

CITY OF WESTMINSTER			
MAJOR PLANNING APPLICATIONS SUB COMMITTEE	Date 12 June 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Alexandra Buildings, Palace Street, London, SW1E 5HW,		
Proposal	Alterations and extensions to the North, South, Alexandra and Mews Buildings (Castle Lane/Palace Street) for use as affordable housing (Class C3) comprising 86 units; including creation of balconies; construction of a cycle/bin store, lift and staircase to the rear of North Building; soft and hard landscaping including children's play area; cycle parking and other associated works (amendments to planning permission 12/02189/FULL) (site also known as 2-4 Castle Lane)		
Agent	Gerald Eve		
On behalf of	LS Victoria Properties Ltd		
Registered Number	18/01971/FULL	Date amended/ completed	9 March 2018
Date Application Received	9 March 2018		
Historic Building Grade	Unlisted		
Conservation Area	Birdcage Walk		

1. RECOMMENDATION

<p>1. Grant conditional permission subject to a S106 legal agreement to secure the following:</p> <ol style="list-style-type: none"> The provision of affordable housing including affordability levels for each tenure type Free lifetime (25 years) car club membership for residents of the development A fund for covering the Council's costs of providing White Badge disabled parking bays for residents of the development A fund to be used by the registered provider and residents of the development for the hiring of a community facility and details of how this fund will be administered Monitoring costs <p>2. If the S106 legal agreement has not been completed within eight weeks of the date of this resolution then:</p> <ol style="list-style-type: none"> The Director of Planning shall consider whether it will be possible or appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;

b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of benefits which 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.

3. The new affordable housing floorspace of 4,948 sqm (GIA) shall be considered as affordable housing credit to be drawn down by either Landsec or a third party developer instead of on-site provision (subject to committee approval) on other development sites in wards on an agreed list of wards in Westminster for a period of up to ten years in accordance with a memorandum of understanding with the City Council.

2. SUMMARY

The current application relates to four buildings; Castle Buildings North and South either side of Castle Lane, Alexandra Building on Palace Street and the Mews Building at the rear of the South Building. All four buildings are currently vacant but were last occupied as hostel accommodation by the Look Ahead Housing Association.

Planning permission was granted in March 2013 for alterations and extensions to the buildings in connection with their use as 63 affordable homes. A certificate of lawfulness was issued in April 2016 to confirm that the 2013 permission had been lawfully implemented which means that the 2013 approved scheme can be built out at any point in the future.

Amendments are now proposed to the 2013 lawfully implemented scheme which principally consist of alterations to the internal layout of the buildings to accommodate a larger number of smaller units – 86 units instead of 63 and a revision to the tenure mix – 100% intermediate housing instead of 60:40 social rented/intermediate split previously approved. Externally there are alterations to balconies, lift/stair cores and chimney stacks.

When permission was granted for the 63 affordable homes scheme in 2013, Committee agreed that the units and floorspace could be treated as off-site affordable for a residential scheme coming forward on Portland House or, if Portland House was unsuccessful or delayed, it could be similarly applied to another residential scheme by the same applicant (Landsec) in the Victoria area.

Due to changes in the residential market and economic conditions, Landsec are now unlikely to bring forward a scheme for Portland House or any other major residential development in Westminster. This means that Landsec do not have any development schemes, which would generate affordable housing obligations that could be met at Castle Lane and to build the affordable housing as a 'stand-alone' scheme would result in a substantial loss for them. Consequently, Landsec are seeking the flexibility for the affordable housing to be used by third parties to meet their affordable housing requirements on other schemes which in turn would facilitate the earlier delivery of affordable housing on the Castle Lane site. A 'memorandum of understanding' (attached in the background papers to this report) sets out how this process would work.

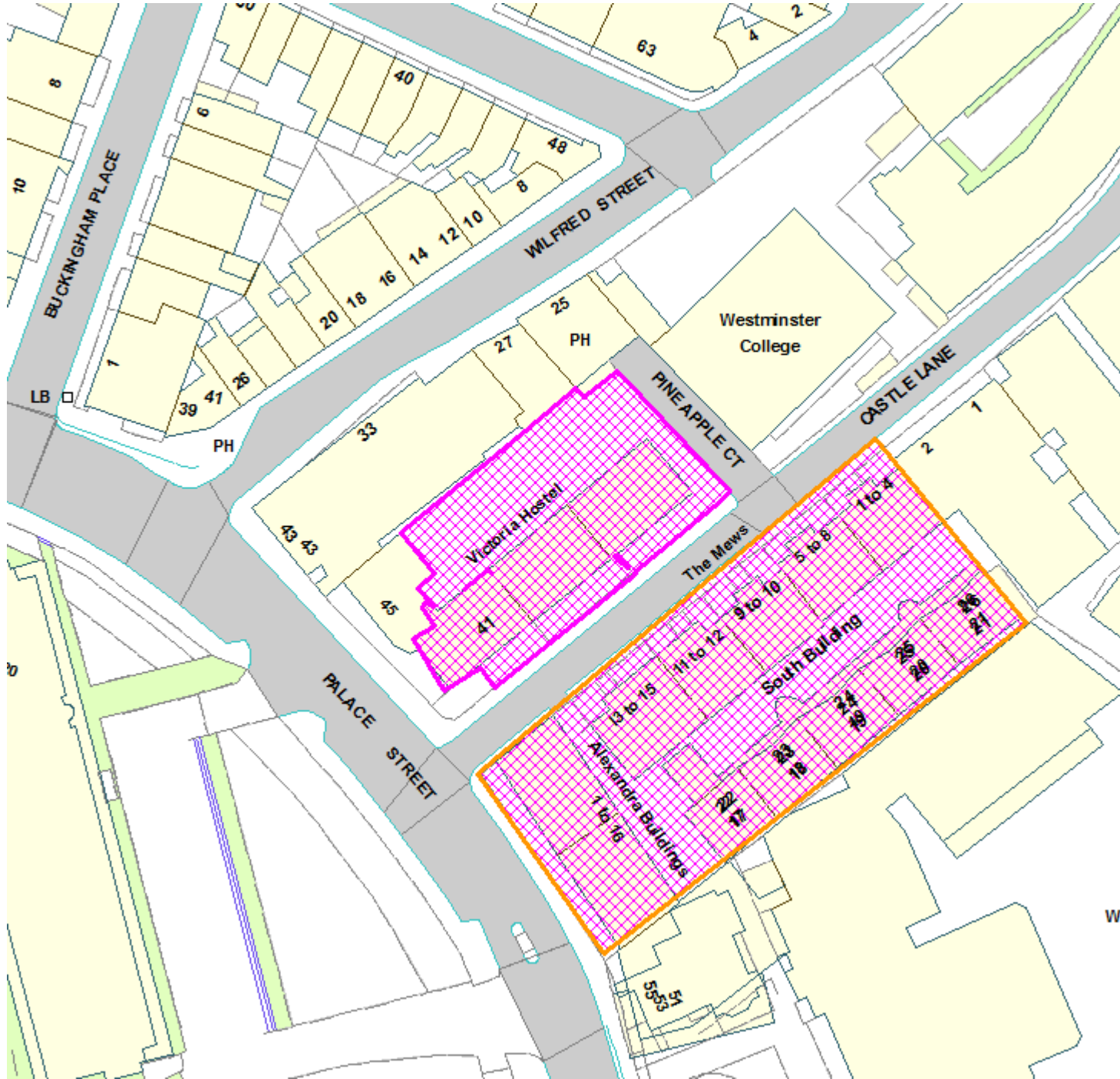
Whilst there have been letters of support in principle for the scheme, concerns have been expressed about the potential additional pressure on-street parking due to the increase in the number of residential units (a further 23 units) again with no off-street parking. As before, it is considered that the free lifetime car club membership and a fund to pay for White Badge disabled parking spaces is sufficient to mitigate the demand for on-street parking.

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For the reasons set out in the report, the proposals are considered acceptable and in accordance with relevant policies, subject to appropriate conditions and a S106 legal agreement to secure the affordable housing, free lifetime car club membership, fund for White Badge disabled parking and other benefits offered by the applicant.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

HISTORIC ENGLAND

Do not wish to comment in detail but consider that the proposed amendments to the approved roof profile would further detract from the historic roofscape and orderly proportions and fenestration arrangement below. The Council should be satisfied that these changes are necessary and appropriately balanced by the delivery of public benefits in accordance with the NPPF.

ENVIRONMENT AGENCY

No objection. The site is protected to a very high standard by the Thames Tidal flood defences. However if these were breached or overtopped there is a risk of flooding. To improve flood resilience, recommend that finished floor levels are set above the 2100 breach level of 4.13mAOD.

THAMES WATER

Proper provision should be made for surface water drainage; storm flows should be attenuated/regulated through on or off-site storage before discharging into the public sewerage system. Groundwater resulting from construction must not be discharged into the public sewer. A piling method statement is required to prevent/minimise the potential for damage to subsurface sewerage infrastructure.

Recommend informatives be attached regarding water pressure and presence of water main.

WESTMINSTER SOCIETY

Support the increase in number of affordable housing units.

VICTORIA BID

Any response received to be reported verbally to committee by officers

VICTORIA NEIGHBOURHOOD FORUM

Support the provision of affordable homes subject to appropriate conditions to safeguard the neighbourhood from excessive traffic and on-street parking generated by the development. Request that residents of the development should not qualify for resident parking permits.

HEAD OF AFFORDABLE HOUSING AND STRATEGY

Welcome the provision of a 100% affordable housing on the former hostel site. Whilst there is a significant increase in the number of affordable homes proposed, 86 compared to the previously approved 63, there is a significant reduction in the number of 2 bed and

family sized (3+ bed) homes compared to the 2013 approved scheme. The proposed scheme will also be 100% intermediate housing; intermediate (sub market) rented homes and shared ownership, whereas previously the approved scheme included a mix of social, intermediate rent and shared ownership homes. Nominations to these intermediate and shared ownership properties will be provided from the City Council's intermediate housing waiting list. Recommend that affordability levels are secured by S106 agreement as previously.

ENVIRONMENTAL HEALTH

No objection subject to conditions controlling noise emission levels from mechanical plant.

CLEANSING

No objection.

HIGHWAYS PLANNING MANAGER

Objection on the grounds of lack of off-street parking for 86 residential units and the loss of three/four existing residents on-street parking bays through the creation of three Blue Badge disabled parking bays. If planning permission is granted, free lifetime car club membership for residents of the development and a fund for White Badge disabled parking bays for use by specific residents of the development should be secured by S106 as previously. Cycle parking provision should be increased from 91 spaces (as shown) to 105 spaces in line with London Plan standards.

ARBORICULTURAL OFFICER

No objection subject to conditions to secure the retention of tree G17 (an usual species of oak *Quercus phillyraeoides*), details of hard and soft landscaping, tree protection and the protection of areas designated for soft landscaping and structural planting.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 476; Total No. of replies: three letters of support in principle for the scheme but two of the letters raise the following issues:

- On-street parking pressure; residents of the development should not be allowed to apply for ResPark permits
- Removal of the front stairwell access to the upper floors of the North Block will have a detrimental impact on the character of the building and the quality of the residential units provided; residents using the rear lift/stair access will add to the congestion and noise in Pineapple Court where the Colonies PH has outside tables and chairs.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application relates to four buildings; Castle Buildings North and South either side of Castle Lane, Alexandra Buildings on Palace Street and the Mews Building to the rear of the South Building. All four buildings are currently vacant but were last occupied (North, South and Alexandra Buildings until 2011 and the Mews Building until 2013) by Look Ahead Housing Association as hostel accommodation.

The three main buildings on Castle Lane and Palace Street are late Victorian buildings, each comprise lower and upper ground floors with two upper floors. The Mews Building is two storeys high and was built in the early 1990s. None of the buildings are statutorily listed but the site is located within the Birdcage Walk Conservation Area and the North, South and Alexandra Buildings are identified as 'unlisted buildings of merit' in the Birdcage Walk Conservation Area Audit.

The site is also located within the Core Central Activities Zone close to Victoria Station, St James's Park underground station and a variety of shops, cafés, restaurants and offices along nearby Victoria Street to the south. The area immediately to the north of the site is predominantly residential in character.

6.2 Recent Relevant History

01.03.2013: planning permission was granted for alterations and extensions to the North, South, Alexandra and Mews Buildings (Castle Lane/Palace Street) for use as affordable housing (Class C3) comprising 63 units; including creation of balconies; construction of a cycle/bin store, lift and staircase to the rear of North Building; soft and hard landscaping including children's play area; cycle parking and other associated works (12/02189/FULL).

This permission is subject to a S106 legal agreement, which secures the following:

- a) the provision of affordable housing;
- b) a fund (£46,000) to be used by Sanctuary Housing and residents of the development for the hiring of local venues/community facility and details of how this will be administered (to be paid within 5 working days of first occupation);
- c) a financial contribution of £315,510 towards education support and/or facilities within Westminster (to be paid prior to commencement of development);
- d) free lifetime car club membership for residents of the scheme;
- e) a fund for covering the Council's costs of providing White Badge disabled parking bays for residents of the scheme;
- f) a financial contribution of £63,000 to monitor changes in on-street parking demand;
- g) monitoring costs.

In addition, the Planning and City Development Committee (on 11 September 2012) agreed that the particular benefits of the proposal were such that the scheme was capable of being considered as new affordable housing and noted that the strength of this as a material consideration would diminish over time. As such, it was agreed:

- i) subject to consideration of any application for Portland House, that the units and floorspace are treated as off-site affordable housing for Portland House in the event that off-site provision in whole or in part is considered acceptable by the City Council; and
- ii) if for any reason Portland House is unsuccessful or delayed, the same units and floorspace may be similarly applied to any other residential proposal brought forward by the same applicant in the Victoria area where the off-site provision in whole or in part is considered acceptable by the City Council.

The 2013 permission was also subject to two pre-commencement conditions; Condition 20 requiring that tree protection measures be approved before demolition and Condition 21 requiring that a surface water drainage scheme be approved before development take place. Both conditions have been satisfied – Condition 20 (15/08492/ADFULL) on 12.11.2015 and Condition 21 (15/08495/ADFULL) on 02.11.2015.

15.04.2016: a certificate of lawfulness (CLEUD) was issued to confirm that planning permission (12/02189/FULL) dated 1 March 2013 for Alterations and extensions to the North, South, Alexandra and Mews Buildings (Castle Lane/Palace Street) for use as affordable housing (Class C3) comprising 63 units; including creation of balconies; construction of a cycle/bin store, lift and staircase to the rear of North Building; soft and hard landscaping including children's play area; cycle parking and other associated works has been implemented by way of demolition of three tank room enclosures, dismantling and removal of tanks, dismantling and removal of a stair enclosure all located on the existing roof of the North Building and demolition of a single storey plant room and refuse store including the removal of all plant and equipment located to the rear of the North Building of the property.

Accordingly, implementation of the 2013 permission i.e. the commencement of development should have triggered the payment of the £315,510 education contribution. However, this payment is still outstanding. Landsec initially offered to enter into a new S106 obligation to pay the education contribution as part of the current application but have subsequently confirmed that they will pay the money as required under the terms of the existing 2013 S106 agreement.

Other relevant planning history

North, South and Alexandra Buildings

23.01.75: outline planning permission granted for the conversion of 1-16 Alexandra Buildings and 41-63 Castle Buildings to provide hostel accommodation for 145 residents and 13 staff and conversion of 1-40 Castle Buildings to provide flats to accommodate up to 82 residents including the provision of 1000ft² (93m²) of office space within 41-63 Castle Buildings and provision of ancillary facilities, car parking and landscaping. This permission was personal to Look Ahead (Beacon Hostels) (Condition 1).

20.12.76: detailed scheme (for the above granted planning permission.

Mews Building

31.03.88: planning permission granted for the erection of a two storey building comprising 13 self-contained and shared housing units to be used for hostel purposes in association with Beacon House North and South and Alexandra Buildings. This permission was personal to Look Ahead (Beacon Hostels) Housing Association Ltd (Condition 1).

29.09.88: permission granted for variation of Condition 1 of planning permission dated 31.03.88 – so that the permission was personal to Look Ahead (Beacon Hostels) Housing Association Ltd *or any other registered housing association.*

7. THE PROPOSAL

The current application proposes amendments to the lawfully implemented 2013 approved scheme (12/02189/FULL). As previously, the buildings are to be refurbished and repaired with single storey set back extensions to the North, South and Alexandra Buildings. The internal layout of the buildings has been revised to accommodate a larger number of smaller units and a change of proposed tenure type to help meet local need and facilitate the early delivery of affordable housing on this site.

The proposed changes can be summarised as follows:

- An increase in the number of proposed residential units from 63 to 86 (+23 units)
- Revision to the unit size mix – with an increase in 1 and 2 bed units and reduction in family size (3+ bed) units
- Revision to the tenure mix – 100% intermediate housing instead of the previously approved 60:40 social rented/intermediate split
- North Building – internal staircases removed and outline of roof extension amended accordingly, lift/stair core at the rear extended to serve the roof extension, two chimneys removed, access deck extended to the east at first floor level and balconies added to the east elevation.
- Cycle storage – covered store to rear of North Building extended to accommodate 28 cycles, 24 cycle spaces added to the east of the North Building, Mews Building cycle store – rearranged to provide 34 covered cycle spaces.
- South Building – chimneys removed from south elevation, outline of roof extension set back and balconies re-arranged to reflect new internal layout
- Alexandra Building – outline of roof extension amended and balconies re-arranged to reflect new internal layout

8. DETAILED CONSIDERATIONS

8.1 Land Use

Following the approval and implementation of the 2013 planning permission (12/02189/FULL), residential (Class C3) use is now the lawful use of the site.

Residential unit size mix and quality standard

The revised scheme aims to deliver high quality affordable housing in the form of mainly smaller unit types suitable for young professional and key worker households. The revised internal layout proposed as part of the current application involves an increase in the number of new affordable homes provided; 86 instead of the 63 previously approved and an increase in the number of 1 and 2 bed units.

The revised unit mix is as follows:

Unit Type	Approved No. of Units	Proposed No. of Units	Difference
1B1P	0	20	+20
1B2P	13	45	+32
2B3P	8	17	+9
2B4P	21	2	-19
3+ Bed	21	2	-19
Total	63	86	+23

By individual building, the unit mix is as follows:

North Building Unit Type	Approved	Proposed	Difference
1B	2	16	+14
2B	3	5	+2
3B	9	2	-7
4B	1	0	-1
Total	15	23	+8

South Building Unit Type	Approved	Proposed	Difference
1B	4	25	+21
2B	17	8	-9
3B	2	0	-2
4B	2	0	-2
Total	25	33	+8

Alexandra Building Unit Type	Approved	Proposed	Difference
1B	3	15	+12
2B	5	4	-1
3B	6	0	-6
Total	14	19	+5

Mews Building Unit Type	Approved	Proposed	Difference
1B	4	9	+5
2B	4	2	-2

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3B	1	0	-1
Total	9	11	+2

All of the residential units either meet or exceed London Plan space standards with the exception of the two-3B units in the North Building, which are slightly under by 2sqm and four of the 1B2P units at third floor level in the South Building, which are also slightly under by 1 or 2sqm.

Access to two of the lower ground floor units and three of the upper ground floor units in the North Building will be via the existing entrances and external stairs on Castle Lane, which are to be retained but the internal staircases removed. Access to the other 18 units will be via the rear (via Pineapple Court) where the previously approved lift/stair shaft is to be extended upwards to provide access to the units in the roof extension. The comments from the resident at 27 Wilfred Street are noted but the rear access is as previously approved and all the flats in this building always had access from the rear, as this is where the lift is. Similarly, in both the approved and proposed layouts, there are some flats with bedrooms at the front and some flats with bedrooms at the rear.

Access to the units in the South Building will be via the five entrance points on Castle Lane (as previously) with internal stairwells providing access to the upper floors. Access to the units in the Alexandra Building will be via the two entrance points on Palace Street (as previously) with internal stairwells providing access to the upper floors. Access to the ground floor units in the Mews building is directly from the courtyard, whilst the first floor units will be accessed via a staircase leading from the courtyard on to a decked access way.

Most of the units (65 of the 86 flats) have some form of private amenity space with the remainder having access to either deck space or Juliette balconies. All the units have access to communal amenity space; the communal landscaped courtyard between the South and Mews Buildings, the garden on the roof of the Mews Building (for residents of this building) and the communal amenity space at lower ground floor level at the rear of the North Building.

All the flats have been designed to Lifetime Homes standard as far as possible given the constraints of the existing buildings. Nine flats (10%) will be fully wheelchair accessible. In addition, a new lift at the rear of the North Building will provide step-free access to the 23 units, including two family size units, on lower ground, upper ground, first, second and new third floors of this building.

Affordable Housing – tenure type and split

The proposed scheme will provide 100% intermediate housing; comprised of both intermediate rented homes (sub market rent) and shared ownership whereas the 2013 approved scheme included a mixture of social, intermediate rent and shared ownership homes. The scheme is supported by the Council’s Head of Affordable Housing who has discussed the accommodation mix, tenure type and affordability levels with Landsec (the applicant) and their advisors.

The table below summarises the differences between the 2013 scheme and the current proposed scheme in terms of number of homes, dwelling mix and affordable tenure types:

Dwelling mix	2013 Scheme				Proposed Scheme			
	Total Units	Social	Intermediate rent	Shared ownership	Total Units	Social	Intermediate rent	Shared Ownership
1bed 1 person	0	0	0	0	20	0	3	17
1 bed 2 person	13	0	10	3	45	0	36	9
2 bed 3 person	8	4	2	2	17	0	17	0
2 bed 4 person	21	13	0	8	2	0	2	0
3 bed 4 person	4	4	0	0	0	0	0	0
3 bed 5 person	5	5	0	0	2	0	2	0
3 bed 6 person	9	9	0	0	0	0	0	0
4 bed 5 person	2	2	0	0	0	0	0	0
4 bed 6 person	1	1	0	0	0	0	0	0
Total	63	38	12	13	86	0	60	26

The split of rented and shared ownership units across the four buildings will be as follows:

North Building - 23 rented units

South Building – 10 x rented and 23 x shared ownership units

Alexandra Building -16 x rented 3 x shared ownership units

Mews Building -11 x rented units

The advice from the Council's Head of Affordable Housing is that generally, the costs of intermediate housing to qualifying households should not exceed 40% of net income. GLA modelling indicates that net household income is approximate to 70% of gross household income.

Landsec are proposing that 26 of the proposed 60 intermediate rented homes made up of 3 x 1B1P, 18 x 1B2P and 5 x 2B3P homes and will be made affordable to households with incomes between £27,000 and £30,000.

On this basis, the Head of Affordable Housing recommends that the weekly rents for these 26 units should range from £145 to £162 per week at first letting with an annual rental increase thereafter of no more than consumer price index (CPI) +1%.

The remaining 34 intermediate rented homes, made up of 18 x 1B2P, 12 x 2B3P, 2 x 2B4P and 2 x 3B5P homes, are proposed to be made affordable to households with incomes between £45,000 and £52,000.

On this basis, the Head of Affordable Housing recommends that the weekly rents for these 34 units should range from £242 to £280 per week at first letting with an annual rental increase thereafter of no more than CPI+1%.

The remaining 26 units, made up of 17 x 1B1P and 9 x 1B2P units are proposed to be provided on a shared ownership basis and made available to households with incomes up to a maximum of £90,000 with the rent paid on any unsold equity capped at 2.5%.

On this basis, the Head of Affordable Housing recommends that all qualifying applicants should be able to purchase a minimum equity stake of 25% at initial purchase of the value of the shared ownership property and pay a rent on the remaining unsold share. In addition, if necessary the rent levels on the unsold equity should be reduced to below 2.5% to ensure that households with incomes up to £90,000 can purchase a minimum 25% share where these households can secure a mortgage with just a 10% deposit from savings towards the purchase of the share in the property they are buying.

As previously, the affordability levels are to be secured by S106 legal agreement. All successful nominations to the intermediate rent and shared ownership homes will be from the City Council's intermediate housing waiting list, with priority given to those who live and/or work in Westminster.

Affordable Housing – offset/credit

When planning permission was granted for the 63 affordable housing units scheme in March 2013 (12/02189/FULL), Committee agreed that the units and floorspace would be treated as off-site affordable housing for proposals coming forward at Portland House in the event that off-site provision in whole or in part was considered acceptable by the City Council. Committee also agreed that if Portland House was unsuccessful or delayed, the same units and floorspace may be similarly applied to any other residential proposal brought forward by the same applicant in the Victoria area where off-site provision in whole or in part was considered acceptable by the City Council.

Since this time, the Portland House residential conversion scheme has been delayed and Landsec has brought no other residential proposal forward. Consequently, the affordable housing on the Castle Lane site has not been delivered although it has been lawfully implemented (as confirmed by the certificate of lawfulness issued on 15 April 2016) which means that it can be built out at any point in the future.

Due to changes in the residential market and economic conditions, Landsec are now unlikely to bring forward a residential scheme for Portland House nor is it likely that they will bring forward any other major residential development in Westminster. This means that they do not have any committed development schemes, which would generate affordable housing obligations, which could be met at Castle Lane. To deliver the affordable housing at Castle Lane on a 'stand-alone' basis would generate a substantial loss for Landsec. Consequently, they are now seeking flexibility for the affordable

housing to be used not only by themselves on future schemes but also by third parties to meet their affordable housing requirements on other schemes. Such an approach could facilitate the earlier delivery of affordable housing on this site.

The intention is that the affordable housing requirements generated by other schemes within an agreed geographical area, would equate to an equivalent level of floorspace offset at the Castle Lane site and that these credits could be drawn down for a period of up to ten years. How this process will work is set out in a 'memorandum of understanding', which includes site eligibility criteria, the mechanism for establishing a planning linkage with an eligible site, timescales for establishing a linkage and how the drawing down of affordable housing floorspace will be monitored.

Committee are accordingly asked if they agree that the affordable housing on the Castle Lane site can be used by third parties to meet their affordable housing requirements on other development sites within Westminster and also to agree the 'memorandum of understanding' which will be appended to S106 agreements on permissions for any eligible linked sites that come forward.

8.2 Townscape and Design

The approved scheme allows for an additional storey on the existing flat roof of each of the three Victorian buildings (North, South and Alexandra). These extensions are set back from the building facades by varying distances and are formed of vertical bronze anodised aluminium panels with bronze coloured glazing to the windows.

Balconies were approved on the upper floors of the rear facades of the South and Alexandra Buildings and an external lift shaft and open staircase on the rear façade of the North Building, which serve continuous balconies providing access to flats at the upper floor levels. The lift shaft is clad in bronze anodised aluminium panels to match those on the roof extensions and the staircase design reflects that of the balcony balustrades.

The proposed external alterations to the approved scheme primarily consist of the extension and relocation of balconies; the removal and extension of lift/stair cores and the removal and cutting back of chimneystacks.

The additional balconies proposed on the rear elevations of the South Building, Alexandra Building and northeast elevation of the North Building reflect the amendments to the internal layouts and increased number of flats now proposed. The removal of the existing internal staircases at upper levels within the North Building will facilitate the creation of additional flats within this building. The approved lift shaft is to be extended up to third floor level and the balconies extended to provide access to the additional flats. The extended lift shaft and balconies on the north elevation and additional balconies on the northeast elevation of the North Building will be visible from Palace Street and Castle Lane respectively but as previously, the design of these structures is considered of high architectural quality and acceptable.

Three chimneys are to be removed at rear roof level (south elevation) of the South Building and two chimneystacks cut back on the north elevation of the North Building to allow access to and roof terrace space for the additional flats. On the Alexandra

Building, the line of the approved roof extension is to be brought forward slightly on the Palace Street elevation. None of these alterations is considered harmful to the character and integrity of the buildings or to the character and appearance of the conservation area.

8.3 Highways and Parking

The 2013 approved scheme provides for 63 residential units with no off-street car parking due to the constraints of the site. Committee agreed that the Landsec offer of free lifetime car club membership for residents of the development and a fund to pay for White Badge disabled parking bays (should they be needed by residents of the development) secured by S106 legal agreement was sufficient to mitigate the demand for car parking generated by the development.

The proposed scheme is for 86 residential flats (an additional 23 units) again with no off-street car parking. The Highways Manager has again objected on the grounds that the additional cars generated are likely to push the daytime on-street parking pressure above the 80% threshold resulting in on-street parking stress. The Victoria Neighbourhood Forum and a local resident have also expressed concern about the impact of the development on on-street parking and have suggested that the residents of the development should not be allowed to apply for Respark permits.

As before, Landsec have agreed to pay for free lifetime car club membership for residents of the development and a fund to pay for White Badge disabled parking bays secured by S106 (White Badge spaces can only be used by a specific resident of the development rather than by any Blue Badge holder). Given the site's close proximity to Victoria and St James's Park stations (mainline rail, underground and bus services), the relatively low car ownership in St James's Ward and even lower car ownership for affordable housing, these measures are considered sufficient to mitigate the demand for on-street parking.

The 91 cycle parking spaces proposed comply with Westminster cycle parking standards of one space per unit but do not meet London Plan standards, which would require 105 spaces. Landsec have sought to maximise the level of cycle parking provided – 28 spaces in a covered store to the north of the North Building; 24 spaces to the east of the North Building; 34 covered spaces in the area between the South, Alexandra and Mews Buildings and 5 spaces under the stairs of the North and South Buildings. In addition, they point out that there are four cycle docking stations within a short walk of the site (Cardinal Place, Ashley Place, Howick Place and Rochester Row). Given the constraints of the site, the cycle parking proposed is considered sufficient.

As before, storage for waste and recyclable material is provided in a covered store between the rear of the North Building and the Colonies PH. This store will also provide waste storage for the pub. A further covered refuse store is provided at ground level of the Mews Building. The Cleansing Manager is satisfied with these arrangements.

8.4 Economic Considerations

The economic benefits associated with the refurbishment of these buildings to provide 86 affordable homes is welcomed.

8.5 Other UDP/Westminster Policy Considerations

Trees and Landscaping

The proposed landscaping scheme between the buildings and to the roof of the Mews Building is as previously approved. The landscaping scheme for Castle Lane itself includes new and replacement trees and shrubs and in addition, Landsec have now agreed to retain the *Quercus phillyraeoides*, an unusual species of oak tree, at the north eastern end of the North Building. This is to be secured by condition, as are full details of the hard and soft landscaping, tree protection measures and the protection of areas designated for soft landscaping and structural planting.

Daylight and Sunlight

A supplementary daylight and sunlight assessment confirms that the increased height of the lift shaft at the rear of the North Building will not have a material impact on daylight and sunlight to the windows of adjacent properties. There have been no objections received to the current application on these grounds.

8.6 London Plan

The London Plan strongly emphasises the need to maximise affordable housing and the strategic target is for 50% of all new homes to be affordable.

8.7 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.

8.8 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make 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, whether there is a local CIL in operation or not, 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 planning obligations offered by Landsec are considered to meet all three tests of the CIL Regulations 2010. The principal heads of terms of the legal agreement are proposed to cover the following issues:

- The provision of affordable housing including affordability levels for each tenure type
- Free lifetime car club membership for residents of the development

- A fund for covering the Council's costs of providing White Badge disabled parking bays for residents of the development
- A fund for the provision of social and community facility for residents of the development
- Monitoring costs

Landsec have confirmed that they will pay the education financial contribution (£315,510) secured by the 2013 S106 agreement and for this reason it is not proposed to secure the education payment as an obligation under the new S106.

The proposal does not generate an additional Mayoral or Westminster CIL payment.

8.9 Environmental Assessment including Sustainability and Biodiversity

As before, the scheme incorporates a range of sustainability and energy efficiency measures; centralised boilers, provision for future connection to a district heating network and PV panels on the roofs. The soft landscaping will provide amenity space for residents; reduce surface water run-off and create native biodiversity to support local wildlife.

(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: AMANDA JACKSON BY EMAIL AT southplanningteam@westminster.gov.uk

9. KEY DRAWINGS



Proposed Lower Ground floor



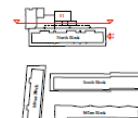
Proposed Upper Ground Floor



01 - North Block North-West Elevation



02 - North Block North-East Elevation



North Building proposed north-west and north-east elevations



01 - South Block North-West Elevation



02 - South Block South-East Elevation

South Building proposed front and rear elevations

DRAFT DECISION LETTER

- Address:** Alexandra Buildings, Palace Street, London, SW1E 5HW,
- Proposal:** Alterations and extensions to the North, South, Alexandra and Mews Buildings (Castle Lane/Palace Street) for use as affordable housing (Class C3) comprising 86 units; including creation of balconies; construction of a cycle/bin store, lift and staircase to the rear of North Building; soft and hard landscaping including children's play area; cycle parking and other associated works (amendments to planning permission 12/02189/FULL)
- Reference:** 18/01971/FULL
- Plan Nos:** Gerald Eve letter dated 9 March 2018 and Planning Statement dated March 2018; HHbR Design and Access Statement dated March 2018; Montagu Evans Heritage, Townscape and Visual Impact: Addendum dated March 2018; Waterman Infrastructure and Environment Transport Statement dated March 2018; Arboricultural Report dated March 2018; Flood Risk Assessment dated March 2018; Hann Tucker Associates Environmental Noise Survey and Acoustic Design Statement report dated February 2018; AECOM Energy Statement and Sustainability Statement dated February 2018; Point2 Daylight and Sunlight Assessment dated March 2018; David Bonnett Associates Access Statement addendum April 2018; Quod Affordable Housing delivery statement dated March 2018;
Plans 9_1701_P_001, 002, 003, 110B, 111, 112, 113, 114, 115, 120, 121, 122, 123, 124, 130, 131, 132, 140, 141, 142
For information purposes: 9_1701_P_050, 051, 052, 053, 054, 060, 061, 062, 063, 064

Case Officer: Amanda Jackson

Direct Tel. No. 020 7641 2934

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

o between 08.00 and 18.00 Monday to Friday; and

o not at all on Saturdays, Sundays, bank holidays and public holidays.

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

Reason:

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

3 You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole ventilation system and any associated equipment. 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. You must not change it without our permission. (C13BB)

Reason:

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

4 (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.

5 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.

6 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 Condition 4 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.

7 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.

8 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 7 of this permission. 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 details approved before the residential units are occupied and thereafter retain and maintain.

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.

9 You must provide the waste stores shown on drawing 110B before anyone moves into the property. You must clearly mark them and make them available at all times to everyone using the residential flats. You must store waste inside the property and only put it outside just before it is going to be collected. You must retain the waste stores and not use them for any other purpose. (C14DC)

Reason:

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

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

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS10 of our Unitary Development Plan that we adopted in January 2007.

11 You must hang all doors or gates including the gates to the bin store at the rear of the North Block so that they do not open over or across the road or pavement

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)

12 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Birdcage Walk Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

13 You must apply to us for approval of detailed drawings of the following parts of the development

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Birdcage Walk Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

14 You must apply to us for approval of full particulars of the following parts of the development

- i) facade and metalwork repairs ii) photovoltaic panels. You must not start any work on these parts of the development until we have approved what you have sent us.

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Birdcage Walk Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

15 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 this part of the Birdcage Walk Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

Reason:

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

17 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 this part of the Birdcage Walk Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

18 Notwithstanding the details in your Design and Access Statement dated March 2018, 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 one planting season 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, to make sure that it contributes to the character and appearance of this part of the Birdcage Walk Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

19 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme for the amenity space at the rear of the North Block which includes the number, size, species and position of plants 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 one planting season of completing the development (or within any other time limit we agree to in writing). If you remove any plants or find that they are dying, severely damaged or diseased you must replace them with plants of a similar size and species and maintain the planting to the satisfaction of the City Council for as long as the area at the rear of the North Block is used as an amenity space.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Birdcage Walk Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras

10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

20 Pre Commencement Condition. Notwithstanding the details in your Arboricultural Survey Report and Impact Assessment and Tree Protection Plan dated March 2018 (ref WIE14185-100-R-1-3-2-ASR&IA), and Design and Access Statement dated March 2018, you must retain and protect tree group G17 in addition to T2 and T8. You must submit details of the ways in which you will protect these trees and any other areas proposed for soft landscaping during development. 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 protect trees and the character and appearance of the site 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. (R31CC)

21 Pre Commencement Condition. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority in consultation with the Environment Agency. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include: i) details of how the scheme shall be maintained and managed after completion ii) details of the pipe network & flow limiting device(s); iii) calculations to demonstrate the adequacy of the design and iv) details of the storm water storage features.

Reason:

To minimise the risk of flooding, both on and off site.

22 Only the residents of the North Block shall use the amenity space at the rear of the building and only between the hours of 0900 and 2000 daily between 1 April and 31 October and between 0900 and 1700 daily between 1 November and 31 March each year.

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)

23 You must not use the roofs of the plant room and waste store at the rear of the North Block for sitting out or for any other purpose. You can however use the roofs to escape in an emergency. (C21BA)

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)

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

the green roofs on top of the plant room and waste store at the rear of the North Block
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)

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 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to i) the provision of affordable housing including affordability levels for each tenure type, ii) Free lifetime (25 years) car club membership for residents of the development, iii) a fund for covering the Council's costs of providing White Badge disabled parking bays for residents of the development, iv) a fund to be used by the registered provider and residents of the development for the hiring of a community facility and details of how this fund will be administered and v) monitoring costs

3 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)

4 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)

5 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)

6 To meet condition 20 the minimum protection we normally expect is plywood boarding at least 1.2 metres high. The boarding should go around the tree at a distance from the trunk which will keep machinery away from the branches. If this is not possible there should be at least two metres between the trunk of the tree and the boarding. (I33AA)

7 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).

8 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
18/01971/FULL
Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

9 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.

10 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site

neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

11 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.

- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.

- * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.

- * Lighting - ensure luminaires can be safely accessed for replacement.

- * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

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

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

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

- * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant. Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

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

13 Thames Water advise the following:

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water's pipes. The developer should take account of this minimum pressure in the design of the proposed development.

There is a Thames Water main crossing the development site which may/need to be diverted at the developer's cost, or necessitate amendments to the proposed development design so that the main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on 0800 009 3921 for further information.

14 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.

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.