

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 7 November 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Little Venice	
Subject of Report	Parsons House, 124 Hall Place, London, W2 1NE,		
Proposal	Works of demolition and redevelopment to the podium/ car park structure and redevelopment of site in a building comprising ground and five upper floors to provide 60 residential units (Use Class C3), including terraces and balconies, a communal garden space and 54 car parking spaces with altered entrance from Hall Place. Provision of 101 sqm of retail space fronting onto Edgware Road (Use Class A1/A2/A3). Replacement boundary treatment works and planting on Edgware Road, including replacement of trees and works to the raised bund in front of Parsons House. Re-location of existing recycling centre.		
Agent	JLL		
On behalf of	Westminster City Council		
Registered Number	17/06049/COFUL	Date amended/ completed	18 July 2017
Date Application Received	7 July 2017		
Historic Building Grade	Unlisted		
Conservation Area	No		

1. RECOMMENDATION

1. Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992, subject to the satisfactory completion of a Unilateral Undertaking to secure the following:

- a) Provision of affordable housing in the form of 19 units (10 social rent units/ 9 intermediate housing units);
- b) Not to occupy the private market housing until the affordable housing units are available for occupation;
- c) Highways works to facilitate the proposed development and including vehicular crossovers, creation of a relocated parking space; reinstatement of redundant crossovers and paving;
- d) Car park strategy including all car parking spaces provided for the development itself and on an unallocated basis;
- e) Lifetime Car club membership for all units in the development;
- f) Management strategy for the development;
- g) Relocation of the micro-recycling centre;
- h) Employment training and apprenticeships opportunities for residents of Westminster; and

i) Monitoring costs.

2. If the Unilateral Undertaking has not been completed within six weeks of the date of the Committee's resolution then:

- a) The Director of Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not;
- b) The Director of Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an Undertaking within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

Planning permission is sought for the redevelopment to the podium/ car park structure and redevelopment of site in a building comprising ground and five upper floor to provide 60 residential units, a communal garden space and 54 car parking spaces with altered entrance from Hall Place, provision of 101 sqm of retail space fronting onto Edgware Road (Use Class A1/A2/A3), highways and landscaping works and re-location of existing recycling centre.

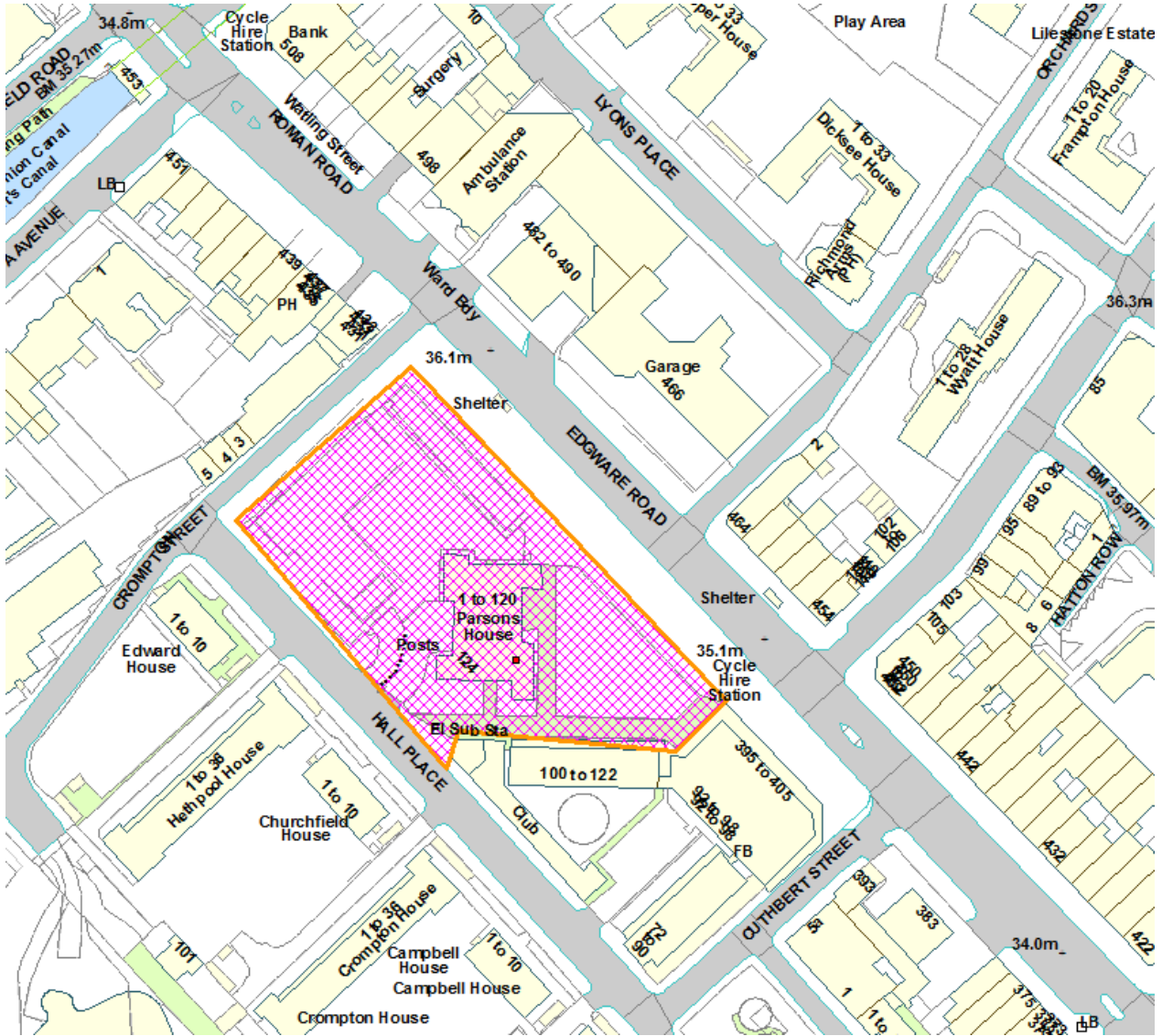
A number of concerns have been raised from surrounding residents in relation to the provision of more housing, construction, parking, on street parking stress levels, impact on amenity and design.

The key issues are:

- * The acceptability of the proposals in land use terms;
- * The impact of the new buildings on the townscape;
- * The impact of the proposals on the amenities of adjacent occupiers;
- * The impact of the development on the highway network; and
- * The impact of the development upon trees on the surrounding streets.

The application is recommended for approval as, subject to conditions, the proposed development complies with policies in our Unitary Development Plan (UDP) and City Plan.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Above: Aerial View Looking North along Edgware Road. **Below:** Podium Deck to the north of Parsons House



5. CONSULTATIONS

WARD COUNCILLORS FOR LITTLE VENICE

Any response to be reported verbally

TRANSPORT FOR LONDON - BOROUGH PLANNING:

Objection raised.

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY:

No response received.

STRATEGIC SCHEMES - CITY PLANNING:

No response received.

CHURCH ST. LARP CO-ORDINATOR:

No response received.

HIGHWAYS PLANNING MANAGER:

No objection subject to conditions.

CLEANSING MANAGER:

No objection raised subject to conditions.

ENVIRONMENTAL HEALTH - MAJOR REDEVELOPMENTS AND INFRASTRUCTURE:

Objections raised to internal noise levels predicted.

BUILDING CONTROL - DEVELOPMENT PLANNING:

No objection.

HEAD OF AFFORDABLE HOUSING AND STRATEGY:

No objection subject to provisions within the legal agreement.

PUBLIC REALM & LANDSCAPE - CITY PLANNING:

No response received.

ARBORICULTURAL MANAGER:

Objection received on the grounds of the removal of trees without any meaningful replacement tree offer and inadequate landscaping.

CHILDRENS SERVICES:

No objection subject to a financial contribution to the City Council's education fund.

DESIGNING OUT CRIME OFFICER:

No objection, subject to recommendations.

LONDON FIRE SERVICES/ LONDON FIRE AND CIVIL DEFENCE AUTHORITY:

No response received.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 743

Total No. of replies: 4

No. of objections: 2

No. in support: 1

Two objections received on the following grounds:

Land Use:

- Not enough affordable Housing;
- Standard of accommodation is not good enough with the 'affordable homes' facing the polluted Edgware Road;
- Retail space is not necessary in this location

Design:

- The proposals do not follow the Planning Brief in terms of acceptable bulk and height.

Amenity:

- Loss of sunlight and daylight.

Highways:

- Increase in vehicles and number of pedestrians will be difficult to accommodate in Crompton Street;

Other:

- Impact upon the highway network during the course of construction;
- Options to improve the development proposals are given within the Planning Brief and should be adhered to.

One letter of support has been received to the principle of the development, however comments are raised in that letter of support regarding the loss of the trees on Edgware Road.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION**6.1 The Application Site**

This application site is a concreted podium deck to a semi-basement carpark, originally built for Parsons House, the 21 storey tower to the south. The site is bounded by Edgware Road, Hall Place and Crompton Street. The podium deck measures approximately 1800 sqm and is 1m taller than pavement of Edgware Road and 2m above pavement level of Hall Place. The site is surrounded by a concrete balustrade set 1m above the Edgware Road and the deck and is publicly accessible by steps from Edgware Road and Hall Place, and a ramp from Crompton Street. The application site also includes an item of public space adjacent to the eastern frontage of Parsons House.

The site lies within the North Westminster Economic Development Area. The site is not within a conservation area.

6.2 Recent Relevant History

Parsons House, designed by TP Bennett, was built in 1969 with a concrete panel system, and overclad in 1984. It is a 21 storey social housing tower block accommodating 120 flats, comprising council tenants and leasehold tenants. The freehold of the building is owned by the City Council as part of the Hall Place Estate.

There is no further relevant history pertaining to this site.

7. THE PROPOSAL

The proposed residential led scheme aims to redevelop the podium deck to the north of Parsons House and regenerate the surrounding streetscape surrounding the site including the perimeter of Parsons House.

The proposed residential building wraps in a C-shape around each street frontage to re-instate the streetscape whilst enclosing a private communal garden to the rear as a buffer between the new building and Parsons House tower. The building is split to accommodate both private and affordable housing and has separate entrances for each tenure. The affordable homes are accessed off the Edgware Road elevation and consist of a series of flats with a communal entrance to a shared core and alongside this are three maisonette homes that have their own individual entrances. The private homes are made up entirely of flats accessed of a communal core with the entrance along Crompton Street

The semi-basement car park structure will be dropped in level and re-built to provide car parking and ancillary space. The carpark entrance will remain in the same location off Hall Place. However, the ramp will be replaced with a new compliant set of access ramps. A total of 54 car parking spaces, 105 cycle storage spaces and six motorcycle spaces will be provided within the basement level.

A single storey commercial unit fronting the Edgware Road elevation is proposed. It has its own entrance and is split into two linked spaces.

The courtyard contained behind the new building will be a landscaped communal garden for the new Parsons North residents to enjoy and all of the proposed residential units are provided with their own private external amenity space in the form of balconies and terraces. In addition, the raised hard standing area to the east of Parsons House tower will be re-landscaped to provide an accessible and meaningful external amenity space for the existing residents of Parsons House tower, Heywood House and the surrounding estate.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Residential Use

The principle of residential accommodation on the podium level to the north of Parsons House was established through the Draft Parsons House North planning brief (October 2011), although not formally adopted and is supported by policies S12 and S14 of the City Plan and H3 of the UDP which seeks to optimise housing delivery in the City.

At the time of writing, the Draft Church Street Masterplan The masterplan is a renewal plan for the Paddington Green, Church Street and Lisson Grove for the period through to 2026/2030, to provide better homes, better parks and open spaces; cultural, economic and enterprise opportunities, improved retail, better connections and community facilities; that the redevelopment of Parsons House North is vital not only in townscape terms but as a key contribution to the provision of more housing in the area.

One neighbour has objected to the proposals questioning the need for private market housing in what is essentially an affordable housing scheme. Any proposals for a residential development will be assessed on its own land use merits and against City Council policy, taking into consideration the need for affordable housing.

Housing Mix:

The optimisation of housing delivery is a key strategic objective for the Council. Westminster City Plan Policy S15 and UDP Policy H5 require the provision of an appropriate mix of units in terms of size in new housing schemes. 60 residential units are proposed and the mix comprises the following:

Overall Scheme

No of Bedrooms	No of Units/ Floorspace
1 bed	18/ 932 sqm (21%)
2 bed	26/ 1936 sqm (45%)
3 bed	16/ 1512 sqm (35%)
	Total: 60

Private Market Units

No of Bedrooms	No of Units
1 bed	16
2 bed	18
3bed	7
	Total: 41

Affordable Housing Units

No of Bedrooms	No of Units
1 bed	2
2 bed	8
3 bed	9
	Total: 19

Policy H5 requires at least 33% family-sized (i.e. 3+ bedrooms) of which at least 5% should have five or more habitable rooms but does allow for some flexibility with regard to the overall mix. Paragraph 3.74 of the UDP acknowledges that a lower level of family accommodation may be acceptable in some circumstances. The proposals meet the requirements of policy H5 with 35% of the units having three or more bedrooms.

Housing Density:

Policy H11 within the UDP relates to housing density and recommends 250-500 habitable rooms per hectare in this location. Policy 3.4 of The London Plan is also a relevant consideration and includes a recommendation for housing density in Suburban, Urban and Central locations. It is considered that this is an 'urban' location, identified as areas with predominantly dense development such as terraced housing, mansion blocks, a mix of different uses, medium building footprints and typically buildings of two to four stories. For such areas a density of between 200-500 habitable rooms per hectare is recommended. The proposed density for this scheme is 379 habitable rooms per hectare and is therefore consistent with policy H11 of the UDP and policy 3.4 of The London Plan.

Standard of Accommodation:

All of the units proposed meet the minimum floorspace requirements set out in the Nationally Described Space Standard (March 2015) policy 3.5 of The London Plan.

A number of units on each floor have dual aspect outlooks and this is welcomed. Those units that only have a single aspect have been sensitively designed and are acceptable.

The applicant has undertaken a daylight and sunlight assessment to demonstrate that the internal lighting for the proposed residential units are in line with BRE Guideline. All habitable rooms exceed the recommendations in the guide and in most cases, by some considerable margin.

Given the sites location on the busy Edgware Road, in order to ensure that the new residential accommodation does not suffer from excessive noise from either external or internal noise sources, the City Council's Environmental Health officers have recommended standard noise conditions which are considered acceptable.

The development proposes that six units (10%) are fully compliant wheelchair accessible homes and this is welcomed.

Outside Amenity Space:

Policy H10 within the UDP expects housing developments to include the provision of amenity space. All of the units have either a balcony or patio areas which is welcomed and considered to accord with this policy. A communal garden in the courtyard is also proposed and again this is welcomed.

Whilst it is unfortunate that this communal garden does not offer any children's play equipment, despite officers requests, it is not considered reasonable to recommend refusal on this basis. It should be noted that the site is not located in an area deficient of open space and is in close proximity to an under fives playground on the corner of Hall Place and Cuthbert Street.

8.1.2 Affordable Housing

Nineteen of the 60 residential units are proposed for affordable housing use, representing 36% of the residential floor space proposed, which meets with planning policy S16 of the City Plan in relation to affordable housing provision. The application was submitted in July

2017 and since then the Mayor of London has adopted the Affordable Housing and Viability SPG (16 August 2017). The Mayor has made clear his ambition to move towards delivery of 50% affordable housing on all schemes in the long-term. In the medium-term, the SPG suggests that this expectation will come sooner for certain schemes, such as those in public ownership or on Industrial Land. Whilst the application site is under the ownership of the City Council and therefore 'public land', given the date of submission it is not considered reasonable to request the scheme provide 50% affordable housing.

Ten of the affordable homes (53%) are proposed to be for social housing use where rents will be charged in line with London Affordable Rents (LAR). LAR is the equivalent of average target rents for London. The remaining 9 affordable homes are proposed for intermediate housing use. Housing will need to ensure that these 9 intermediate homes are affordable to a range of intermediate household incomes that reflect the incomes of households registered for intermediate housing opportunities in the City.

To ensure this is achieved, the Head of Affordable Housing and Strategy will require that both intermediate rented housing and shared ownership can be provided such that 50% of the intermediate homes provided at Parsons North can be made affordable to Westminster intermediate households whose incomes are up to median levels. The Head of Affordable Housing and Strategy will look to set out target income bands for these intermediate homes within the legal agreement covering a planning consent for this scheme.

The table below sets out a more detailed analysis of the mix of dwellings and sizes of the affordable units proposed

Dwelling type	1bed 2 person	2bed 3 person	2bed 4 person	3bed 5 person	3 bed 5 person duplex
Floor area (sqm)	50.4-50.6	63.1-75.9	70.1-73.5	87.8-100.4	102.6
Total units	2	3	5	6	3
Social units	0	1	0	6	3
Intermediate units	2	2	5	0	0
Wheelchair access units		1		1	

The Head of Affordable Housing and Strategy welcomes the development proposals.

8.1.3 Commercial Units on Edgware Road

A commercial unit, which could be operated as two small units or one larger unit, at 101sqm is proposed along the Edgware Road frontage. As this is a speculative proposal, the applicant proposes a dual/alternative A1/A2/A3 use for the unit/s.

An objection has been received from a resident on Hall Place on the grounds that no more retail space is needed in this location.

The Draft Planning Brief states that as the site is outside of any designated shopping area (although on the periphery of the Church Street/ Edgware Road District Centre), a large retail unit would be unacceptable, but that small retail units, complimentary to the residential nature of the area could be acceptable. It is not considered that one or two

retail units, measuring no more than 101 sqm is excessive. The applicant has advised that should the A3 unit be occupied, that it is not expected that this would operate as a full restaurant, rather a more local style café. Subject to conditions, regarding hours of opening; that details of the uses be provided at a later date and that any A3 use results in no primary cooking to protect the surrounding residential amenity, in land use terms the proposed retail units are acceptable. The proposals are considered to comply with policies SS8 of the UDP and S20 of the City Plan.

8.2 Townscape and Design

8.2.1 Bulk and Massing

The proposed contemporary design is formed of two blocks forming a central courtyard. The higher of these blocks at six storeys (including roof storey), faces Edgware Road. The side and rear of the block steps down to five storeys (including roof storey).

The new building's primary street frontage to Edgware Road is a busy commercial frontage, so the higher scale here is appropriate, whilst the graduated height to the sides, demonstrates a respectful architectural approach, reflecting the changing context (i.e. buildings heights) around the building.

The building would sit in the shadow of Parson's House tower (21 storeys) and while that in itself should not be the determining factor in establishing its height, Parsons House being an exception in the local townscape, the scale, bulk and massing is appropriate. The Draft Planning Brief did state heights that would be appropriate in this location, specifically in relation to the amenity impacts and this is addressed in the amenity section of the report. The proposals do deviate slightly from this draft brief and un-adopted guidance. However in townscape terms the proposed bulk and massing is, for the reasons stated above considered acceptable.

8.2.2 Architectural Approach

The palate of materials used, including brickwork and reconstituted stone, reflects materials/colours seen in the present context, whilst also allowing for a distinctive new composition. The design features a stone base to the front, helping to 'ground' the building with a solid plinth. Though if this aspect were to be taller and more pronounced, this would reinforce that desirable character further. The use of brickwork is welcome, as this a material with excellent longevity, requires little maintenance for decades and, subject to the type of brick and quality of pointing, has an attractive appearance, texture and in time, patina.

The use of stone is echoed in the projecting window surrounds to the floors above, forming the middle of the building. These elevations consist of a series of two storey bays featuring windows and inset balconies, with glazed balustrades. On the corners are four storey feature bays with balconies behind. The windows are subdivided with decorative panels, these will provide a further level of visual interest as long as they are well crafted and artistic in form. The modulation created by this combination of brickwork, stone work and bays with inset windows and balconies adds articulation and visual interest, creating an architectural language, while reduces the impact of the buildings massing.

The internal elevations are somewhat cluttered in terms of the proliferation of balconies and windows, but these allow private amenity space and facilitate a well surveyed recreation / amenity space. As such, subject to the use of the same high quality brickwork and detailing as on the front, these are on balance, acceptable.

The building is terminated by a visually lightweight roof storey formed of reconstituted stone pillars, with full height screen glazing to create a recessive pavilion effect. The principle of this form is acceptable, though there is some concern with the detailed design and use of materials. It is important that reconstituted stone is used rather than a render, as this is a lower quality material, which quickly wears and wouldn't represent the high quality design sought by UDP policy DES 1. In terms of detail there is a somewhat unusual arrangement with glazed sections blanked out with solid panels, appearing to allow for the division of external amenity spaces. These would best be reordered to integrate solid masonry sections to create a more cohesive arrangement and therefore a condition relating to this element is recommended.

The use of living green roofs on the flat roofs is welcome and these will improve the outlook for overlooking residents, reduce water off and encourage habitat creation and biodiversity and integration of the building into the Green Spine Network – part of the Church Street Masterplan. Also at roof level, photovoltaic panels are proposed. These are not likely to raise significantly above the roof level and therefore from street level are unlikely to be seen. Residents within Parsons House will be able to view the panels but it is not considered that these views would be unacceptable.

In addition to living green roofs, a degree of defensible space has been integrated with landscaped areas around the building on all frontages. These landscaped areas behind low walls serve two functions. Firstly, they provide attractive greening which is necessary given the loss of trees and the busy commercial environment of Edgware Road. In addition, these spaces help to delineate public from private, which is an essential element of good urban design. Though modest in extent, they afford residents on the ground floor a sense of separation from the street and buffer to improve privacy.

A key element of good urban design is that the building allows passive surveillance (overlooking) to the streets it fronts. Given the residential use and the windows to all sides, the surrounding streets and spaces are well surveyed by a large number of windows and terraces. The entrances on Edgware Road and Crompton Street will contribute to active frontages, by encouraging street activity and therefore vitality. The introduction of front door access to the two storey maisonettes on the north east elevation also enhances this characteristic

These features, passive natural surveillance, light spill from residential windows in the evening, street activity through absence of blank facades and presence of well used and lit entrances and window openings all help to create a sense of place, which in turn create safe places where people wish to linger, interact and commune. Given the somewhat desolate character of the base of the present building, such features are a significant improvement. For these reasons, the design is successful both in architectural and urban design terms.

The existing basement is to be extended downward by some 0.9m to allow for adequate head height. Currently the basement is approximately 3m in height, but through the basement there are down stand beams which reduce the head height significantly to some 2.2m. The basement is not to extend any wider, only in depth following the footprint of the existing basement and will not result in more than one storey. The proposals are considered to comply with the City Council's basement policy CM28.1 of the City Plan. Other relevant aspects of the basement policy are discussed in the aboricultural section of this report.

8.2.3 Design Summary

The new building is considered of sound architectural quality, and to represent a significant improvement to the townscape of this northern part of Edgware Road. The proposed development overall represents an improvement in urban design and architectural terms. Subject to conditions reserving further detail of design elements, materials and amending aspects of the detailed design, the building is considered to meet the City Councils policy objectives of promoting high quality urban design and development as required by policy DES 1 of the UDP and policy S 25 of the City Plan.

Included in this application are the introduction of a canopy to Parsons House and wider landscaping works to the south of the tower block and to the front entrances of properties in Haywood House. Again, all these works are considered to be acceptable and seek to improve the townscape in this location.

8.3 Residential Amenity

Policy S29 of the City Plan and ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.

One objection from a local resident has been received on the grounds that the massing and form of the development is contrary to the Planning Brief which states:

“Proposals must demonstrate that residential amenity is not adversely affected in terms of a material loss of daylight, sunlight, increased in sense of enclosure in habitable rooms of adjacent residential buildings or loss of privacy. Any proposals to introduce buildings more than 5 storey's in height (4 above the podium) on Edgware Road and Hall Place, and 4 storey's in height (3 above podium) on Crompton Street, are therefore unlikely to be acceptable”.

The scheme proposed is bulkier than the stipulations in the Planning Brief and comprises a building of two blocks forming a central courtyard. The higher of these blocks at 6 storeys, (including roof storey), faces Edgware Road. The side and rear of the block steps down to 5 storeys (including roof storey). These heights are taken from ground level, rather than from above the datum line of the existing podium deck.

For the reasons set out below, a departure from the guidelines is considered acceptable and the proposals are not considered to detrimentally harm the amenity of surrounding properties in terms of outlook, enclosure and privacy, sufficient to warrant refusal.

8.3.1 Daylight and Sunlight

The applicant has submitted a Daylight and Sunlight Assessment which tests the following adjacent buildings:

- Parsons House – north and west elevations
- Hethpool House – north east elevation facing windows
- Edwards House – north east elevation facing windows
- Crompton Street – south east elevation facing windows

Vertical Sky Component (VSC)

For daylight matters, VSC is the most commonly used method for calculating daylight levels. It is a measure of the amount of light reaching the outside face of a window. This method does not rely on internal calculations, which means that it is not necessary to gain access to affected properties. If the VSC is 27% or more, the Building Research Establishment (BRE) advises that the window will have the potential to provide good levels of daylight. It also suggests that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change. The BRE stresses that the numerical values are not intended to be prescriptive in every case and should be interpreted flexibly depending on the circumstances. This is because expectations may be different in rural or suburban situations compared to a more densely developed urban context. The guidance acknowledges that although these values should be aimed for, it may be appropriate in some locations such as in urban areas to use more realistic values.

The use of the affected rooms has a major bearing on the weight accorded to the effect on residents' amenity as a result of material losses of daylight. For example, loss of light to living rooms, dining rooms, bedrooms, studies and large kitchens (if they include dining space and are more than 12.6 square metres) are of more concern than loss of light to non-habitable rooms such as stairwells, bathrooms, small kitchens and hallways.

No Sky Line (NSL)

The 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. BRE guidance states that if the no-sky line is reduced by 20% this will be noticeable to its occupants. Accurate assessment of the NSL method is dependent upon knowing the actual room layouts or a reasonable understanding of the likely layouts. The applicant's daylight assessment has had regard to the layouts of the building, having records of the floor layouts of the building.

Annual Probable Sunlight Hours

In terms of sunlight, the assessment measures the impact of overshadowing to all windows which face the application site within 90 degrees of due south. The BRE guidance advises that a room will appear reasonably sunlit if it received at least a quarter (25%) of annual probable sunlight hours including at least 5% of annual probable sunlight

hours during the winter. A room will be adversely affected if the resulting sunlight level is less than the recommended standards and reduced by more than 20% of its former values and if it has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

Assessment

The existing site is undeveloped and for this reason, most neighbouring properties have baseline daylight levels that meet or exceed the targets for their use based on the BRE criteria. The proposed development has arisen through analysis to find the most successful balance between the requirements of regeneration and good design along with mitigating the impact on neighbours.

The results demonstrate that the majority of windows retain vertical sky component (VSC) over 80% of current levels, some 121 windows of 205 tested (59%), and of the remaining 84 windows, 59 still retain a VSC in excess of 18%. Some 25 windows (12%) do not meet this target. These windows serve all the first and second floor of 3 Crompton Street which comprises the living area at first floor served by 2 windows and one bedroom at second floor served by 2 windows; the second floor of 2 Crompton Street, again 2 windows serving one bedroom; ground floor flats of Edward House, appearing to serve bedrooms and bathrooms and a number of windows at first and second floor of the recessed west façade of Parsons House, which appear mainly to serve bedrooms.

In regards to sunlight results, of the 104 windows assessed, 91 windows retain in excess of 25% APSH and 5% of WPSH. Five of the remaining 13 retain more than 80% of their current values, meaning that 8 windows fall below the level of sunlight normally recommended by BRE guidance. These windows serve one of the multiple windows serving the bedrooms of 1, 2 and 3 Crompton Street windows and a number of windows at first, second and third floor windows of the recessed west façade of Parsons House, which appear to mainly serving bedrooms. 2 of the Parsons House windows serve a living room, but these living rooms have multiple windows serving these habitable rooms. Of these 8 windows, 3 go from currently having adequate sunlight to below the recommended level and only by a relatively small amount.

Overall, it is clear that there are a significant number of windows which would be noticeably and negatively affected in terms of loss of both daylight and sunlight, which would normally fail to accord with policies S28 of the City Plan and ENV 13 of the UDP. These losses must then be considered in relation to the particular nature of this site and the merits of the proposed development.

As noted above, the BRE guidelines are intended to be applied flexibly as light levels are only one factor affecting site layout. In a central London location, expectations of natural light levels cannot be as great as development in rural and suburban locations and to which the same BRE guidelines apply. Many sites throughout central London have natural light levels comparable to that which would result from the proposed development yet still provide an acceptable standard of accommodation. It is accepted that a VSC of around 15% in an urban context is not uncommon and is considered to provide an acceptable level of light.

The development is located within the Church Street masterplan as a development opportunity site and a Planning Brief has also allocated this site to redevelopment. The Planning Brief was aspirational to say that any development must not harm the amenity of neighbouring properties in terms of loss of light and sunlight, as it is likely that any development would have some impact given the undeveloped nature of the podium deck and the uninterrupted outlook over this deck from the surrounding properties of Parsons House, Hall Place and Crompton Street, which provides levels of daylight that are not typical of a dense urban location.

The scheme will provide much needed housing in this part of the City, including a policy compliant level of affordable housing. In light of this, and in accordance with paragraph 14 of the NPPF, it is therefore clear that any daylight/sunlight impacts and height of the development will not “significantly or demonstrably” outweigh the social, environmental and economic benefits of the development and the proposals are considered to be acceptable and in accordance with policies ENV13 of the UDP and S29 of the City Plan.

8.3.2 Sense of Enclosure

The northern elevation of the building will be sited a single street width away from the three existing residential houses on Crompton Street. Directly opposite these properties, the development is proposed to be 5 storey’s in height, with the roof storey significantly set back from the main elevation. Whilst these properties in Crompton Street are undoubtedly going to experience a sense of enclosure from their first and second floor windows (the ground floor is occupied by a garage and the front door), their current situation of overlooking a large ‘blank’ area of the podium deck is highly unusual. The level of enclosure experienced by these properties is unlikely to be any worse than a normal terraced street where properties sit opposite one another and divided by a street.

The side ‘wings’ of the proposed building will be sited between 13.5m and 17.5m from the north east corner of Parsons House and between 15m and 17.5m from the north west elevation of Parsons House. The Edgware Road elevation is six storey’s in height with the roof storey set back from the main elevation quite significantly. The Hall Place elevation is four storey’s in height. However, the southern elevation fourth floor is flush with the main elevation. Again, whilst undoubtedly the residents of Parsons House in flats facing the application site at floors 1-6 will experience a significant sense of enclosure compared to their current uninterrupted outlook over the podium deck, given the distances between Parsons House and the new building and the modest height of the development, the proposals are considered to be acceptable in this instance.

At ground floor level on the Edgware Road frontage, the commercial unit at the southern end of the building is proposed to be single storey and is no higher than the architectural banding on Parsons House delineating the ground and first floor levels. Therefore whilst the windows at first floor level of Parsons House will overlook the roof of this commercial unit, the built form will not rise up in front of these windows.

Given the distance of the proposed building from the existing residential units of Edward House and Hethpool House to the west and south of the development, it is not considered that, at five storey’s tall, again with the roof storey set back from the main elevation (a similar height to Edward House and Hethpool House) the development would result in an unacceptable sense of enclosure.

8.3.3 Privacy

The residential units at ground floor facing inwards to the courtyard have designated amenity areas. At upper levels, the units facing inwards to the courtyard have projecting balconies and to the street elevations, the units mainly have recessed balconies. To the top floor, terraces are created with the set back roof storey.

Whilst it is acknowledged that Parsons House has no balconies, balconies and recessed terraces are common place within the residential blocks to the west of Hall Place. It is not considered therefore that the introduction of balconies in the manner shown would result in such detrimental overlooking to neighbouring properties in Crompton Street, Hall Place or Parsons House to warrant refusal.

In terms of the balconies to the inner courtyard, these would allow some mutual overlooking between the new residential units. However, the benefit of each residential unit having their own external amenity space is considered to outweigh the harm caused by any overlooking.

8.3.4 Noise

It is not considered that noise created from using the terraces would be detrimental to the amenity of neighbouring properties, over and above what would be expected from 'normal' garden useage,

As detailed in section 8.4 of this report, refuse collection is proposed to take place from within the existing Parsons House service yard. Further details of this arrangement are discussed in more detail below. The existing service yard is adjacent ground floor residential windows of Parsons House and below first floor residential windows. Whilst the use of this service yard will intensify as a result of longer refuse collection times (as Parsons North refuse is likely to be collected at the same time as Parsons House), given that there will be a management strategy in place whereby refuse from Parsons North is brought to the service area only on the days refuse is to be collected and given that this is an existing arrangement, it is not considered that any additional noise created will be so harmful to the amenity of these adjacent residents.

8.3.5 Impact of Proposed Residential Accommodation

It is not considered that the redevelopment of the podium deck for residential purposes would result in any harmful amenity considerations to neighbours in terms of noise from future residents coming and going. The site is on an extremely busy road where noise, traffic and pedestrian footfall is considerable and the introduction of 60 residential units is unlikely to further increase this harm. The two main entrances to the building are on Edgware Road and opposite the Little Venice Medical, therefore not directly outside any existing residential units.

Overall and given the above, the proposals are considered to accord with policies S29 of the City Plan and ENV13 of the UDP.

8.3.6 Commercial unit on Edgware Road

As advised above, retail units comprising Class A1, A2 or A3 uses are acceptable in principle. Whilst it would have been ideal to have details of the uses proposed as part of the application, it is accepted that the application is speculative at this point. It is recommended that a condition securing the hours of opening from 07.00 until 22.00 daily are imposed. Given Environmental Health requirements for a full height flue should an A3 restaurant be proposed, it is recommended that a condition to secure that no primary cooking takes place is imposed as a full height flue would be unacceptable both in amenity and design terms. The applicant has agreed to this. It is not considered necessary to request further details as to whether the units will be operating as one single unit or as two separate units provided that any future users abide by the conditions described above. Environmental Health officers have suggested standard noise conditions which would apply to the whole development, should the retail units require any plant.

8.4 Transportation/Parking

8.4.1 Car Parking

There are currently 101 existing carparking spaces in the basement level carpark under the podium deck accessed from Hall Place. The car park was closed completely in January 2015 and up until it closed, the applicant advised that there were 53 users who have all had to park their cars elsewhere. According to the applicant, 32 of the 53 users were residents of Parsons House.

54 car parking spaces are to be re-provided as part of the proposals, split between the previous users of the car park and for the 60 proposed dwellings. It should be noted that TfL object to the number of car parking spaces and would welcome a car free scheme, given the sites excellent PTAL rating of 6A and its close proximity to multiple public transport routes.

The Transport Assessment notes that the existing 101 spaces are all sub-standard as they were originally designed to be only 2.0m wide which is 0.4m less than existing standards and the supporting beams of the carpark were too low in parts. Therefore, only 58 cars can realistically be accommodated.

Policy TRANS23 of the UDP details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency. Policy TRANS23 includes all legal parking spaces. During the daytime period within the area, the legal on-street spaces for permit holders are Residents' Bays and Shared Use Bays.

The evidence of the Council's most recent daytime parking survey in 2015 (therefore reflective of the current situation of the carpark being closed) indicates that the parking occupancy of Residents' Bays and Shared Use Bays within a 200 metre radius of the development site is 68.4% (consisting of 214 Residents' and 22 Shared Use Bays, 140 and 20 of which were occupied, respectively). The data shows that 28 more cars could be parked on-street before the 80% threshold would be breached. Overnight the pressure on Residents' and Shared Use Bays increases further to 87.7%, although residents can also park free of charge on metered parking bays or single yellow line in the area. The inclusion of these types of bays brings the overall occupancy down to 51.4% mainly because of 174 potential spaces on single yellow line overnight. The data shows that 128

more vehicles could be parked on-street before the 80% threshold would be breached, although this would rely on much parking being on single yellow line, from which vehicles would have to be moved by 8.30am.

City Council records show that 50 residents of Parsons House currently have permits to park on-street within the Hall Place Estate. Some 46% of households in the Little Venice Ward had access to cars at the time of the 2011 census.

The applicant proposed that 32 of the 54 parking spaces would be for the proposed 60 residential units and 22 would be provided for the use of former users of the car park, split into two sections of unallocated parking.

Whilst officers consider that the existing car park should never have been closed in the first instance and that technically all residents of Parsons House should be offered their car parking spaces again in the new provision, the net effect of what has happened, together with the current proposals, is that all the parking demand from existing and future residents should be capable of being accommodated by a combination of the new car park and on-street, without the 80% threshold for on-street parking pressure being breached. Therefore, the Highways Planning Manager considers the proposals acceptable.

As the applicant can provide no evidence to suggest that previous existing users of the carpark are entitled to a space within the basement carpark, officers consider that all 54 spaces should be provided for the development itself, given that it is clear that any existing users of the carpark have been accommodated elsewhere. This would comply with policy S41 of the City Plan and TRANS21 of the UDP. The applicant has agreed to this requirement and this will be secured by legal agreement.

The applicant has agreed to provide each flat with car club membership for the lifetime of the development, which is welcomed and will be secured by legal agreement.

A condition to secure that ten of the parking spaces are provided with electric charging points or can be adapted to provide electric charging, is recommended in line with policy 6.13 of the London Plan.

8.4.2 Cycle Parking

The 60 new dwellings should have 102 cycle spaces plus two for visitors. 105 are proposed which is welcome. However, there are no details of this provision, only the space that is intended to be allocated in the basement. A condition to secure further details is recommended. This would comply with policy S41 of the City Plan.

The commercial space is too small to require cycle parking.

8.4.3 Residential Waste Servicing and Implications on the Highway

Residential waste is to be collected in two dedicated areas within the basement. A third store is proposed for bulky waste. The applicant has confirmed that a management strategy will be in place requiring staff from the management company bringing waste from its collection points, to an internal lift which will externally access the existing servicing area used for refuse collection by Parsons House. From this point, it is

envisaged that the City Council refuse collectors will reverse up the existing (all be it modified and improved) ramp to collect both bins for the development and Parsons House. This is considered acceptable.

Although not confirmed by the refuse collectors, the applicant has commented that on occasions the City Council refuse vehicle, parks on the highway adjacent to the existing ramp to the service area and to the carpark, and the refuse collectors then manually collect the waste from the service area. Whilst City Council policy seeks to encourage off-street servicing under policy S42 of the City Plan and TRANS20 of the UDP, given that refuse servicing has appeared to have taken place from Hall Place in the past with little adverse impact on the highway and public realm users, if on-street servicing continues to occur, even with a new development of 60 residential units potentially using the two way basement carpark entrance, there would be no objection to this. Health and Safety Regulations prohibits refuse collectors from pulling/pushing certain size refuse bins more than 10m to the refuse vehicle. The ramp distance from the existing refuse area is approximately 25m and therefore it may be more appropriate to ensure that if servicing from the street does take place, that the management strategy ensures that staff of the management company wheel the refuse bins to the edge of the service ramp ready for collection. This could be secured through the legal agreement.

8.4.4 Retail servicing

It is proposed that servicing for the retail units will take place on Hall Place, adjacent to the car park ramp. Whilst TRANS 20 says that servicing should take place off-street, in this instance this is acceptable given the limited impact on the highway network. Although acceptable to the Highways Planning Manager it may not be particularly convenient for the commercial units which front Edgware Road, which may be better off using the loading bay on Edgware Road, to the south east of the site.

8.4.5 Micro Recycling Centre Relocation

The existing micro recycling centre on the corner of Edgware Road and Crompton Street is proposed to be relocated east of Parsons House, adjacent to the existing open space and adjacent to an existing loading bay on Edgware Road. This has raised an objection from TfL on the grounds that the proposed new location is in close proximity to the existing 'Frampton Street' Cycle Hire docking station. The new recycling centre will be accommodated in an area designated by new planters. The planters and the recycling containers are shown to be more than five metres away from the existing cycle docking station with the bikes facing outward to Edgware Road, and therefore it is not considered that the recycling centre is in such proximity to impede pedestrian flow and the flow of users of the cycle hire station.

8.5 Economic Considerations

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

8.6 Access

The proposed building and residential are fully accessible, with level access from street level, internal lifts to all floors and with 6 wheelchair adaptable units proposed.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Internal Noise

The noise surveys undertaken and the discussion in the acoustic report note that to achieve the required internal noise levels, acoustic treatment to the external facades will be required. Details of a suitable façade treatment have been provided which suggests compliance with City Council standard conditions can be achieved.

The noise surveys undertaken and the discussion within the acoustic report note that the required internal noise levels can be met with appropriate acoustic treatment to the party walls, corridor walls, entrance doors, internal walls, party floors, entrance halls, corridors, hallways, stairwells etc.

There are two residential lifts proposed for this development, one per core with each reaching down to basement level and up to the top of each block; suitable mitigation for the lifts will need to be addressed by way of the submission of a supplementary acoustic report. A condition is recommended to secure this.

8.7.2 External Noise

Outdoor amenity areas including balconies and communal amenity spaces are proposed.

The Noise Map for Amenity Areas report showed that the balcony areas on Crompton Street and Hall Place are likely to exceed the relevant standards while the internal courtyard balconies will comply. Given the sites busy location, it is regrettable that the external balconies on Crompton Street and Hall Place will not meet acceptable noise standards. However, the provision of outdoor amenity space is considered to outweigh the exceeded noise levels and this transgression is considered acceptable in this instance.

8.7.3 Plant

Mechanical plant is proposed to serve the residential units and to the commercial units on Edgware Road. An initial noise survey has taken place, the conclusions of which Environmental Health officers are satisfied with. As the final plant selections have not yet been made, a condition to secure a supplementary acoustic report is recommended.

8.7.4 Refuse /Recycling

On - Site Waste and Recycling Storage

As advised above, the applicant has proposed two bin stores at basement level which are capable of accommodating residential waste and recyclable materials storage. The Cleansing Manager has no objection to the proposed refuse collection from the existing Parsons House service yard. The Cleansing Manager recommends that the waste refuse vehicle should reverse into the service yard, to collect waste that is close to the servicing lift. The access to Parsons House service yard is about 5m wide which is more

than the 2.5m width required for access. Collecting waste on-site will ensure that there is no need for council waste operatives to drag bins for more than 10m distance, as discussed above.

Although on-street waste servicing may be contrary to section 7 of the Westminster City Recycling and Waste Storage Requirements for new builds, as discussed above on-street waste servicing is possible, as Hall Place is a quiet street with a single and double yellow lines in front of the site to permit loading. However, collect waste on-street will require the management company (not the council waste operatives) to wheel the bins close to the pavement for collection. There is no objection to this in principle.

Subject to conditions, the Cleansing Manager has no objections to the proposals.

Micro Recycling Centre Relocation

The Micro Recycling Centre which currently sits on the corner of Edgware Road and Crompton Road is to be relocated adjacent to the open space east of Parsons House, on the Edgware Road frontage. This has been agreed in principle with the Council waste operation team provided the cost of relocation of the site is funded by the applicant. As advised in para 8.4 of this report, TfL have objected to its new location on highways grounds. Subject to agreement with TfL, the relocation and cost of the micro recycling centre will be secured by legal agreement.

8.7.5 Trees

Objections from a resident on Edgware Road have been made to the removal of several street trees.

Three Caucasian Wingnuts in the ownership of TfL are proposed to be removed to accommodate the development. TfL comment that the trees are hugely important public assets delivering considerable environmental, economic and social benefits to the people who live and work in this area and therefore seek their retention.

The Arboricultural Manager also considers that their loss would be regrettable, particularly the Wingnut tree on the corner of Crompton Street and Edgware Road which is a good specimen of very high amenity value. The Arboricultural Manager considers that the visual impact of the loss of the other two trees would be mitigated in part because there is a double row of trees in this location.

The Arboricultural Manager considers that the loss of these trees and planting would only be acceptable if a high quality scheme of landscaping and replacement tree planting were to be proposed. In most instances a landscaping scheme could be conditioned. However, no soil depth is proposed above the basement where it is external to the buildings, so it would not be possible to provide new tree planting and landscaping of any significant amenity value. Any landscaping in this scenario would be either artificial turf (within the courtyard) or would need to be in raised planters which would be unlikely to provide a satisfactory landscaped appearance, and would require artificial irrigation, and would therefore not be sustainable.

The proposed landscaping includes the greening of the retained podium deck, green roofs, a green wall on the chamfered 'wing' opposite the north west elevation of Parsons House, new planters on Edgware Road, and landscaped private areas to the front forecourts of Haywood House to the south of Haywood House.

Whilst officers also consider the loss of the trees regrettable, given the remaining tree cover on the Edgware Road frontage and that the proposed landscaping is considerable when compared to the existing bare podium deck, the proposals are, on balance supported. Whilst artificial turf is not considered to contribute environmentally, the applicant has argued that in the internal courtyard it has many benefits, given its enclosed nature and visually it will give an all year round appearance which could be used more efficiently by the residents of the new development, potentially without having to incur heavy service charges.

With regards to the soil depth proposed elsewhere on the site and in the planters, the applicant argues that the landscaping and planting will be carefully selected to provide a satisfactory setting for the development to mitigate the impact of tree and shrub loss on the highway. Again, officers consider that when compared to the existing podium deck, any landscaping scheme will be a drastic improvement. It is recommended that a condition to secure the landscaping scheme is proposed.

It should be noted that trees on Edgware Road are all owned by TfL and therefore agreement to their removal will ultimately be at their discretion.

The applicant's arboricultural report states two Caucasian wingnuts on Edgware Road, adjacent to the proposed commercial unit, will be retained. However, the City Council's Arboricultural Manager considers that these are likely to be lost as a result of the development. There was originally a discrepancy on the site plan, in that it omitted the full extent of the footprint of the commercial unit and therefore concern was raised as to the applicant's arboricultural report underestimating the impact on these trees. This has now been revised. A condition securing tree protection methods for the proposed retained trees is recommended.

Seven Field Maple trees are proposed to be retained on the Hall Place/ Crompton Road frontages. These trees are owned and maintained by the City Council. The Arboricultural Manager considers it unlikely that it would be possible to retain the trees because of construction logistics. They conclude that, as these are young trees which are replaceable as part of a scheme of redevelopment, at the expense of the applicant, that no objections would be raised to their removal. It is not considered reasonable in this instance to require the applicant to pay for new trees, given the landscaping offered as part of this redevelopment.

8.7.6 Sustainability

Policy S28 of Westminster's City Plan expects development to reduce energy use and emissions that contribute to climate change during the life-cycle of the development; and ensure the reduction, reuse or recycling of resources and materials. The policy also details how this can be achieved, through excellence in design quality, use of high quality durable materials, efficient operation, and the provision of high quality floorspace that can adapt to changing circumstances over time.

Policy 5.2 of the London Plan requires developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- Be lean: use less energy;
- Be clean: supply energy efficiently; and
- Be green: use renewable energy.

The building is designed to minimise the energy consumption of the building by implementing both best practice and innovative design. The scheme provides an overall 21% reduction in carbon emissions, complying with planning policy S40 of the City Plan. The proposals fall short of the London Plan energy reduction target due to site constraints. The applicant expects that the percentage reduction modelled could be improved as the scheme develops into detailed design stage.

As required by policy, renewable energy is to be provided through the provision of roof-mounted photo voltaic (PV) panels and this is welcomed.

The proposed development is considered to accord with Policy S28 and London Plan Policy 5.2 as a result of the scheme's high quality design and selection of proposed energy efficient materials and appliances.

8.7.7 Local Economy and Employment

On appropriate larger scale developments, policy S19 of the City Plan seeks to encourage contributions towards initiatives that provide employment, training and skills development for local residents and ensure that local people and communities benefit from opportunities which are generated from development. In accordance with policy S19, the City Council would expect the applicant to provide trainee/ apprenticeship placements during the course of construction works and notification to the City Council and affiliated work placement bodies of construction workforce vacancies so that local employment can be promoted. The applicant has agreed to this and this is to be secured by planning obligation.

8.8 London Plan

This application raises no strategic issues and is not referable to the Mayor of London.

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

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which makes it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, if the obligation does not meet all of the following three tests:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development; and
- c) Fairly and reasonably related in scale and kind to the development.

The proposed planning obligation requirements are considered to meet these tests.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall delivery of appropriate development is not compromised.

The City Council's Planning Obligations Supplementary Planning Guidance (SPG) sets out in detail the scope and nature of obligations to which certain types of development will be typically subject. In this case, the principal 'Heads of Terms' of the legal agreement are proposed to cover the following issues;

- a) Provision of affordable housing in the form of 19 units (10 social rent units/ 9 intermediate housing units);
- b) Not to occupy the private market housing until the affordable housing units are available for occupation;
- c) Highways works to facilitate the proposed development and including vehicular crossovers, creation of a relocated parking space; reinstatement of redundant crossovers and paving;
- d) Car park strategy including all car parking spaces provided for the development itself and on an unallocated basis;
- e) Lifetime Car club membership for all units in the development;
- f) Management strategy for the development;
- g) Relocation of the micro-recycling centre;
- h) Employment training and apprenticeships opportunities for residents of Westminster; and
- i) Monitoring costs.

The total estimated CIL payment is £1,396,815.06 of which £189,053.81 corresponds to Mayoral CIL and £1,207,761.25 corresponds to Westminster CIL. Please note that these figures are subject to Affordable Housing relief which needs to be applied and it is not given automatically.

The consultation response from Children's Services requests a financial contribution to the City Council's Education Fund. It would be unlawful to secure this as a condition or planning obligation under this permission, as this would be captured through the CIL regulations.

TfL have requested a contribution of £45,000 towards the extension of the Frampton Street cycle docking station on Edgware Road. This has been put to the applicant who has confirmed that the finances of the scheme were predicated on subsidising the provision of the affordable housing and that no account was ever taken of a potential TfL cycle hire payment and as such they decline the request. Officers do not consider it reasonable to insist on this contribution given the proposals before us.

8.11 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment. Where relevant, the environmental impact of the development has been assessed in earlier sections of this report.

8.12 Other Issues

8.12.1 Construction Impact / Building Regulations

The City Council's Building Control officers have no objections to the proposals to extend the basement downwards and to carry out the above ground works. The proposed development would also be subject to the City Council's Code of Construction Practice and this could be secured by the recommended condition. A further condition is also recommended to limit construction hours. Subject to these conditions, the construction impact of the development would be mitigated as far as is reasonably practicable under planning law.

8.12.2 Air Quality

An Air Quality Assessment has been submitted and identifies mitigation measures that are required in order to mitigate any significant dust impacts during the construction period. Mitigation measures included under the Westminster City Council's Code of Construction Practice as well as relevant government guidance documents; including the GLA's control of dust and emissions from construction and demolition: best practice guidance, should be followed to minimise and prevent dust impacts.

Environmental Health officers request that the applicant submit an Air Quality Statement as part of the Code of Construction Practice.

8.12.3 Crime and security

The Met Police Designing Out Crime Officer has no objections to the principle of the development and has made recommendations as to how the development can achieve full Secured by Design Accreditation. An informative to advise the applicant of the recommendations is attached.

9 BACKGROUND PAPERS

1. Application form
2. Response from Children's Services dated 2 August 2017.
3. Response from Transport for London dated 14 August 2017
4. Response from Cleansing Manager updated 24 October 2017.
5. Response from Environmental Health - Major Redevelopments & Infrastructure, dated 19 September 2017.
6. Response from Designing Out Crime Office dated 27 September 2017.
7. Response from Head of Affordable Housing and Strategy, dated 2 October 2017.
8. Response from Arboricultural Manager dated 4 October 2017.
9. Response from Highways Planning Manager dated 5 October 2017.

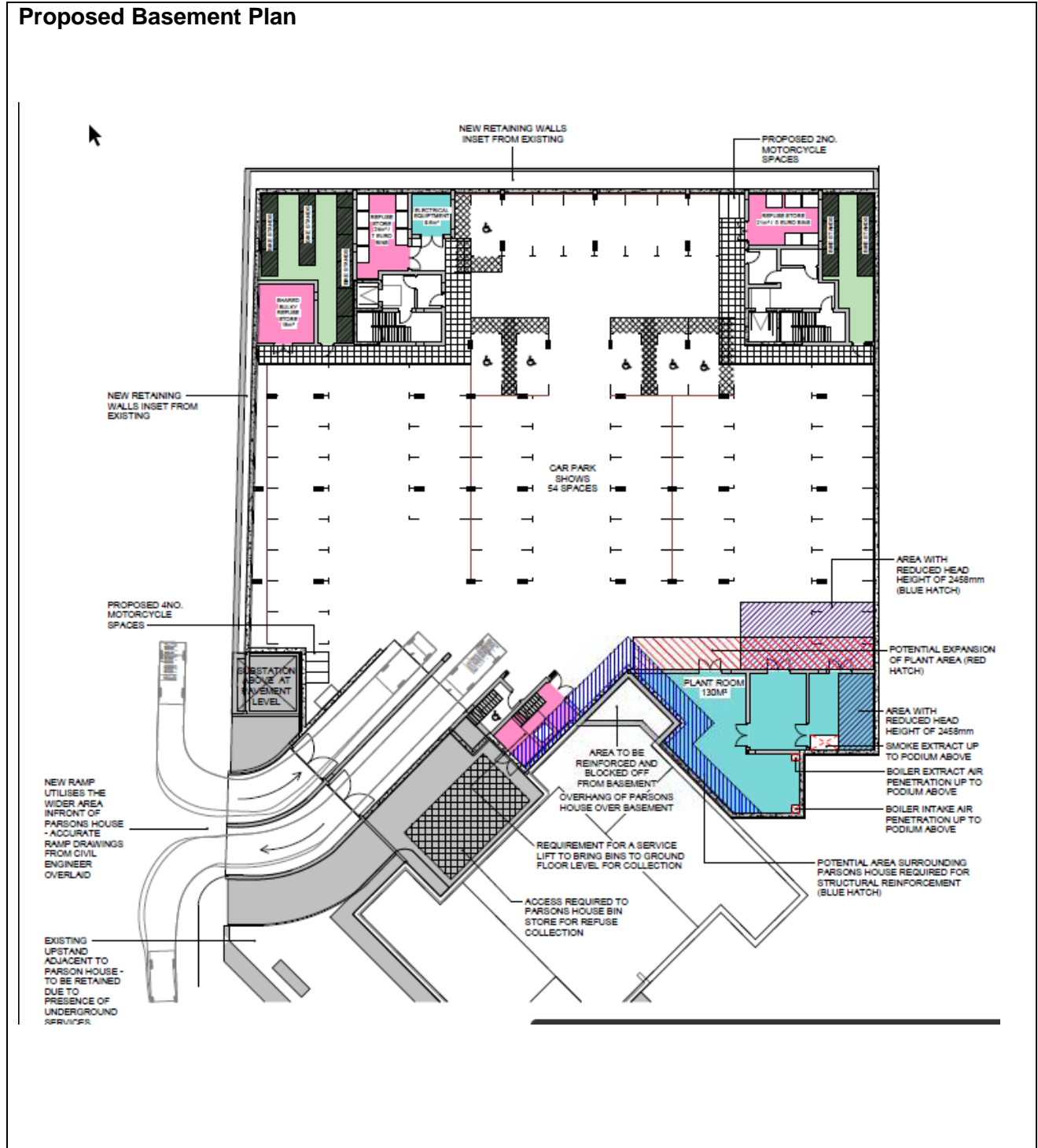
10. Letter from occupier of 433C Edgware Road dated 24 July 2017
11. Letter from occupier of 11 Cuthbert House, 15 Hall Place dated 26 July 2017
12. Letter from occupier of 3 Compton Street dated 9 August 2017

(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: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

10 KEY DRAWINGS

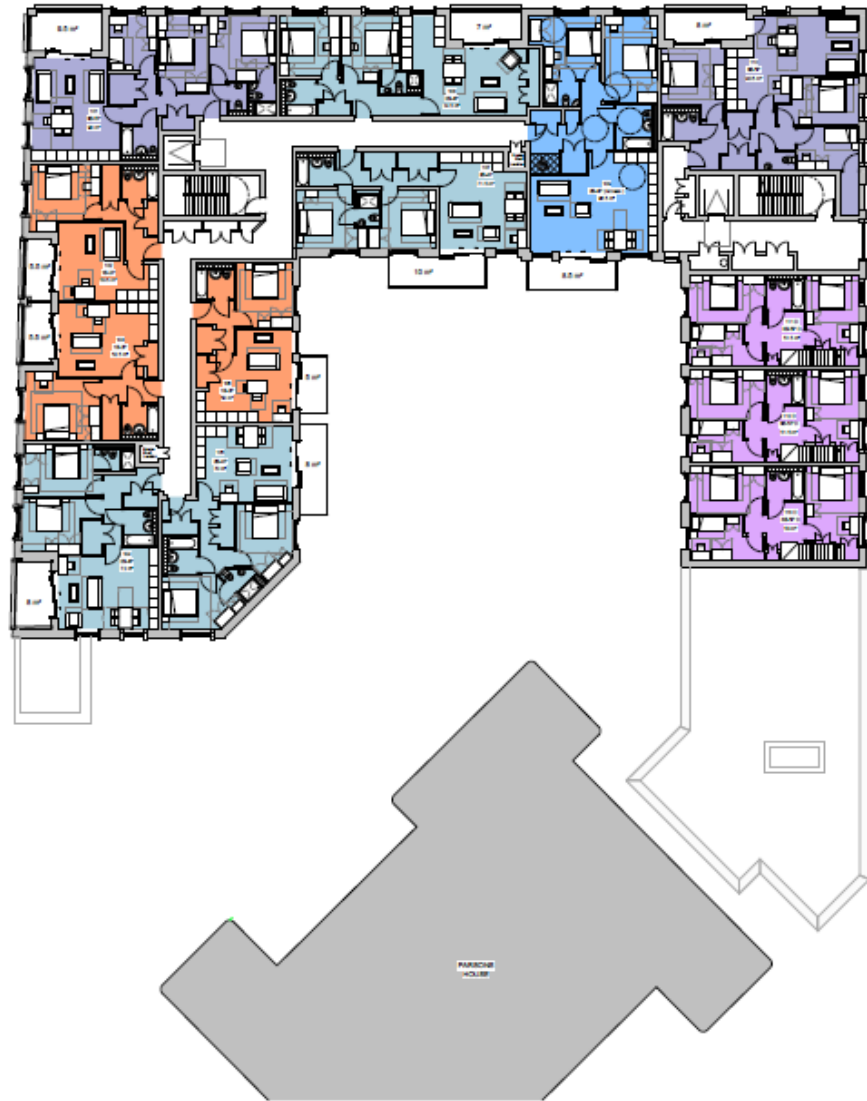
Proposed Basement Plan



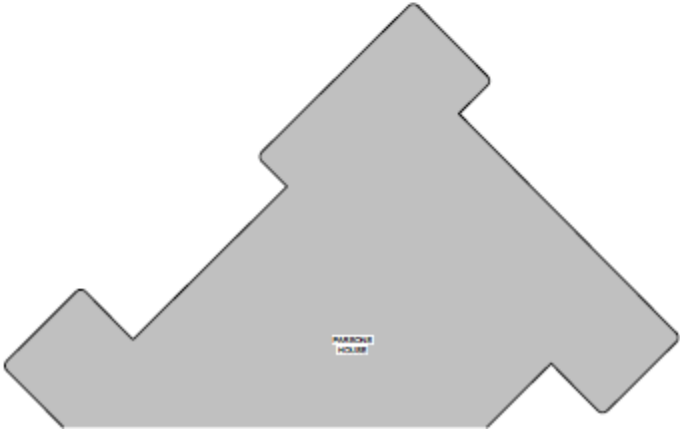
Proposed Ground Floor Plan



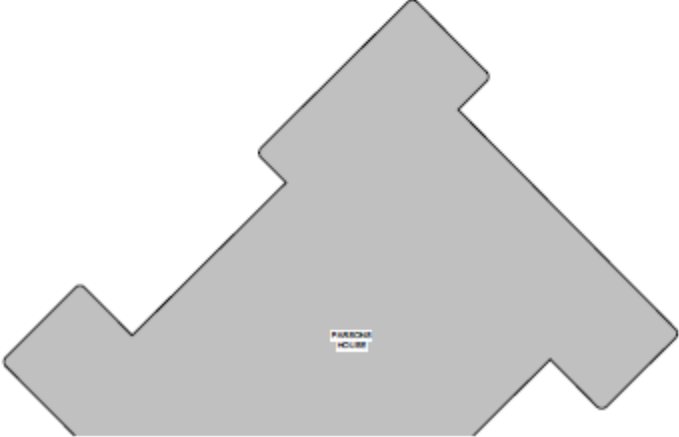
Proposed First Floor Plan



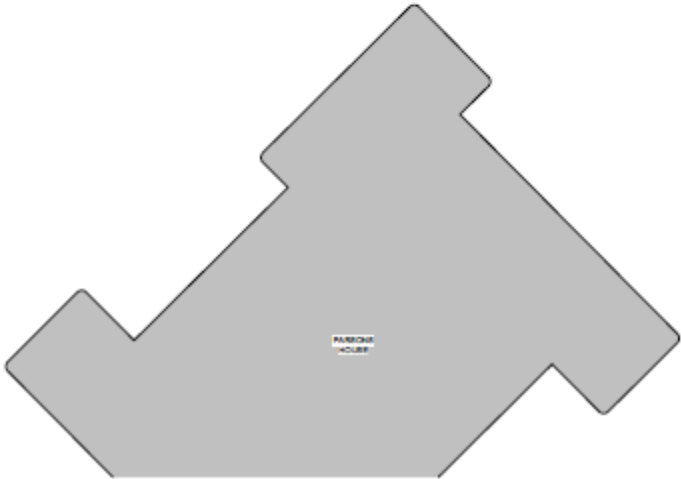
Proposed Second Floor Plan



Proposed Third Floor Plan



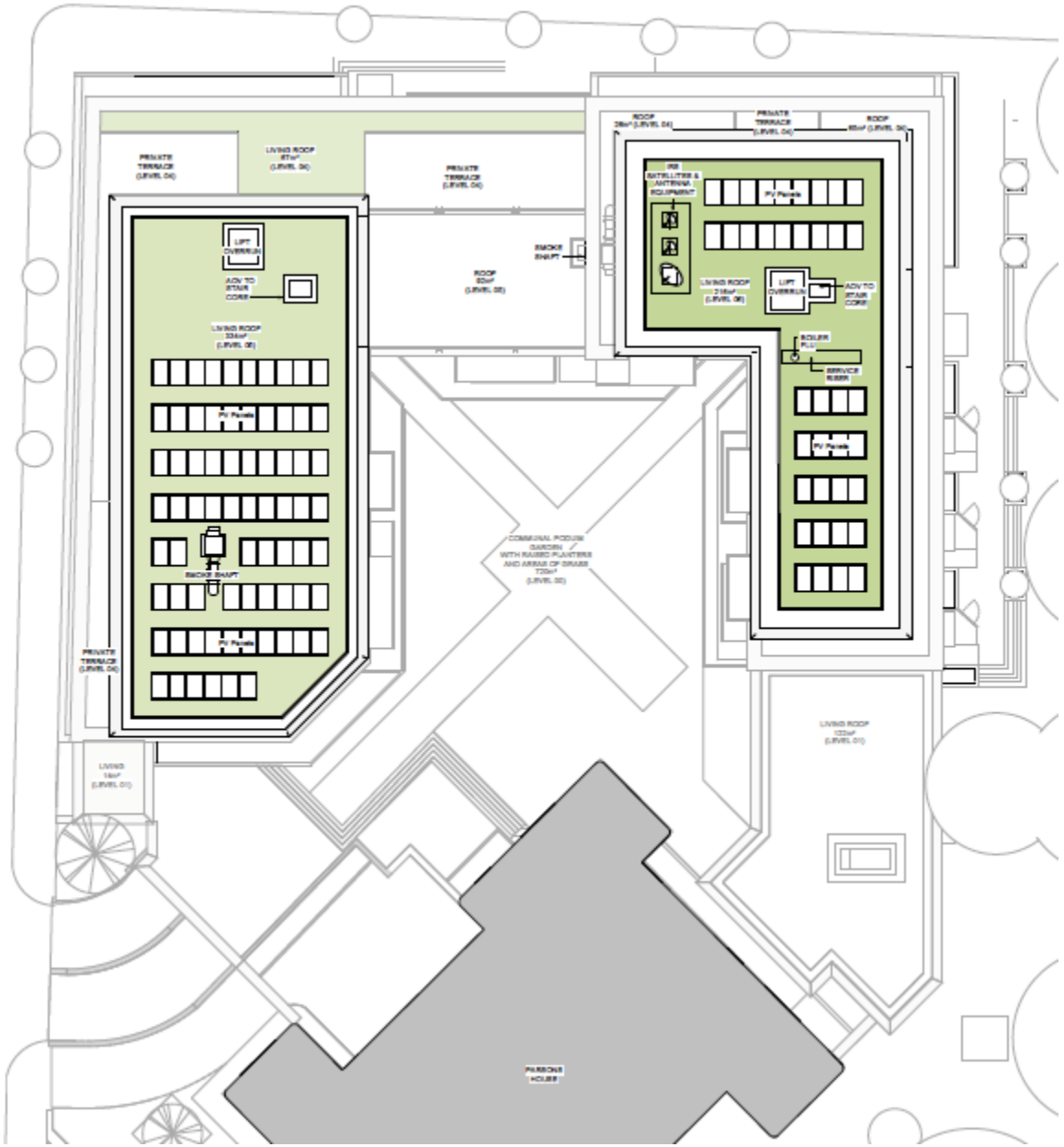
Proposed Fourth Floor Plan



Proposed Fifth Floor Plan



Proposed Roof Plan



Proposed Crompton Street Elevation



Proposed Edgware Road Elevation



Proposed Hall Place Elevation



Proposed Courtyard Elevation



Proposed Edgware Road and Crompton Street Elevation Visuals



Proposed Crompton Street and Hall Place Elevation Visuals



DRAFT DECISION LETTER

Address: Parsons House, 124 Hall Place, London, W2 1NE

Proposal: Demolition and redevelopment to the podium/ car park structure and redevelopment of site in a building comprising ground and five upper floors to provide 60 residential units (Use Class C3), including terraces and balconies, a communal garden space and 54 car parking spaces with altered entrance from Hall Place. Provision of 101 sqm of retail space fronting onto Edgware Road (Use Class A1/A2/A3). Replacement boundary treatment works and planting on Edgware Road, including replacement of trees and works to the raised bund in front of Parsons House. Re-location of existing recycling centre.

Plan Nos: 01000 P2; 01101 P1; 01102 P2; 01111 P2; 02101 P1; 02102 P1; 02103 P1; 02104 P1; 02105 P1; 02106 P1; 02100 P1; 02107 P1; 03001 P1; 03002 P1; 03003 P1; 03004 P1; 03201 P1; 03202 P2; 03203 P2; 03204 P1; 03205 P1; 03206 P1; 11021 P1; 11022 P1; 11023 P1; 04101 P1; 04102 P1; Design and Access Statement P2 dated 7 July 2017; Planning Statement P1 dated 7 July 2017; Affordable Housing Statement P2 dated 7 July 2017; Acoustic Strategy P2; Transport Assessment P3; Travel Plan P3; Arboricultural Survey Report and Impact Assessment P2 dated 5 July 2017; Email from Katy Van Geffen dated 20 October 2017.

For information only: Energy Assessment P2; Air Quality Assessment; Ecological Assessment P2; Construction Logistics Plan P3; Daylight and Sunlight Assessment P2 dated 5 July 2017; Internal Daylight Assessment P1 dated 5 July 2017; Phase 1 Environmental Report P2; Existing Basement Structural Condition Survey P1 dated 5 December 2016; Temporary Works Strategy P1 dated 16 May 2017; Statement of Community Involvement P1; Waste response dated 16 October 2017 Swept Path Analysis Tracking Diagram for on site and on street refuse collection - drawings 00004; 00005; Environmental Health response dated 16 October 2017.

Case Officer: Kimberley Davies

Direct Tel. No. 020 7641 5939

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

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (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 submit an approval of details application to the City Council as local planning authority comprising 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. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (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)

- 6 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

- The roof storey to be re-ordered to integrate solid masonry sections, using reconstituted stone to create a more cohesive arrangement.

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 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)

- 7 You must apply to us for approval of detailed drawings at 1:20 of the following parts of the development:

- railings, balustrades and privacy screens.

You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (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)

- 8 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 facing the street unless they are shown on drawings we have approved. (C26MA)

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)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (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)

- 10 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:

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)

- 11 You must apply to us for approval of detailed drawings at 1:20 showing the elevations of the commercial units and the areas allocated for signage. You must not start on this part of the development until we have approved the drawings.

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 Unless otherwise shown on the drawings hereby approved, you must not use the roof(s) of the building (including the residential and commercial element) for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 13 You must not use the area above the raised planter (above the internal service lift) adjacent to the north west elevations of Parsons House (as hatched on drawing no. 01102 P2) for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

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

- 14 You must apply to us for approval of a section and elevation drawing showing that the roof and parapet of the commercial unit on Edgware Road does not rise above the red architectural banding beneath the first floor residential windows of Parsons House. 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 drawings. (C26DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 15 Customers shall not be permitted within the commercial units premises before 07.00 or after 22.00 each day. (C12AD)

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and SS8 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 16 You must use the commercial property only for Class A1, Class A2 or Class A3 purposes, 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 SS8 and TACE 8 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

- 17 You must not cook raw or fresh food on the premises. (C05DA)

Reason:

We do not have enough information to decide whether it would be possible to provide extractor equipment that would deal properly with cooking smells and look suitable. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05DC)

- 18 (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.

- 19 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.

- 20 (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.
- (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.
- (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan (November 2016) and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

- 21 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.

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

Reason:

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

- 23 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Conditions 18, 19, 20 and 21 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in

January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels.

- 24 You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)

Reason:

To provide parking spaces for people using the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22AB)

- 25 You must apply to us for approval of details of secure cycle storage for the residential use 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.

- 26 Prior to the occupation of the development, a minimum of 10% of the car parking spaces shall have electric vehicle charging points for use within the basement car park and thereafter maintained in working order.

Reason:

To provide electric vehicles charging for people using the development as set out in Policy 6.13 of the London Plan.

- 27 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 flats. (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)

- 28 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 commercial unit (s). (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)

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

Reason:

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

- 30 You must not put planters, tubs, tables, chairs or adverts on the road or pavement. (C24BA)

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)

- 31 All vehicles must enter and exit the site in forward gear (except refuse and recycling vehicles).

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)

- 32 You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated July 2017 before you use the building. (C20AB)

Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

- 33 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within three months of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within three years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

- 34 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 35 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application.

- green roofs
- PV panels
- living wall on the south west wing

You must not remove any of these features. (C43FA)

Reason:

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

- 36 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 (November 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 37 **Pre Commencement Condition.** You must apply to us for approval of details of a security scheme for the development. You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building. (C16AB)

Reason:

To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that

we adopted in January 2007. (R16AC)

- 38 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.
(C18AA)

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18AA)

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 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.

- 3 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)

- 8 Under the Greater London Council (General Powers) Act 1973, as amended by the Deregulation Act 2015, you need planning permission to use residential premises as 'temporary sleeping accommodation' (i.e. where the accommodation is occupied by the same person or persons for less than 90 consecutive nights) unless the following two conditions are met:

1. The number of nights in any single calendar year in which the property is used to provide 'temporary sleeping accommodation' does not exceed 90 [ninety].
2. The person who provides the sleeping accommodation pays council tax in respect of the premises under Part 1 of the Local Government Finance Act 1992 (where more than one person provides the sleeping accommodation, at least one of those persons must pay council tax in respect of the premises).

This applies to both new and existing residential accommodation. Please see our website for more information: <https://www.westminster.gov.uk/short-term-letting-0>.

Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year).

- 9 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. (150AA)

- 10 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.

- 11 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 12 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention

- 13 This permission is likely to be governed by a Unilateral Undertaking from the applicant under Section 106 of the Town and Country Planning Act 1990. The Undertaking relates to:
 - a) Provision of affordable housing in the form of 19 units (10 social rent units/ 9 intermediate housing units);
 - b) Not to occupy the private market housing until the affordable housing units are available for occupation;
 - c) Highways works to facilitate the proposed development and including vehicular crossovers, creation of a relocated parking space; reinstatement of redundant crossovers and paving;
 - d) Car park strategy including all car parking spaces provided for the development itself and on an unallocated basis;
 - e) Lifetime Car club membership for all units in the development;
 - f) Management strategy for the development;
 - g) Relocation of the micro-recycling centre;
 - h) Employment training and apprenticeships opportunities for residents of Westminster; and
 - i) Monitoring costs.
- 14 Under Part 3, Class V of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, the commercial units can change between Class A1, A2 and A3 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)
- 15 The development will result in changes to road access points. Any new threshold levels in the

building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 16 Condition 38 refers to a publication called 'Contaminated land, a guide to help developers meet planning requirements' - produced in October 2003 by a group of London boroughs, including Westminster. You can get a copy of this and more information from our environmental health section at the address given below.

Contaminated Land Officer
Environmental Health Consultation Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Phone: 020 7641 3153
(I73AB)

- 17 Conditions 18 and 19 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)
- 18 Please read the following.
- * British Standard BS: 5837 (2005) and later revisions - Recommendations for trees in relation to construction
 - * National Joint Utilities Group guide NJUG 10 - Guidelines for the planning, installation and maintenance of utility services in proximity to trees (1995)
 - * Arboricultural Practice Note APN 1 - Driveways close to trees (1996), and the products available to provide hard surfaces close to trees. (I92AA)
- 19 Please let our arboricultural team (020 7641 2922) know when you are going to start work on the site. It would be useful if you could give us at least five working days' notice of this date. This will allow us to inspect your tree-protection measures during the work. (I92BA)
- 20 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)

- 21 You should include an environmentally sustainable system of irrigating the planting on the podium level. For more advice on this, please see the Mayor of London's supplementary planning guidance: Sustainable Design and Construction, April 2014. It will need to consider rainwater harvesting and storage or grey water filtration and storage to minimise the use of potable mains water for irrigation. However, if any features materially (significantly) affect the appearance of the outside of the building, this is likely to need planning permission.
- 22 For lifts associated with the development they should follow guidance within British Standard 8233:2014 Guidance on sound insulation and noise reduction for buildings section 7.7.3.4.1 table 5.
- 23 With regards to condition 37, in aiming to satisfy the applicant should seek the advice of the metropolitan Police Service designing Out Crime Officers (DOCOs). The services of the DOCO's are available free of charge and can be contacted via docomailbox.nw@met.police.uk

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.