we have approved appropriate arrangements to secure the following:

1. Mitigation of the potential increased demand for on street resident's car parking

In the case 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.

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 TRANS23 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

- 6 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.

- 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 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 (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 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the residential dwellings use 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the residential dwellings use 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, 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 including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity.

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 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (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.

- 9 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.

- 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 glass that you put in the windows identified on drawings 5884/PL21G; PL22F; PL23G; PL26C as 'opq' in the rear northern elevation of No. 10 Dean's Mews must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. 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 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building without our permission. This is despite the provisions of Classes A, B and C of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

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)

- 13 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 protect family accommodation as set out in S15 of Westminster's City Plan (July 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 14 You must apply to us for approval of detailed drawings and sections (1:5 and 1:20) of the

following parts of the development -

- acoustic louvres serving the plant at No. 7 and 8 Dean's Mews.
- all windows and doors
- privacy screens
- pot retainers and Juliette balcony

You must not start any work on these parts of the development until we have approved what you have sent us. The acoustic louvres must be installed before you use the machinery and maintained in the form shown for as long as the machinery remain in place.

Reason:

To protect neighbouring residents from noise and vibration nuisance, and to ensure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Harley Street Conservation Area. This is as set out in S25, S28, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7, DES 1 and DES 6 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

- 15 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 this part of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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)

- 16 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (July 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 17 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 18 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme all windows to be timber sliding sashes. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 19 All roofs shall be finished in natural welsh slate

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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 20 You must apply to us for approval of details of the facing materials you will use, including details of air bricks and 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 this part of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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)

- 21 The pot retainers and juliette balcony and all new outside rainwater and soil pipes shall be formed of cast metal and painted in black.

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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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)

Informatives:

- 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 Under Condition 5 we are likely to accept a legal obligation under Section 106 of the Town and County Planning Act (1990) (as amended) to secure the provision of alternative off-street parking provision for a minimum period of 25 years.

Please look at the template wordings for planning obligations (listed under 'Supplementary Planning Guidance') on our website at www.westminster.gov.uk. 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.

- 3 The proposed residential windows on the northern rear elevation are located on or immediately adjacent to the boundary of the site and rely on the adjoining site for daylight, sunlight, outlook and natural ventilation. These windows would prejudice the potential for reasonable development on the adjoining site and for this reason daylight, sunlight, outlook and natural ventilation to them will not be protected if development proposals for the adjoining site comes forward in the future.
- 4 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.
- 5 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.

- 6 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 7 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 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 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.
- 10 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)
- 11 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:

Residential Environmental Health Team
 4th Floor East, Westminster City Hall
 64 Victoria Street
 London SW1E 6QP
www.westminster.gov.uk
 Email: res@westminster.gov.uk
 Tel: 020 7641 3003 Fax: 020 7641 8504.

- 12 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.

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.