

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 31 January 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	29 Marylebone Road, London, NW1 5JX		
Proposal	Alterations to the ground floor frontage, construction of roof top plant enclosures and extensions, facade alterations to the annexe on Luxborough Street at all levels including a roof terrace and use of the building as a dual/alternative Class B1 office/D1 non-residential institution.		
Agent	Savills		
On behalf of	University of Westminster		
Registered Number	16/10311/FULL	Date amended/ completed	4 November 2016
Date Application Received	27 October 2016		
Historic Building Grade	Unlisted		
Conservation Area	No		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site comprises a corner site at the junction of Luxborough Street and Marylebone Road. The property has a lawful Class B1 office use and at the time of the officer's site visit, only one floor was occupied. The rear facades face onto Bingham Place. The building is unlisted and lies outside, but immediately to the north of the Harley Street Conservation Area. The building is in two main parts with the main part being an eight storey brick building facing onto Marylebone Road with a return façade onto Luxborough Street; whilst the annex part of the building is a five storey structure facing onto Luxborough Street.

Permission is sought for alterations to the ground floor frontage, construction of roof top plant enclosures and extensions and facade alterations to the annexe in Luxborough Street at all levels, including provision of a roof terrace in connection with the use of the building as a dual/alternative Class B1 office/D1 non-residential institution use.

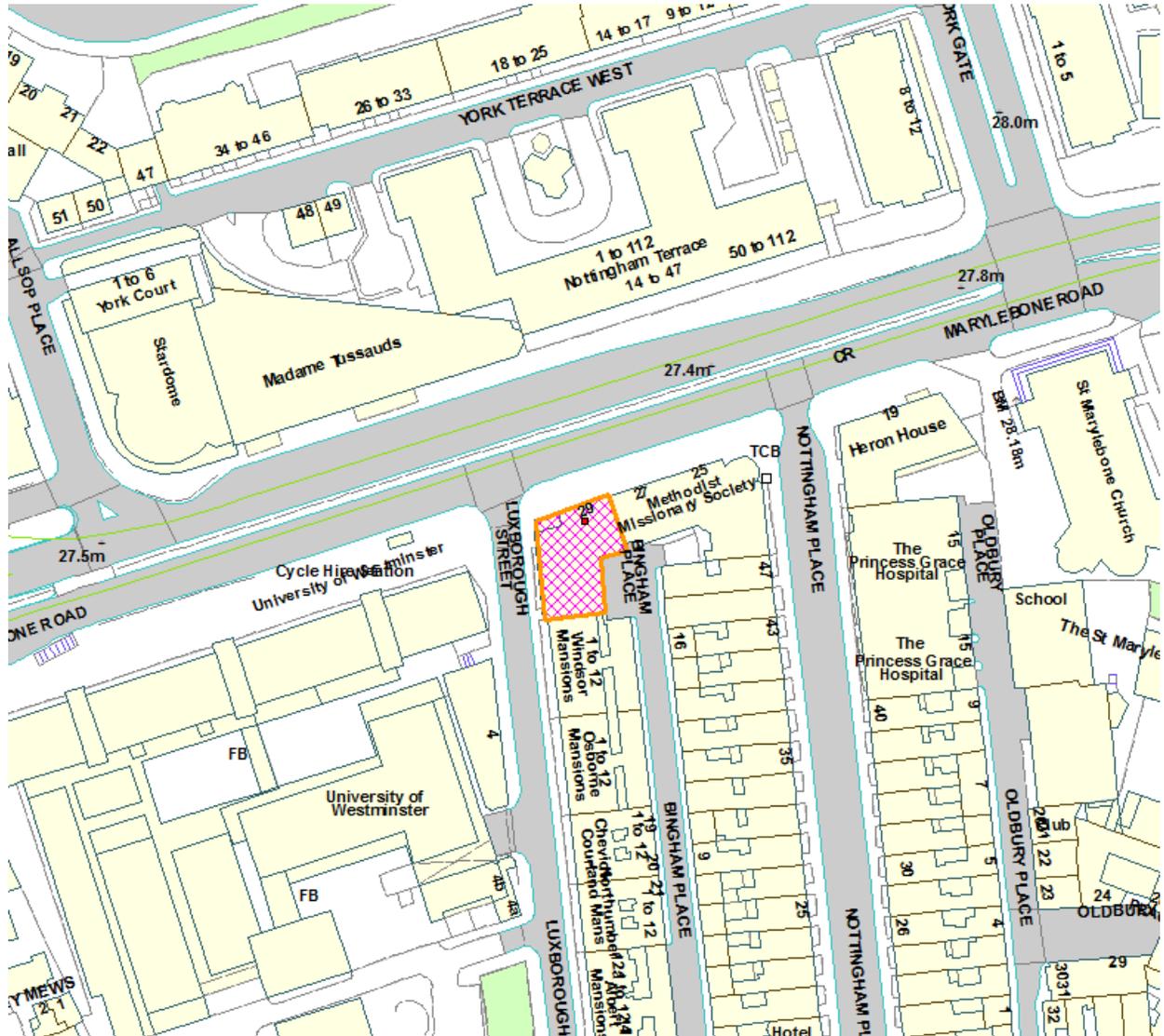
One objection has been received from the Methodist Church adjoining the site in Marylebone Road on the design, amenity and construction impact grounds.

The key considerations in this instance are:

- The impact of the proposals in land use terms.
- The impact of the proposals upon the design and appearance of the building, this part of the City and the adjacent conservation area.
- The impact of the proposals upon the amenity of neighbouring properties.

For the reasons set out in the report, the proposals are considered acceptable in land use, townscape, design, amenity, highways and environment terms and comply with City Council Unitary Development Plan (UDP) and Westminster City Plan (City Plan) policies.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Photographs showing the application site from Marylebone Road (left) and Luxborough Street (right).



Photographs showing the application site from Bingham Place (top left and bottom) and the street level of building from Luxborough Street (top right).

5. CONSULTATIONS

MARYLEBONE ASSOCIATION

No objection, subject to hours of operation for the roof terrace.

CLEANSING MANAGER:

No objection subject to conditions.

ENVIRONMENTAL HEALTH:

No objections subject to conditions.

HIGHWAYS PLANNING MANAGER:

Objection on the grounds that no servicing and management plan or travel plan has been submitted with the application; the short stay cycle parking to the front forecourt as proposed will result in blocking of the pavement and should be designed to be parallel with the building line and no long stay cycle parking is proposed.

TRANSPORT FOR LONDON

No objection.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS

Total No. Consulted:35; Total No. Responses:1.

One objection received on the grounds the annexe building forms part of the Harley Street Conservation Area and therefore should be assessed in that manor; that the proposals are unacceptable in design terms notably with regards to the height of the annexe building in relation to Windsor Mansions adjacent; the elevation treatment of the annexe building has no relationship with the adjacent properties; the plant at roof level is unsightly; the large glazed frontage on Luxborough Street is both unacceptable in design and privacy terms and that the proposed terrace at roof level will raise amenity concerns.

PRESS ADVERTISEMENT / SITE NOTICE: Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a corner site at the junction of Luxborough Street and Marylebone Road. The property has a lawful Class B1 office use and at the time of the officer's site visit, only one floor was occupied. The rear facades face onto Bingham Place.

The building is unlisted and lies outside, but immediately to the north of the Harley Street Conservation Area. The building is in two main parts: the main part being an eight storey brick building facing onto Marylebone Road, with a return façade onto Luxborough Street; whilst the annex part of the building is a five storey structure facing onto Luxborough Street.

6.2 Recent Relevant History

An application for similar alterations was recently submitted (16/06106/FULL), but withdrawn upon officer's advice as the proposals were not considered in townscape and design terms.

7. THE PROPOSAL

The application seeks to overcome officer's previous concerns in relation to application withdrawn in 2016 (16/06106/FULL). The amendments proposed include moving the ground floor entrance from Marylebone Road to Luxborough Street to allow a full shop front display in its original location to Marylebone Road; provision of a new fire exit to allow people from the basement level to escape in an emergency whilst offering a new entrance to the lower ground level; second and third floor additions on the annex frontage to extend out to the main building line in Luxborough Street, re-cladding of the annex façade in Luxborough Street; installation of additional roof level plant; replacement of car park entrance with windows and use of annex roof as a terrace with railings to the front elevation and a 1.8 m privacy screen formed in white opaque glass to the rear elevation facing Bingham Place.

The works are proposed in association with the use of the building as either Class B1 offices or Class D1 non-residential institution use.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Permission is sought for the use of the building as either Class B1 offices or Class D1 non-residential institution use.

The GIA of the existing building is 2820m² and as a result of the extension, including the internal modifications the GIA of the proposed building is 2852m², resulting in an increase of 32m².

As the building already has a lawful use as Class B1 offices, there are no objections to the continued use of the building for this use.

With regards to the proposed Class D1 use, the University of Westminster's Vision and Engagement Statement has been submitted with the application. The objective is to create a university based business centre and incubator unit as a stepping stone for students between the education and business worlds. The building will be used as a functional and professional space, equipped to showcase Westminster's academic excellence. There will be a permanent and highly visible exhibition space and a programme of engagement activities to amplify the relevant and impact for future clients and policymakers. Aside from income generation through short courses and conferences, the building will showcase the University's research excellence and enable it to host clients in order to raise its profile, awareness of its work and, ultimately, increase income generation. The building will be a home for the Institute of Advanced Studies and cross disciplinary research.

It is considered that the proposed use, as described, is a dual use of Class B1 offices (the existing use) and Class D1 non-residential institution use. However, the application form

states the proposals is for either B1 or D1 use, and that the University wishes the ability to move in either direction.

Whether the building is used as a dual Class B1/D1 use or solely as a D1 use, the proposed loss of office accommodation is considered to comply with S1 and S20 of the City Plan. The proposed dual use or solely the Class D1 use are also considered comply with Policy S8 of the City Plan which supports uses of this nature in the Marylebone and Fitzrovia area. It must also be remembered that the University of Westminster already has an extensive campus in the Marylebone area. The proposals would also be seen to accord with policy SOC3 of the UDP.

It should be noted that the University's business sponsors for the project have met with the Baker Street Quarter, the Business Improvement District (BID), within which the Marylebone Campus sits, and apparently there is support for the proposals from these bodies, although nothing of note to corroborate this has been submitted with the application.

The proposals are acceptable in land use terms, subject to a condition preventing the use of the premises for any other use within Classes B1 and D1 other than those which have been applied for. This condition is necessary to prevent the use of the building for other uses which could have a materially greater impact on the amenity of neighbouring occupiers.

8.2 Townscape and Design

No.29 Marylebone Road is a post-war building (probably dating to the 1950s or 1960s) and has been designed as a complementary addition to Nos.25-27 Marylebone Road (Methodist Church House), which dates from 1939. As a later addition, the post-war block does not have the refinement of detailing found in its neighbour and has been harmfully altered by replacement windows, nevertheless with its punched window openings, stone plinth and brick string courses it, at best, quietly defers to its neighbour. The Luxborough Street façade is even less successful, with a bland and largely blank ground floor and the rather incongruous annex structure with its tiled cladding, creating a rather uncomfortable junction with the late nineteenth century brick mansion blocks to the south, which all lie within the conservation area.

The main alterations proposed include recladding and façade alterations to the ground floor of the main brick building; extensions and recladding of the annex building; the introduction of a roof terrace to the annex building; and the introduction of plant to the roof of the main building. Some alterations are also proposed to the rear of the annex at ground floor level.

The works to the ground floor of the main block involve moving the entrance onto the Luxborough Street façade as well as introducing windows into this side, lowering some of the window openings in the Marylebone Road side to create informal benches, over cladding of the brickwork with limestone, and over cladding and extending the annex building in a reconstituted stone. It is also proposed to install a metal railing in place of the existing brick wall to the light well areas in Luxborough Street.

With respect to the annex building, this currently presents three sheer storeys onto Luxborough Street, with a further two upper storeys stepped progressively back. The proposal would bring these upper storeys forward so that a full height, five storey elevation faces onto the street. The façade would be replaced with a reconstituted stone grid containing large panels of full height glazing.

The roof terrace would be at a similar height as the existing flat roof to the annex and the main alteration is the proposal to introduce an opaque glass balustrade, 690mm in height, which would rise above the existing rear parapet level to address potential overlooking.

At main roof level new plant is proposed in the form of 1 large air-handling unit (AHU) and 3 air-conditioning units. The air-handling unit will be positioned towards the Marylebone Road façade and will measure 1.7m in height and the proposal includes introducing a 1.7m louvered screen enclosure around this item of plant. The air conditioning units are set relatively centrally within the roof plan and would be 2m high. Associated ductwork running on the roof would be 650mm high. The proposed plant and enclosure are lower in height than the existing rooftop plant rooms.

At the rear it is proposed to replace the existing metal roller shutter garage door and access door, with a predominantly glass wall and to introduce some planters in front of this glazing.

Finally, it is proposed to introduce new signage onto the Marylebone Road façade, with internally illuminated lettering, identifying the building as part of the University of Westminster.

In townscape and design terms, the main policies which relate to the current proposals are Policies S25 and S28 in the City Plan and Policies DES 1, DES 5, DES 6 and DES 9 in the UDP. DES 8 of our UDP is also relevant to the advertisement application.

The proposals are considered acceptable in design terms. The principle of moving the entrance to the Luxborough Street façade, of modifying existing windows and introducing new windows and of modifying the perimeter treatment to the lightwell are all considered acceptable. The choice of limestone and reconstituted stone are a complementary choice of materials.

The principle of bringing the upper two floors of the annex forward is considered acceptable and would arguably improve the townscape by covering up the exposed brick flank wall with Windsor Mansions. The façade treatment, while more assertive than the current building, is considered to provide a building of better articulation and relief. While not within the conservation area, this new façade lies immediately adjacent to Windsor Mansions which is within the Harley Street Conservation Area. Policy DES 9 of our UDP does seek to protect the setting of conservation areas and the objection letter from the adjacent Methodist Church does raise the issue about impact upon the conservation area. For the reasons set out above it is considered that the proposal would not have an adverse impact on the setting of the conservation area and arguably better stitches the street façade together. In terms of the statutory duty it is considered that the character and appearance of the conservation area would not be adversely affected by this scheme.

With respect to the proposed rooftop plant, this is also considered acceptable with the plant being of a relatively low profile compared with existing rooftop structures. It is considered unlikely that the proposed plant will be visible from street level views and if there are any views, these will be of the plant seen in conjunction with existing rooftop structures and thus having a recessive quality.

The changes to the rear façade, the introduction of planters and the proposed rooftop terrace raise no design concerns.

The new building sign is the subject of a separate application (16/06107/ADV) which is currently invalid. The proposed signage would be large individually mounted built up letters which would spell University of Westminster. The drawings indicate that the lettering is to be halo illuminated. The size of the proposed letters would mean that the sign is just beyond the size which would allow this signage to have deemed consent, but in any case on the basis that a genuine halo effect is created, it is considered that the design proposed would be acceptable in terms of visual amenity.

The proposals are considered to be acceptable in townscape and design terms.

8.3 Residential Amenity

Policy ENV13 of the UDP and S29 of the City Plan seeks to protect the amenities, sunlight and daylight and environmental quality of neighbouring properties. Policy ENV7 of the UDP seeks to protect neighbouring properties from plant and machinery.

The proposed elevational and roof top alterations to the Marylebone Road building raise no amenity concerns with regards to loss of daylight and sunlight, sense of enclosure or outlook. A significant amount of plant is proposed at roof level and the majority of this will be sited so as to be a minimally as intrusive as possible. An acoustic report has been submitted with the application and this demonstrates that the plant will comply with City Council policy ENV7 and will therefore not raise any noise concerns.

The annexe building which faces Luxborough Street and Bingham Place is to be extended and modified. This comprises an extension to the front elevation of the building at second and third floor to bring the building line flush with that of the main building at 29 Marylebone Road and the adjacent Windsor Mansion. Modifications are proposed at ground floor, (lower ground floor to Bingham Place) and comprise a significant amount of glazing. At fifth floor roof level over the annex building it is proposed to create a terrace and this will require a balustrade to the front and rear elevations, although the rear elevation balustrade will be sited on top of an already tall parapet wall of 1.3m. The extension will rise no higher than the existing boundary wall with Windsor Mansions directly to the south of the site and will not project any forward of the front or rear elevations of this building. Given the extension is proposed to the front elevation of the building, there are no impacts upon adjacent properties in terms of daylight, sunlight, outlook or sense of enclosure. It is also not considered that the balustrade to the front elevation, which is traditional open black metal railings, or the proposed 0.7m opaque glass screen to the rear would result in any harm to neighbouring properties in Luxborough Place or Bingham Place in terms of loss daylight, sunlight or increased sense of enclosure.

The modifications to the rear in terms of the glazing are not considered to result in any significant light spillage to the properties to the rear on Bingham Place and therefore do not warrant withholding permission.

The terrace is proposed to provide an outdoor facility to the students and somewhere for events to take place. Given the balustrade proposed at 2m in height, there are no concerns with regards to overlooking. Given the nature of the development and that the terrace is at roof level, generally higher than all the other residential and neighbouring properties, it is not considered that the terrace will attract such noisy behaviour so as to warrant refusal. The terrace is to be used Monday to Friday and the applicant has requested that the terrace be used until 10.00pm. Given that there are residential properties adjacent in Windsor Mansions and to the rear in Bingham Place it is considered that 9.00pm is a more reasonable cessation time and this is to be conditioned. The applicant is aware of this.

The objector contends that the open glazing to the front of Luxborough Street will allow for overlooking through the site to the rear of the Methodist Church which backs onto Bingham Place and the residential properties Bingham Place when walking past on Luxborough Street. Given the properties on Bingham Place and the rear of the Methodist Church are already seen from public view points, it is not considered that the proposals would result in unacceptable levels of overlooking.

The proposals are considered acceptable in amenity terms and comply with City Council policies.

8.4 Transportation/Parking

8.4.1 Car Parking

The site is within a Controlled Parking Zone which means anyone who does drive will be subject to those controls. The site has a good level of public transport accessibility. Car parking spaces in the lower ground floor of the building, accessed from Bingham Place are to be lost, however these are spaces associated with the existing office use and therefore their loss is acceptable and compliant with Policies TRANS21 and TRANS23 in the UDP.

8.4.2 Trip Generation

Based on the information submitted the proposal is likely to generate more trips per day than the existing approved use of the site. Given the age of the students, the transport facilities in the area the Highways Planning Manager considers that provided a robust travel plan is secured it is unlikely that the proposal will have a significant impact on the public highway.

A Travel Plan has not been submitted as part of the application. Given the nature of the university building and that there are other university buildings within the vicinity of the application site as part of the Marylebone Campus, it is not considered reasonable to request this in this instance.

8.4.3 Servicing

TRANS20 requires off-street servicing. Limited off-street servicing is indicated for the development at the rear of the site accessed from Bingham Place. No details of servicing have been submitted. The plans do not indicate any catering facility is included (although

a bar is indicated on the roof terrace) however no other information regarding the use is submitted which makes it difficult to anticipate the likely level of servicing. It is expected that the proposed Class B1/D1 or Class D1 use would generate more than the existing Class B1 use. Details regarding the likely service generation of the site should also be submitted and a Servicing Management Plan (SMP) is to be conditioned.

8.4.4 Forecourt Alterations

Policy TRANS 3 states that the City Council, in considering development proposals, will aim to secure an improved environment for pedestrians, with particular regard to their safety, ease, convenience and directness of movement, in the course of negotiations or securing planning agreements, including the provision of appropriate facilities, such as footway widening, connecting walkways, footbridge location and covered arcading.

The proposed short stay cycle parking at the front of the site on the corner of Luxborough Street and Marylebone Road adjacent to the building entrance, if built as proposed, will likely lead to cycle over hanging and obstructing the public high. These spaces/ hoops should be altered and aligned parallel to the building façade and this is to be secured by condition. This will reduce the number of hoops to 4 but the use of the spaces should leave the public highway unaffected or obstructed. As these spaces are not secure or covered they do not count towards the long stay cycle parking requirement under the London Plan.

8.4.5 Cycle Parking

For Class D1 (University Education) uses the London Plan requires 1 space per 4 staff and 1 space per 20 students. No internal, covered and secure cycle parking spaces are proposed. This is to be secured by condition and it is likely that these spaces could be accommodated in the basement.

The proposals are considered acceptable in highways terms and comply with policies, subject to conditions.

8.5 Economic Considerations

Please see the land use section of the report, regarding the status of the University of Westminster and its economic profile within London.

8.6 Access

The proposals will allow for level access from Luxborough Street.

8.7 Other UDP/ Westminster Policy Considerations

A condition requiring details of waste facilities is recommended as none are currently shown on the submitted drawings. As per the cycle parking, this could be accommodated in the basement area.

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 proposed change of use does not generate a requirement for any planning obligations and falls below the minimum floorspace threshold for CIL liability.

8.11 Environmental Impact Assessment

Not relevant in an application of this nature.

8.12 Other Issues

The objection refers to the impact that the proposed construction would have in terms of noise and disturbance and for the potential need for cranes. This is not considered a sustainable reason for refusal. A development of this kind would require the applicant to comply with the City Council's Code of Construction Practice in order to minimise disruption to neighbouring properties and the standard hours of working condition is to be attached.

9. BACKGROUND PAPERS

1. Application form.
2. Email from Marylebone Association dated 30 November 2016.
3. Memo from Cleansing Manager dated 21 November 2016.
4. Memo from Highways Planning Manager dated 22 November 2016.
5. Email from Transport for London dated 29 November 2016.
6. Memo from Environmental Health dated 30 November 2016.
7. Letter from The Methodist Church, occupiers of Methodist Church House, 25 Marylebone Road, dated 7 December 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: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

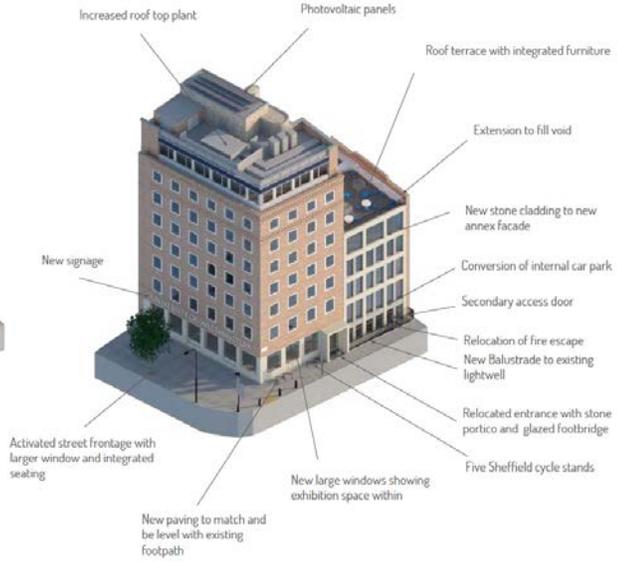
10. KEY DRAWINGS

Existing and proposed Visuals of front and rear elevations

Existing



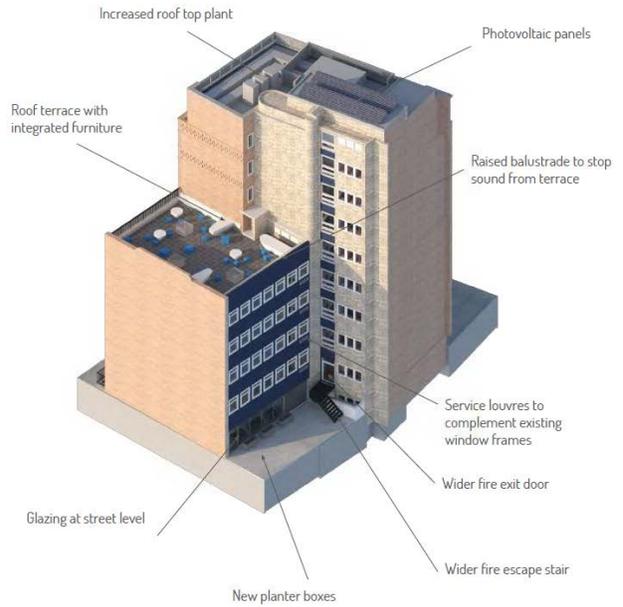
Proposed



Existing



Proposed



Proposed Luxborough Street Elevation



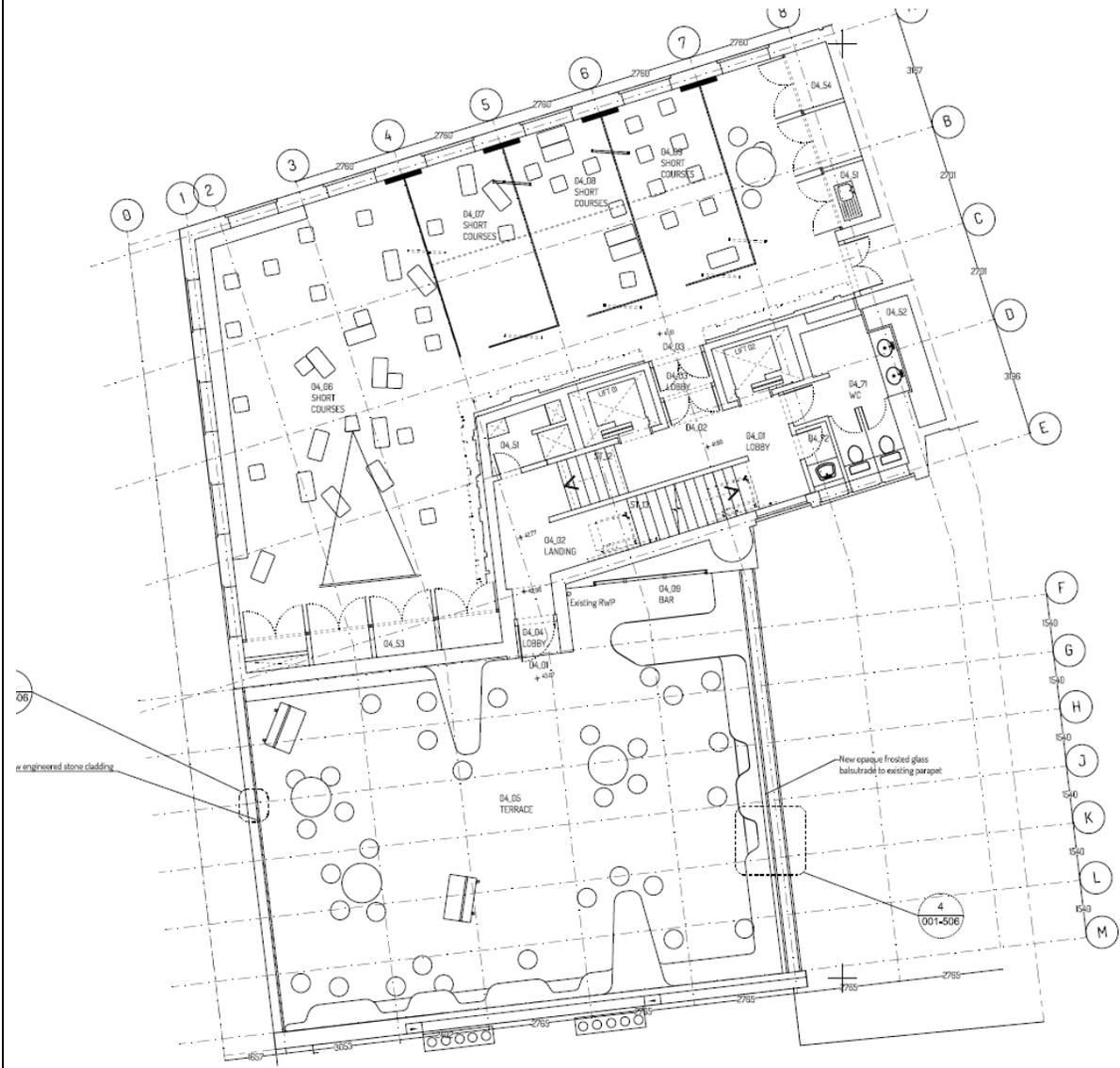
Proposed Marylebone Road Elevation



Proposed Bingham Place Elevation



Proposed Terrace Roof Plan



DRAFT DECISION LETTER

Address: 29 Marylebone Road, London, NW1 5JX

Proposal: Alterations to the ground floor frontage, construction of roof top plant enclosures and extensions and facade alterations to the annexe on Luxborough Street at all levels including a roof terrace in connection with the use of the building as a dual/alternative Class B1 office/D1 non-residential institution.

Reference: 16/10311/FULL

Plan Nos: 001: 010; 100 B Ex C; 100 LG Ex C; 100 GF E C; 100 MZG Ex C; 101 Ex C; 102 Ex C; 103 Ex C; 104 Ex C; 105 Ex C; 106 Ex C; 107 Ex C; 108 Ex C; 109 RP Ex C; 211 Ex C; 212 Ex C; 213 Ex C; 214 Ex C; 321 Ex C; 322 Ex C; 323 Ex C; 324 Ex C; 325 Ex C; 326 Ex C; 327 Ex C; 328 Ex C; 329 Ex C; 330 Ex C; 331 Ex C; 100 B Q; 100 LG P; 100 GFL Q; 100 MZG P; 101 P; 102 P; 103 Q; 104 Q; 105 Q; 106 Q; 107 Q; 108 P; 109 P; 211 Q; 212 Q; 213 Q; 214 Q; 321 Q; 322 Q; 323 Q; 324 Q; 325 Q; 327 Q; 330 Q; 331 Q; 501 D; 502 D; 504 D; 505 D; 506 C; 507 C; Covering Letter dated 27 October 2016; Design and Access Statement dated 24 October 2016.

Case Officer: Kimberley Davies

Direct Tel. No. 020 7641 5939

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 (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

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

- 4 The terrace at roof level on the annexe building hereby approved shall only be used between the hours of 10.00 and 21.00 Monday to Friday.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 5 (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 (November 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.

- 6 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.

- 7 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme: the cycle parking stands to the Luxborough Street elevation relocated parallel with the building line. 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:

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

- 8 You must apply to us for approval of details of secure cycle storage for the Class B1/ Class D1 use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

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

- 9 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the office or university use. (C14EC)

Reason:

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

- 10 You must apply to us for approval of details of a servicing management plan. You must not occupy the development until we have approved what you have sent us. You must then abide at all times to the details as set out in the servicing management plan.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 11 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.

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 (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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

- i) The new railings;
- ii) The setting out and joints (including any movement joints) of the new stone cladding;
- iii) The new planters.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details.

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 (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 13 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 14 You must use the property only as offices or as an administrative place/ lecture space/ function space for the university. You must not use it for any other purpose, including any within Class B1 or D1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any

order that may replace it). (C05AB)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet ENV13 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

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 (November 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 Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the office and university floor can change between the office and university uses we have approved for 10 years without further planning permission. However, the actual use 10 years after the date of this permission will become the authorised use, so you will then need to apply for permission for any further change. (I62A)
- 3 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 4 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)
- 5 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)

- 6 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)

- 7 Conditions 5 and 6 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)

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.