

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 2 October 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	87 - 89 Cleveland Street, London, W1T 6PJ,		
Proposal	Details of construction management plan pursuant to Condition 43 of planning permission dated 10 November 2015 (RN: 14/11837).		
Agent	DP9		
On behalf of	Dukelease Properties Ltd		
Registered Number	18/02933/ADFULL	Date amended/ completed	3 September 2018
Date Application Received	12 April 2018		
Historic Building Grade	Unlisted		
Conservation Area			

1. RECOMMENDATION

Approve details

2. SUMMARY

On 10 November 2015 permission was granted for the demolition of the existing buildings on the site and redevelopment to provide a new building providing a mixed use development including up to 105 flats. The permission was subject to several conditions, including a condition (No 43) which requires a Construction Management Plan (CMP) to be approved prior to the commencement of development, including any works of demolition. This application seeks approval of the CMP.

This triangular site fronts onto Cleveland Street, Clipstone Mews and Clipstone Street. On the western side of Clipstone Mews directly opposite the site, is a large residential block (244 flats) known as Holcroft Court. Objections to the CMP have been received from the Holcroft Court Residents' Association and residents of the block. The primary reasons for objection are concerns that the CMP does not adequately cover noise and vibration issues and that the safety of residents of Holcroft Court would be compromised in the event of a fire.

The original permission is subject to a legal agreement which requires the development to be carried out in accordance with a Construction Environment Management Plan (CEMP). This covers noise and vibration issues and including these within the CMP would be a duplication. With regards to safety, the revised proposals for the erection of hoardings along Clipstone Mews would leave

sufficient space for a fire appliance to access Holcroft Court. The London Fire Brigade have confirmed that they have no objection to the proposed access arrangements.

For reasons set out in full in the main body of this report the CMP is considered acceptable. It is therefore recommended for approval, discharging the pre-commencement condition.

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4. PHOTOGRAPHS



5. CONSULTATIONS

Original submission and first revision

HIGHWAYS PLANNING MANAGER

Objection: additional information required

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 1 (Holcroft Court Residents' Association)

Total No. of replies: 22

No. of objections: 22 including 6 letters of objection from Holcroft Court Residents' Association/2 residents and 13 individual letters from residents of Holcroft Court, on some or all of the following grounds:

- Access to Holcroft Court by emergency vehicles would be impeded;
- Impedes disabled access to Holcroft Court;
- Breaches in fire safety regulations;
- Unacceptable site access and egress;
- Noise nuisance;
- Loss of car parking bays;
- Lack of information regarding control of noise, dust, and vibration;
- Location of the petrol filling station is unacceptable;
- Loss of light;
- Trees should be protected;
- Adverse impact of construction vehicles on the highway network

Final Submission

HIGHWAYS PLANNING MANAGER

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 1 (Holcroft Court Residents' Association)

Any further responses to be reported verbally

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The site is a triangular island block bounded by Cleveland Street to the east, Clipstone Mews to the west, Carburton Street to the north and Clipstone Street to the south. The site is occupied by a vacant building on two storeys, plus basement, which was constructed in the 1960s. It was previously occupied as a mixture of office (Class B1) and retail (Class A1) uses, with a bar (Class A4) and a petrol filling station at the southern end of the site, on Clipstone Street. On the western side of Clipstone Mews is a large block of flats (Holcroft Court).

6.2 Recent Relevant History

10 November 2015: Permission granted for the demolition of the existing building and redevelopment to provide three blocks separated by landscaped areas (Block A - comprising ground and nine upper floors, Block B - ground and three upper floors and Block C - ground and three upper floors, each with basement and sub-basement) to provide up to 105 residential units, a petrol filling station, a mix of retail (Class A1)/ restaurant (Class A3)/ drinking establishment (Class A4)/office (Class B1)/ non-residential institution (Class D1), with associated plant space across sub-basement, basement and ground floor levels (RN 14/11837/FULL). Permission was granted subject to a s106 legal agreement which includes various planning obligations.

The permission includes numerous conditions including a pre-commencement condition (43), which requires a Construction Management Plan (CMP) to be approved prior to development being carried out, including any works of demolition.

The condition stipulates that the plan shall provide the following details.

- (i) a construction programme including a 24 hour emergency contact number;
- (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
- (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
- (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
- (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
- (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

The development must then be carried out in accordance with the approved details.

The permission will expire on 14 November 2018. The applicant advises that they wish to commence development works on 9 October 2018.

7. THE PROPOSAL

This application seeks approval of a Construction Management Plan (CMP) pursuant to condition 43 of permission dated 10 November 2015.

The applicant initially submitted a generic CMP. Further to objections from both residents and officers, on the basis that the submitted Plan was not site-specific, a revised CMP was submitted in July. This revised CMP was prepared by McLaren in consultation with Erith Contractors. Erith Contractors will carry out the demolition and McLaren will undertake the construction works. Further revisions were made to the CMP in September. As revised, the plans increase the width for the available area for pedestrians on the western side of Clipstone Mews and also increase the road width in Clipstone Mews to 3.7m (in order to satisfy Fire Appliance requirements).

8. DETAILED CONSIDERATIONS

The CMP (September 2018) addresses each of the six points referred to in the condition as follows:

i) ***a construction programme including a 24 hour emergency contact number***

A full construction programme is set out at Appendix A of the plan. Section 12 of the plan includes contact details (names and numbers) for Erith Contractors and McLaren Construction.

ii) ***parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);***

The plan (at section 3) states that 'parking of road vehicles on site, except for those delivering or collecting materials will not be permitted on a regular basis due to space constraints'. Anybody driving to the site would however be subject to normal parking controls.

Vehicular access and pedestrian access will be maintained to neighbouring properties during construction. Clipstone Mews will be closed to through traffic from 7:00 until 19:00, Monday to Friday, and 7:00am to 2:00pm on Saturdays. Vehicular access to the Holcroft Court car park will be maintained at all times. Traffic marshals will be present to supervise vehicular movements.

iii) ***locations for loading/unloading and storage of plant and materials used in constructing the development;***

These are detailed in Section 3 of the CMP. During the demolition, piling, groundworks and basement construction stages by Erith Contractors, all building materials will be stored on site and excavated material will be stored on site prior to its removal. No materials will be stored in the road.

During the construction period, storage areas will be at a premium. McLaren's proposal includes the use of the ground floor petrol station, connecting Clipstone Mews and Cleveland Street. Ground surfaces and internal floor areas will be used, once completed, as work proceeds. The first floor open podium areas will also be used for storage, with appropriate back propping.

iv) *erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);*

The site covers a full street block and appropriate hoardings will be erected around the perimeter of the site.

v) *wheel washing facilities and measures to control the emission of dust and dirt during construction;*

Section 4 of the Plan states that where vehicles leave site during piling works they will be hosed and brushed down by hand on a sloped site entrance ramp. Periodically, Erith road sweepers will be called to site to carry out a wet sweep of the approach roads and site accesses and egress routes. During the construction period, all vehicles will enter the site via the new petrol filling station forecourt area. As this is a concrete surface, this will not generate significant amounts of dust and debris. Traffic Marshals will constantly monitor vehicles and prevent debris from being deposited on the road surface. Vehicles will primarily be loaded and unloaded on the roadway in Clipstone Mews. A visiting road sweeper vehicle will continue to visit site regularly.

Measures to ameliorate nuisance from dust and dirt during construction are covered in section 5 of the Plan (Health, Safety and Environment). Erith Contractors and McLaren Construction will ensure effective dust and emission control measures are in place and will take all necessary steps to plan and manage works so that these impacts can be ameliorated. Works will be carried out in accordance with Westminster Code of Construction Practice (2016) and form part of the CEMP secured under the original legal agreement.

vi) *a scheme for recycling/disposing of waste resulting from demolition and construction works*

Erith Contractors will implement a Site Waste Management Plan in accordance with Site Waste Management Plan Regulations 2008. Erith endeavour to reuse or recycle 98% of all materials arising from the packaging of materials, with a maximum of 2% going to landfill. The Plan includes a flow chart showing how materials will be segregated into separate waste streams.

McLaren Construction will employ a specialist waste management contractor responsible for the collection of waste from a centralised point (or points) and the segregation of waste on site.

In view of the information above, it is considered that the CMP adequately covers the six points stipulated in the condition.

Other Issues

Disabled Access to Holcroft Court

Objections are raised on the grounds that the proposals would result in the narrowing of the pavement width the west of Clipstone Mews, preventing wheelchair access to Block C of

Holcroft Court. The plan has been revised and a minimum pavement width of 1.3m will be provided, maintaining sufficient width for wheelchair access to Holcroft Court.

Access for Emergency vehicles

Objectors are also concerned that the creation of the site compound on Clipstone Mews would block access for the emergency services to Holcroft Court, particularly Block C. Safety barriers will clearly define the separate areas for pedestrians and highway vehicles. These barriers can be quickly and easily removed in the event of an emergency. Traffic Marshals, who will have appropriate and specific safety training for the safe management of Clipstone Mews, will be in attendance at all times. Should an incident occur at Holcroft Court, vehicles and personnel will be instructed to vacate Clipstone Mews immediately. The site compound will be an access and unloading zone only and will be removed outside of working hours. There will be no storage of materials in this area. In these circumstances, it is not considered that construction works will hinder emergency access to Holcroft Court.

London Fire Brigade Regulations

The Holcroft Court Residents' Association has objected on the basis that the CMP is not compliant London Fire Brigade Safety advice (Guidance Note 29) as the road width would be reduced to less than 3.7m, which is insufficient for a fire appliance to operate, and that this reduction in the width of Clipstone Mews would prevent the operation of an aerial fire appliance

The Plan has now been revised to show a 3.7m road width. The applicant has advised that a width of 9.7m is required to operate an aerial/ swing fire appliance and that, as Clipstone Mews does not currently achieve this width requirement, the construction works would have no impact compared with the existing position.

The London Fire Brigade have confirmed that they have no objection to the proposals on fire safety grounds.

Site Access

Objections have been received on the grounds that construction traffic would adversely impact on other road users and the highway network. Site access and egress, including loading and unloading, are all issues covered under the CEMP. Notwithstanding this, the Highways Planning Manager has no objection to the revised CMP.

Impact of Servicing in Clipstone Mews

Concerns are raised that construction works would affect the servicing of adjacent sites in Clipstone Mews. The Plan confirms that access for the management of residents' waste bins will be co-ordinated with the service providers and maintained during the period of works.

Noise and disturbance

Objectors are also concerned about the impact of the demolition and construction works on residents' amenity, particularly in relation to nuisance from dust, noise and vibration. The construction works will need to comply with the terms of the Construction Environment Management Plan (CEMP), which is secured as part of the legal agreement

Loss of Parking

Objectors also refer to the loss of parking bays in Clipstone Mews and surrounding streets. The suspension of parking bays to facilitate access to development sites is common practice. The acceptability of these arrangements is subject to separate consideration by the Council as Parking Authority.

Re-location of the Petrol Filling Station, loss of daylight/ sunlight and loss of trees

Objections have been received to the location of the existing petrol filling station within the approved development, its effect on daylight and sunlight to neighbouring properties and to the impact on trees in the vicinity of the site.

These issues were addressed as part of the consideration of the original application and are not pertinent to this application. It is noted that the approved development includes the replacement of trees on Cleveland Street,

Hours of work

The Holcroft Court Residents' Association, whilst acknowledging that the hours of works in the CMP are the standard permitted hours (8.00am until 6.00pm on weekdays, from 8.00am to 1.00pm on Saturdays and not at all on Sundays or Bank Holidays), have expressed concern about potential noise from operatives outside these hours. The CEMP includes liaison between the contractors and neighbouring occupiers and any future concerns can be addressed through this process. Notwithstanding this, the CMP could not reasonably be refused on this basis.

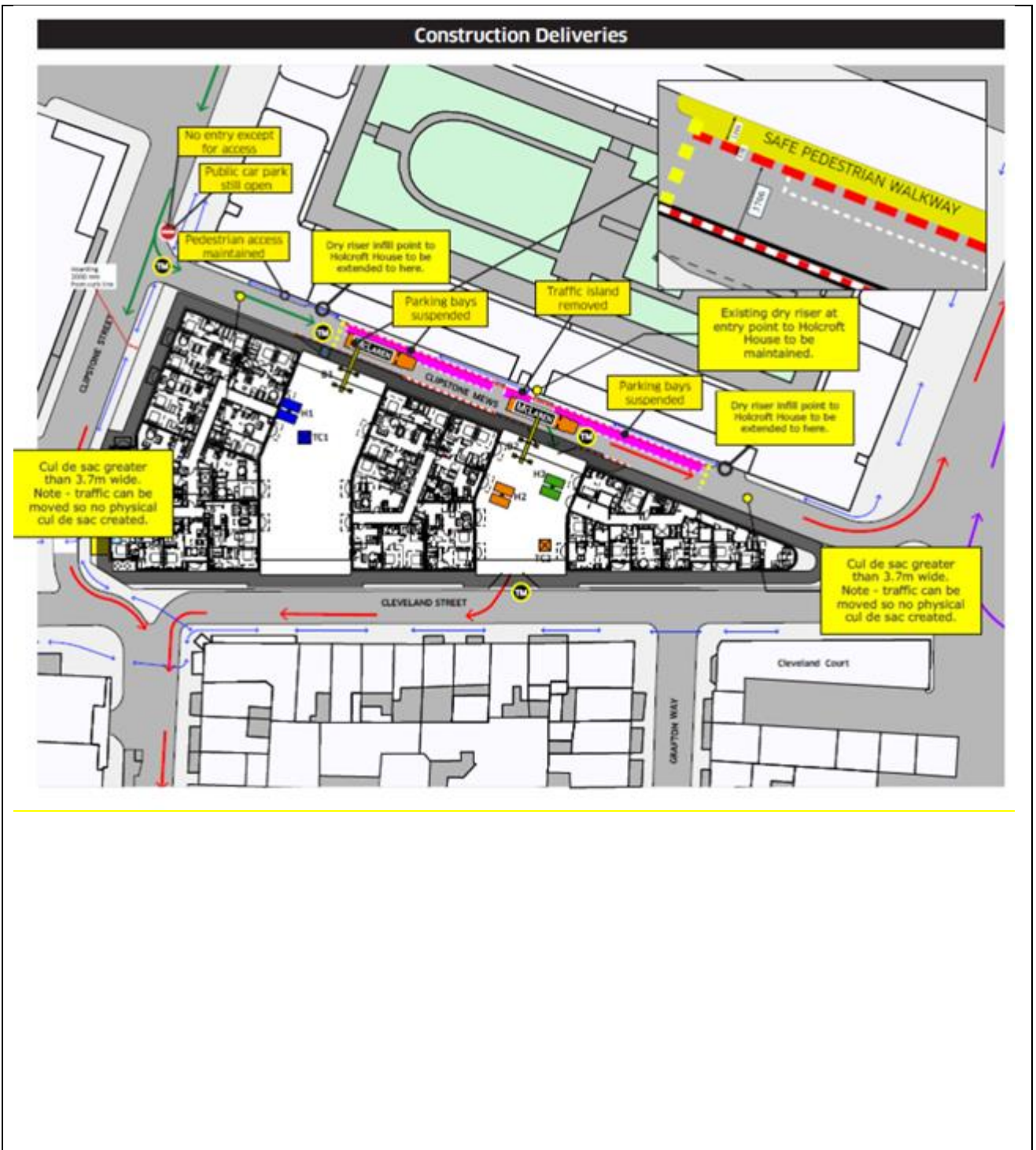
Conclusion

The CMP is comprehensive and robust and addresses the requirements of condition 43 of the original planning permission. Consequently it is recommended that the submitted details be approved.

(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: SARA SPURRIER BY EMAIL AT sspurrier@westminster.gov.uk

9. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 87 - 89 Cleveland Street, London, W1T 6PJ,

Proposal: Details of construction management plan pursuant to Condition 43 of planning permission dated 10 November 2015 (RN: 14/11837).

Reference: 18/02933/ADFULL

Plan Nos: Document titled Construction Management Plan (CMP) by McLaren September 2018 revision 180903

Case Officer: Mike Walton

Direct Tel. No. 020 7641 2521

Recommended Condition(s) and Reason(s)**Informative(s):**

- 1 This permission fully meets condition(s) 43 of the planning permission dated 10 November 2015 (RN: 14/11837). (I11AA)
- 2 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. For more advice, please phone our Highways Licensing Team on 020 7641 2560.
- 3 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during works. Any changes to on-street parking bays would need to be addressed via a formal suspension via Parking Services. For more advice, please phone 020 7641 2560. (I36AA)

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.