

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 26 March 2019	<b>Classification</b> For General Release	
<b>Report of</b> Executive Director Growth Planning and Housing		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	<b>20 Carlton House Terrace, London, SW1Y 5AN</b>		
<b>Proposal</b>	Demolition of existing mansard roof and roof level plant and construction of a two storey vertical roof addition with extensions at rear fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Alterations to the existing building including new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level and cycle parking at basement level three.		
<b>Agent</b>	DP9 Ltd		
<b>On behalf of</b>	Noah Ltd		
<b>Registered Number</b>	18/10412/FULL	<b>Date amended/ completed</b>	10 December 2018
<b>Date Application Received</b>	10 December 2018		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St James's		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

20 Carlton House Terrace is an eight-storey office building over a four-storey basement car park. The building is currently occupied by Anglo American Plc. Immediately adjacent to the application site is 24 Carlton House Terrace which faces onto Waterloo Gardens and is comprised of 15 residential flats. No. 24 has its own entrance separate from the entrance to the offices at No. 20. The building is unlisted but is within the St James's Conservation Area.

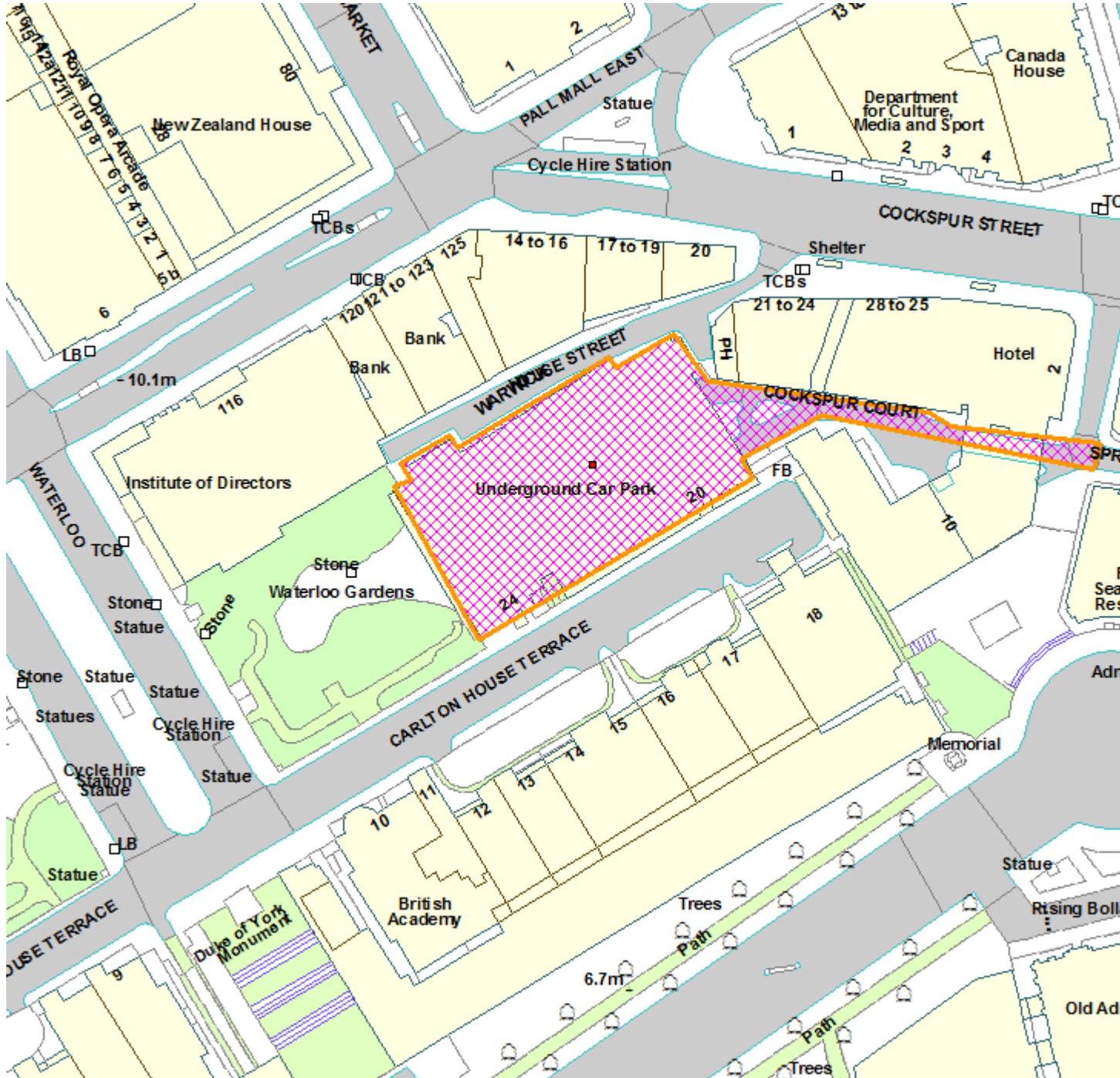
Planning permission is sought for the demolition of the existing mansard roof and roof level plant and replacement with a two-storey vertical extension with extensions at rear fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Other alterations to the existing building include new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level and cycle parking at basement level three.

The key issues for consideration are:

- The impact of the proposed alterations on the character and appearance of the building and St James's Conservation Area
- The impact on amenity of adjoining occupiers

The proposed extensions to this existing office building are considered acceptable in land use, amenity, design and conservation area terms and in accordance with the Westminster City Plan and Unitary Development Plan policies.

### 3. LOCATION PLAN



4. PHOTOGRAPHS



## 5. CONSULTATIONS

### WESTMINSTER SOCIETY

Any response received to be reported verbally by officers.

### ENVIRONMENTAL HEALTH

No objection subject to conditions.

### HIGHWAYS PLANNING

No objection subject to conditions to secure cycle parking.

### WASTE PROJECT OFFICER

Condition required to secure a revised plan showing storage for residual waste and recyclable materials.

### THAMES WATER

A pumped device should be installed to avoid the risk of back flow from the sewerage network during storm conditions.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 124 Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

20 Carlton House Terrace is an eight-storey unlisted 20<sup>th</sup> century office building located within the St. James's Conservation Area. The building has a particularly sensitive context situated between the Grade I listed Nash terrace on Carlton House Terrace and numerous listed buildings along Pall Mall to the north. The building also lies to the north of St James's Park, a registered park and garden which affords open views towards the site.

### 6.2 Recent Relevant History

#### 24 Carlton House Terrace

95/02608/FULL: Erection of a six-storey office extension and creation of a landscaped garden over existing podium on Warwick House Street; use of part ground floor as an art gallery, alterations to form a new office/art gallery.

Application permitted

25 April 1996

**20-24 Carlton House Terrace**

99/12997/FULL: Use of part of the external terrace areas at 6th and 7th floor levels of 20 Carlton House Terrace for amenity purposes by the office occupiers; erection of a screen at 6th floor level and landscaping at 6th and 7th floor levels.

Application permitted

26 June 2000

**24 Carlton House Terrace**

16/02449/FULL: Demolition of the existing mansard roof and construction of two floors to create a duplex residential flat with roof terrace and associated works including a new rooftop plant area and extension to the existing internal lift.

Application permitted

23 August 2016

**7. THE PROPOSAL**

Planning permission is sought to replace the existing mansard roof and roof level plant with a two-storey vertical roof extension; extensions to the rear (fronting Warwick House Street) at fourth, fifth and sixth floor levels to create additional office (Class B1) floorspace; external alterations including new windows and entrance and new terraces at seventh and eighth floor levels; new plant enclosure at ninth floor level and cycle parking spaces at basement level 3.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office use	9608	12353	+2745
Total	9608	12353	+2745

**8. DETAILED CONSIDERATIONS****8.1 Land Use****Provision of additional office floorspace (Class B1)**

The application involves the creation of 2,745sqm of additional B1 office floorspace within the Core Central Activities Zone (CAZ).

Policy S1 and Policy S20 of the Westminster City Plan (November 2016) are applicable. The aim of Policy S1 is to ensure a mix of uses within the CAZ in order to support vitality, function and character. Part 3 (A) of Policy S1 states that where the net additional floorspace (of all uses) is;

- i. less than 30% of the existing building floorspace, or
- ii. less than 400sqm; (whichever is the greater),

or where the net additional B1 office floorspace is less than 30% of the existing building floorspace (of all uses), no residential floorspace will be required.

Policy S20 states that new office development will be directed to the Opportunity Areas, the Core Central Activities Zone, the Named Streets, and the North Westminster Economic Development Area. The site is within the Core CAZ and the building is already in office use. The provision of additional B1 office floorspace in this location is therefore acceptable in principle.

The uplift in office B1 office floorspace 2,745sqm (28.6%) is largely attributed to the provision of new extensions at eighth and ninth floor level and the modest extensions to the existing floor plate at fourth to seventh floor level plus infilling of an existing atrium/void. The proposal does not trigger a requirement to provide residential floorspace.

## 8.2 Townscape and Design

The proposed works are assessed against the National Planning Policy Framework (NPPF 2018), specifically chapter 16, policies S25 and S28 of the City Plan: Strategic Policies (2016), policies DES 1, DES 5, DES 6 and DES 9 of our Unitary Development Plan (2007).

No. 24 Carlton House Terrace was granted permission in 2016 for similar proposals, which included the removal of its mansard and the construction of a two-storey vertical addition. Whilst its design approach differs from the proposals at No. 20, it has similarities and a comparable height.

No. 20 dates from the 1970s and has a distinct well-ordered appearance which sits surprisingly comfortably within its historic setting. The existing mansard is to be replaced by a two-storey vertical extension which is set back 1.5m from the main building line. The extension consists of stone vertical and horizontal framing which echoes the composition of the host building. The glazed panels are set within deep reveals clad in aluminium. Overall the extension will have a charcoal finish to mimic the slate covered roofs of the area. Spandrel panels between the floors serve to break up the double height glazing and reinforce a horizontal expression of the building.

Whilst the additional storey will be more visible than the mansard, because of its set back position, deep glazing reveals and dark tone, it is considered to successfully complete the building, and unlikely to appear over prominent within its immediate context. In terms of wider townscape views the height is unlikely to be apparent from St James's Park, nor from most wider vantage points. The additional height is likely to be apparent from Waterloo Place, but not so prominent to detract from the grade I listed Institute of Directors.

Additional elevation alterations include reconfiguration of the front entrance resulting in a more symmetrical arranging. Proposals also seek to remodel the rear, introducing a modular tiered arrangement of extensions which take on a similar design approach to the roof addition which reflect more successfully the host building. Producing a modest amount of additional height and bulk, the rear extension is considered to relate successfully to the host building without a significant visual impact on views.

The proposals are considered acceptable on design and townscape grounds and recommended for approval subject to securing details of the materials and spandrel panels by condition.

### 8.3 Residential Amenity

Policies S29 of the Westminster City Plan and ENV13 of the UDP seek to protect the amenity of existing residents from the effects of new development.

#### Sunlight and Daylight

The applicant has submitted a daylight and sunlight report, which has assessed the impact of the proposed extensions on 1 Warwick House Street, 21-24 Cockspur Street, 20 Cockspur Street, 25-28 Cockspur Street, 18 Carlton House Terrace, 13-16 Carlton House Terrace and 24 Carlton House Terrace. There have been no objections received from the occupiers of these buildings.

1 Warwick House Street was formerly a public house but is in the process of being converted into a single-family dwelling house. The property is located to the north east of the application site. The approved layout (2016 – 16/06890/FULL) shows principal habitable rooms at ground and first floors; bedrooms, dressing rooms and ensuite rooms at second to fourth floors. The windows on the side elevation (facing the application site) serve ancillary spaces – ensuite bathrooms and dressing rooms. Most of the rooms are dual aspect with windows to the front and rear. There will be no material impact on daylight and sunlight to the occupiers of this building.

21-24 Cockspur Street is located to the north east of the application site. The basement and ground floors are in commercial use and the upper floors of the building are in residential use. Three windows in the upper mansard of this building will experience daylight losses marginally in excess of the BRE recommended standard (22.74%-24.2%) but none of these windows serve principal habitable rooms. These rooms will continue to receive a good level of sunlight.

20 Cockspur Street is located to the north of the application site. One bedroom window to flat at third floor level in this building will experience a loss of daylight marginally in excess of the BRE recommended guidelines (21.37%) but this is not a principal habitable room and this window (and windows to other rooms) in the building will continue to receive a good standard of sunlight.

16 and 18 Carlton House Terrace are large single family dwelling houses located to the south east of the application site. One or two windows in each of these large houses will experience a loss of daylight in excess of the BRE recommended standards but these are windows where daylight levels are already compromised by the projecting balconies and portico entrances on these buildings. There will be no impact on sunlight to windows in these houses.

The principal habitable rooms to the flats in 24 Carlton House Terrace have good size windows and balconies which look out across Waterloo Gardens. There are minor daylight losses to kitchen and bedroom windows (20.09 – 23.95%) in the rear elevation

which look out on to the podium garden towards the application building. There is no material loss of sunlight to these windows.

Nos. 13 and 14-15 Carlton House Terrace and 25 Cockspur Street experience no loss of daylight or sunlight.

### **Sense of Enclosure**

The main changes to the profile and massing of the building are to the rear of the building, facing Warwick House Street.

The distance between the rear façade of the application building and the rear of Nos. 17-19 Warwick House Street (tourist office on basement and ground floors with offices above) and 14-16 Cockspur Street (Embassy of Brazil) varies between 8m - 9m. Slightly further away, on the corner of Cockspur Street and Warwick House Street is 20 Cockspur Street, a five-storey building with residential flats on the upper floors.

The proposed extensions at rear fourth to sixth floor levels involve the infilling of existing flat roof areas at these levels and do not extend the existing building line forward. The new seventh floor steps back 1.5m at this point and the eighth floor is stepped back above this. Whilst the additional bulk will be visible from the upper floors of adjoining buildings on Warwick House Street it is not considered that this will cause a significant increased sense of enclosure to the occupiers of these buildings.

### **Privacy**

New terraces are created at new seventh and eighth floor levels of the building fronting onto Warwick House Street. The proposed terraces would be set back from the edge of the main building line fronting Warwick House Street, by approximately 1.5m.

Due to the commercial nature of the buildings on Warwick House Street and the distance 20 Cockspur Street (nearest residential building) is located from the application building, it is not considered that the terraces would cause a loss of privacy to the occupiers of adjoining buildings. However, in order to mitigate any potential harm to the amenity of neighbours, conditions are recommended to control the hours of use of the terraces and to ensure no amplified or audible music is played on these external roof areas.

## **8.4 Transportation/Parking**

### **Car Parking**

There is an existing four level basement car park, which is accessed from Cockspur Court, a two-way private road accessible from Spring Gardens. The car park is operated independently from the offices by 'Q Park' and has a total of 205 public car parking spaces. In addition to the public car parking spaces provided there are various leases on the remaining car parking spaces.

The existing offices have a lease on 15 car parking spaces within basement level 3. It is proposed to convert 11 of these car parking spaces to accommodate 110 cycle spaces.

The proposed loss of the 11 car parking spaces is acceptable in the context of Policy TRANS 21. The Highways Planning Manager does not consider that the loss of 11 car parking spaces would have a significant impact on on-street car parking in the area.

### **Cycle Parking**

The provision of 110 cycle spaces is more than sufficient to meet the uplift in office floorspace and together with the provision of changing rooms and showers, is welcomed in terms of encouraging sustainable forms of transport.

### **Servicing**

The building has no off-street servicing. The site is located within a Controlled Parking Zone, which means single and double yellow lines in the vicinity allow loading and unloading to occur. The servicing requirements of this office building are unlikely to change significantly as a result of the proposed development. The largest regular service vehicle expected is the refuse collection vehicle. The Highways Planning Manager does not therefore consider that the proposed extensions will lead to an adverse impact on the surrounding public highway.

## **8.5 Economic Considerations**

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

## **8.6 Access**

There are no changes to the existing access arrangements into the building.

## **8.7 Other UDP/Westminster Policy Considerations**

### **Sustainability**

The scheme incorporates a range of sustainable and energy efficiency measures:- replacement of all existing windows to enhance thermal performance, optimise glazing performance balancing daylight hours with solar gain, high efficiency gas boilers and electric chillers, efficient LED lighting and air handling plant with low specific fan powers and heat recovery. The proposal achieves an 8% carbon reduction, which falls short of the London Plan target of 35%, but this is because the building is being refurbished rather than new build. The applicant has undertaken a BREEAM assessment, which confirms that the site proposal will achieve a rating of 62.7% (Very Good).

## **8.8 Westminster City Plan**

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the

NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

### **8.9 London Plan**

This application raises no strategic issues.

### **8.10 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

The application proposals do not involve the imposition of a pre-commencement conditions.

### **8.11 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

The estimated Mayoral CIL is £208,625.11 and the WCC CIL is £686,692.25. The total CIL payment is estimated at £895,317.36.

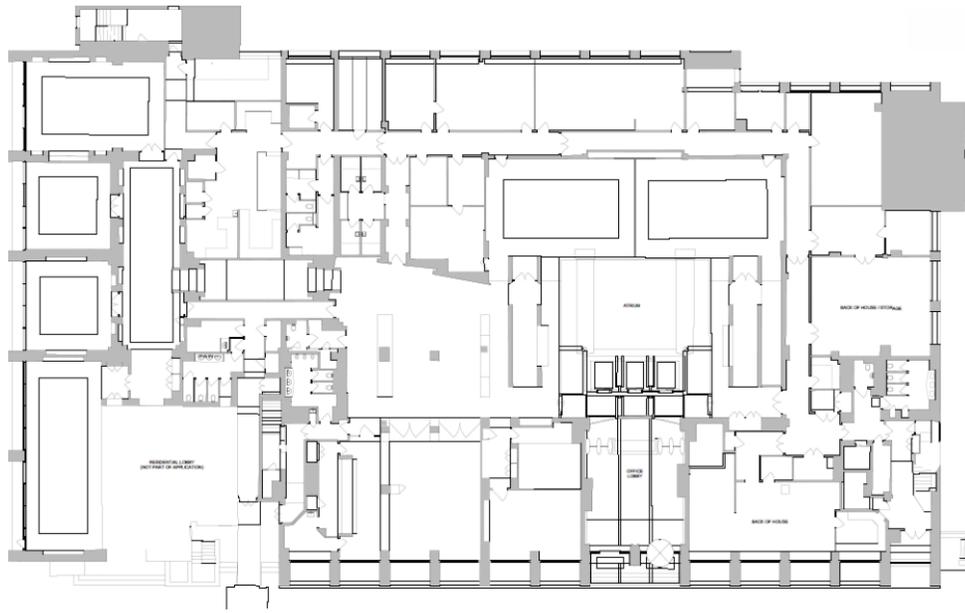
### **8.12 Environmental Impact Assessment**

Not required for a scheme of this scale.

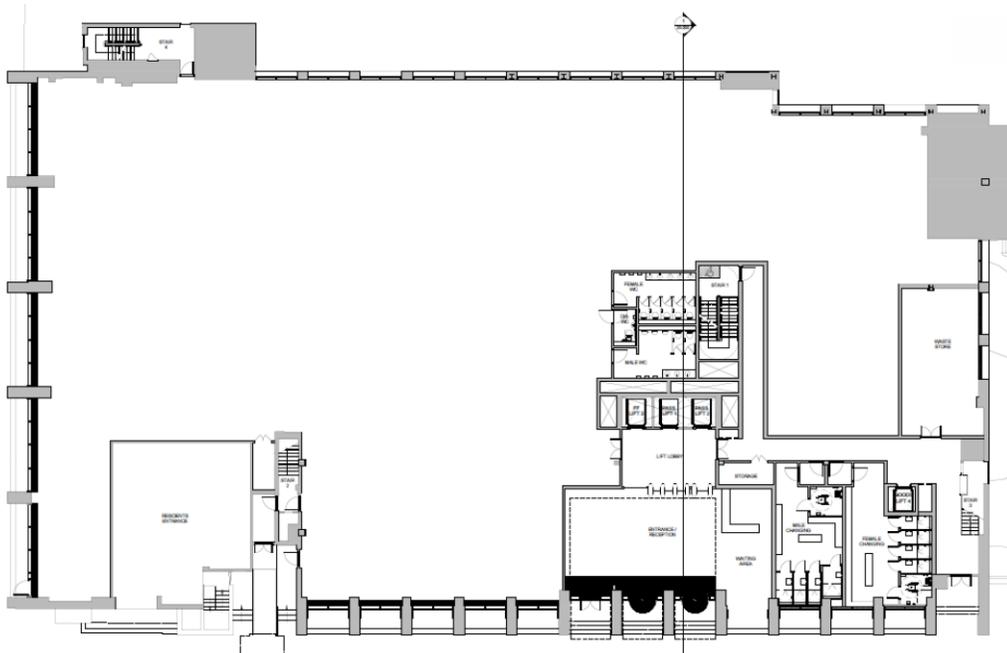
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: AMANDA JACKSON BY EMAIL AT AJACKSON@WESTMINSTER.GOV.UK.

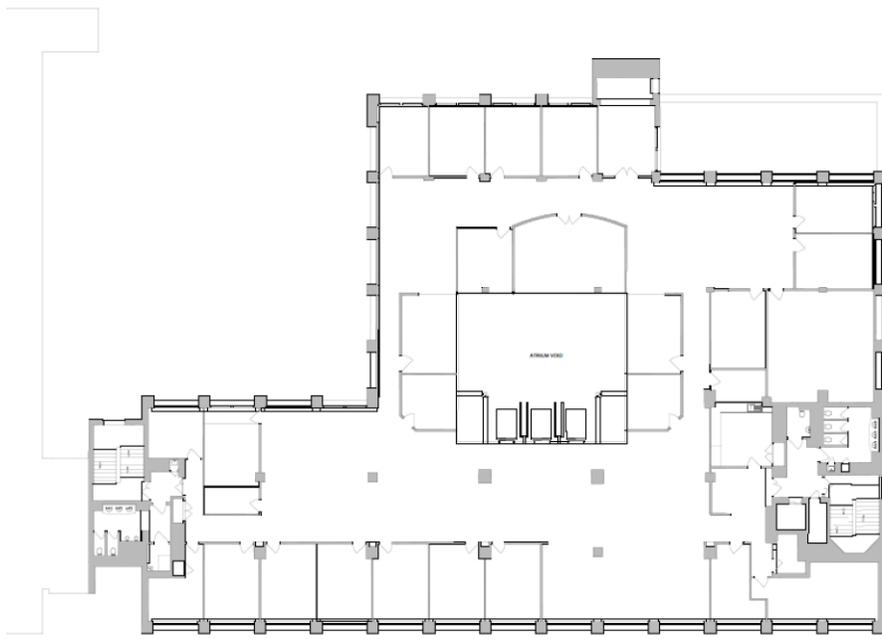
9. KEY DRAWINGS



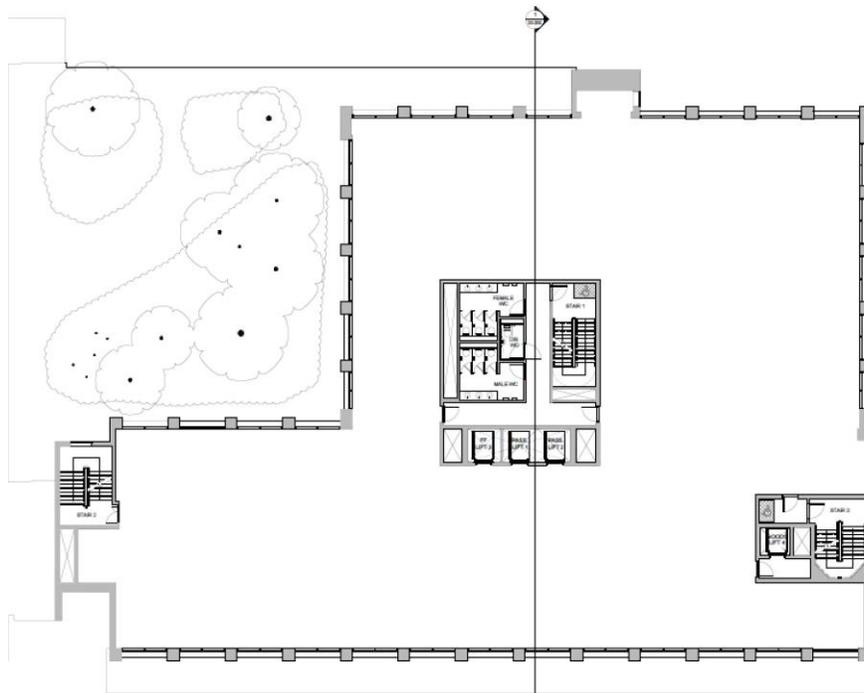
Existing ground floor



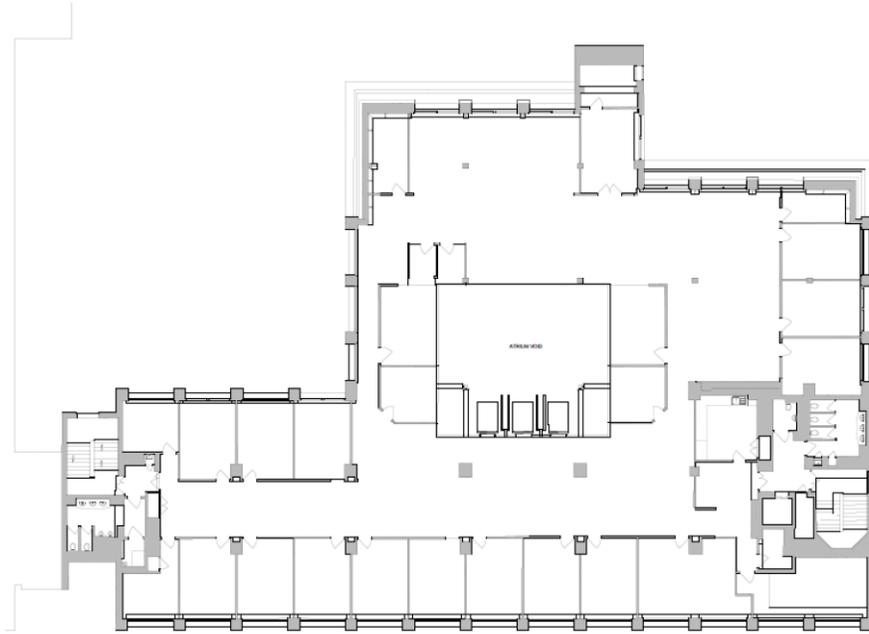
Proposed ground floor



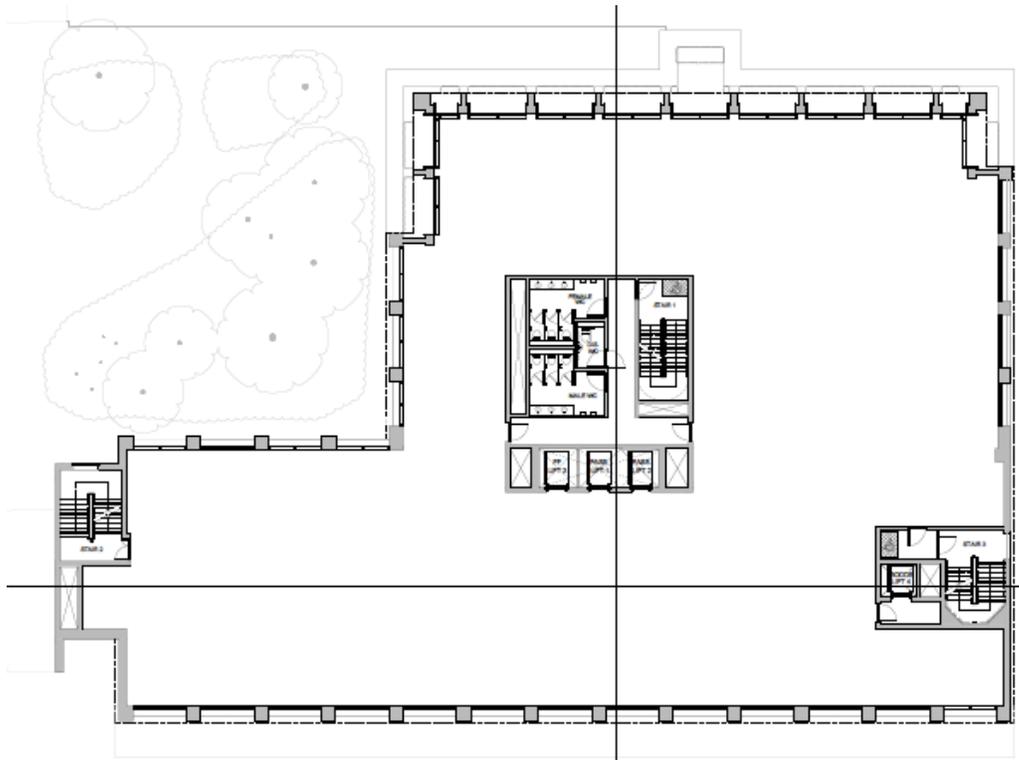
**Existing fourth floor**



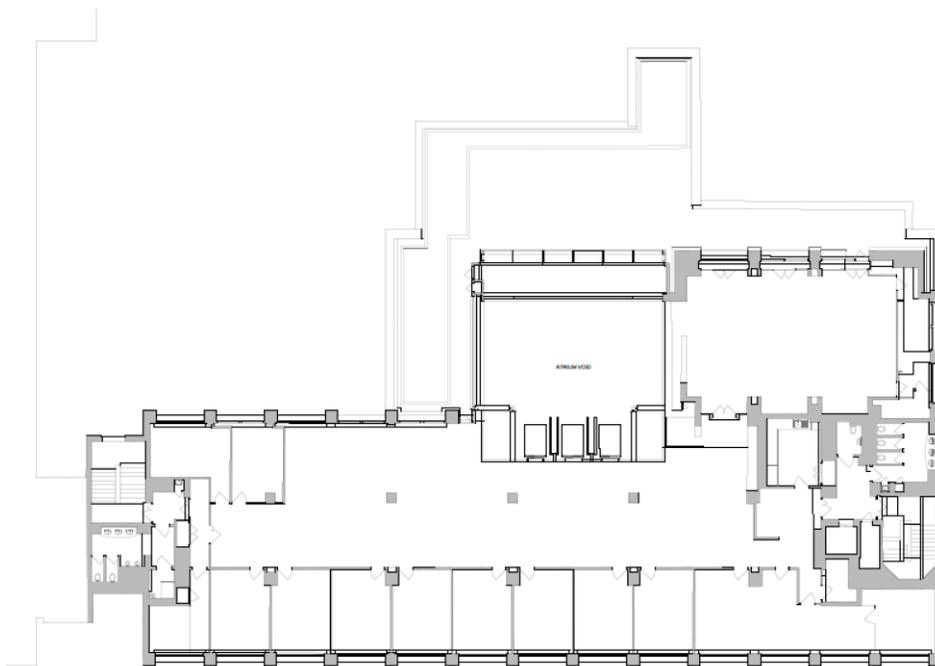
**Proposed fourth floor**



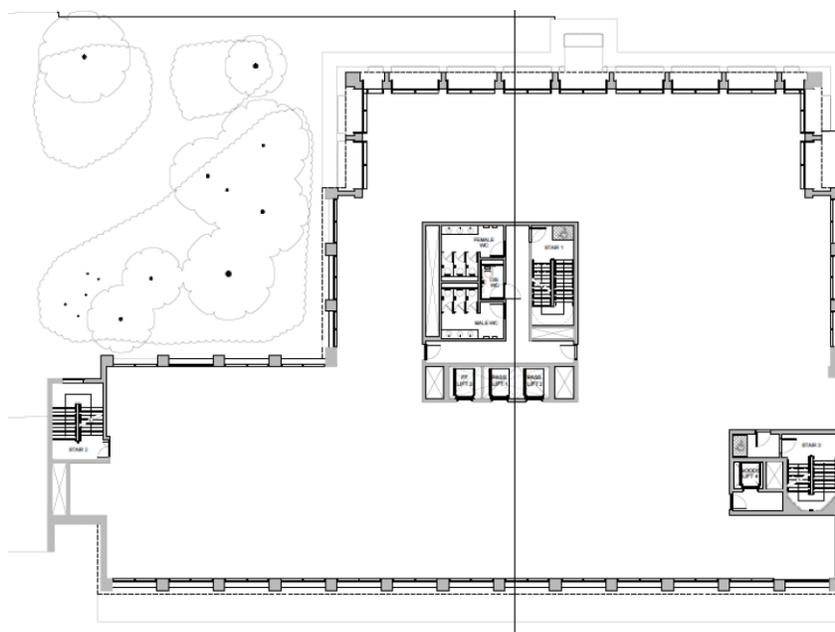
Existing fifth floor



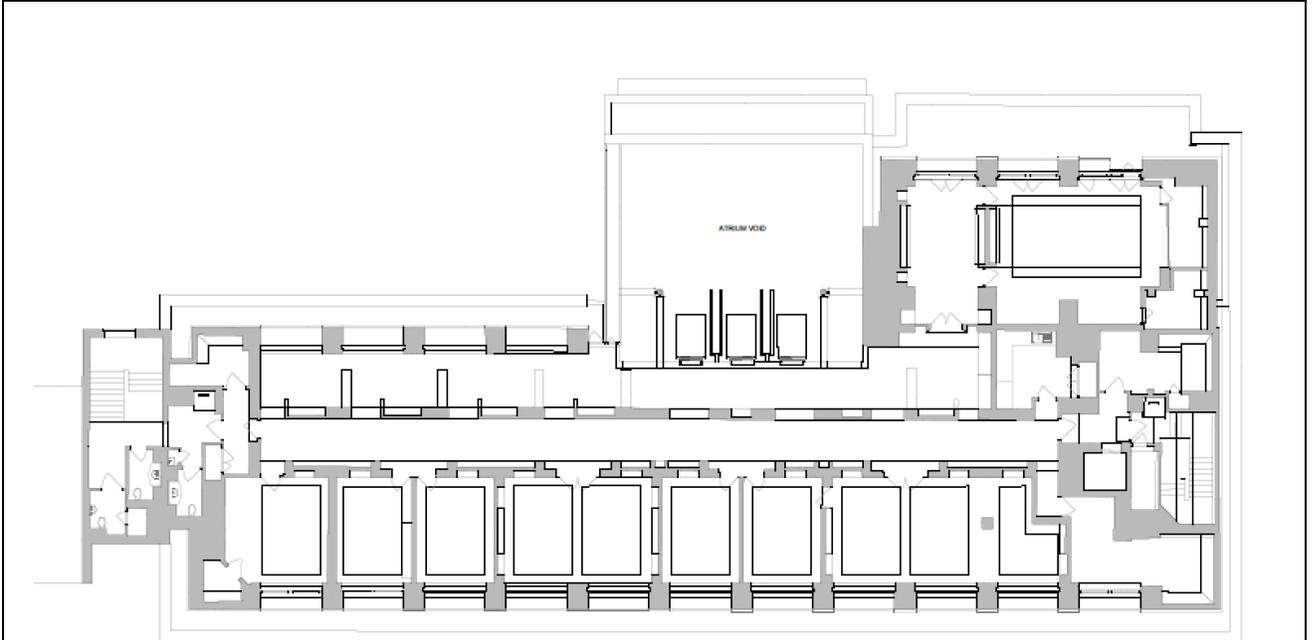
Proposed fifth floor



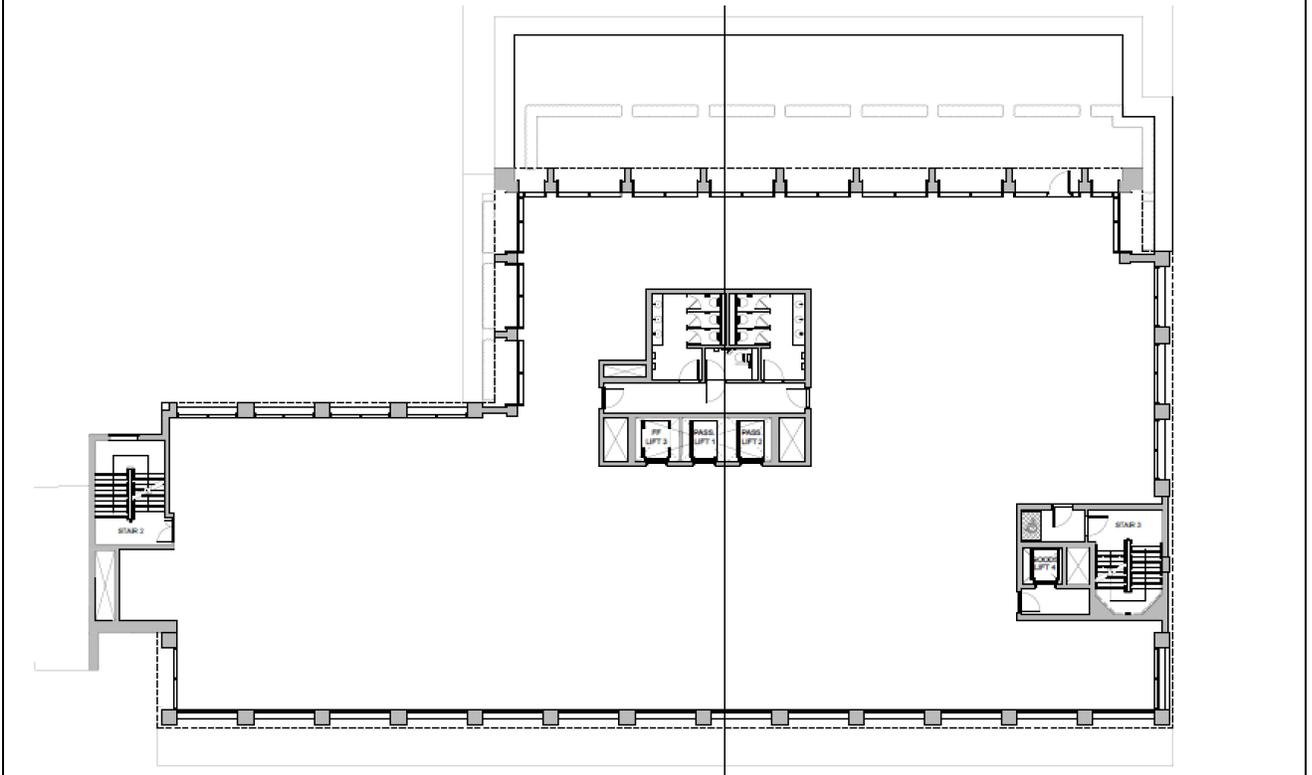
Existing sixth floor



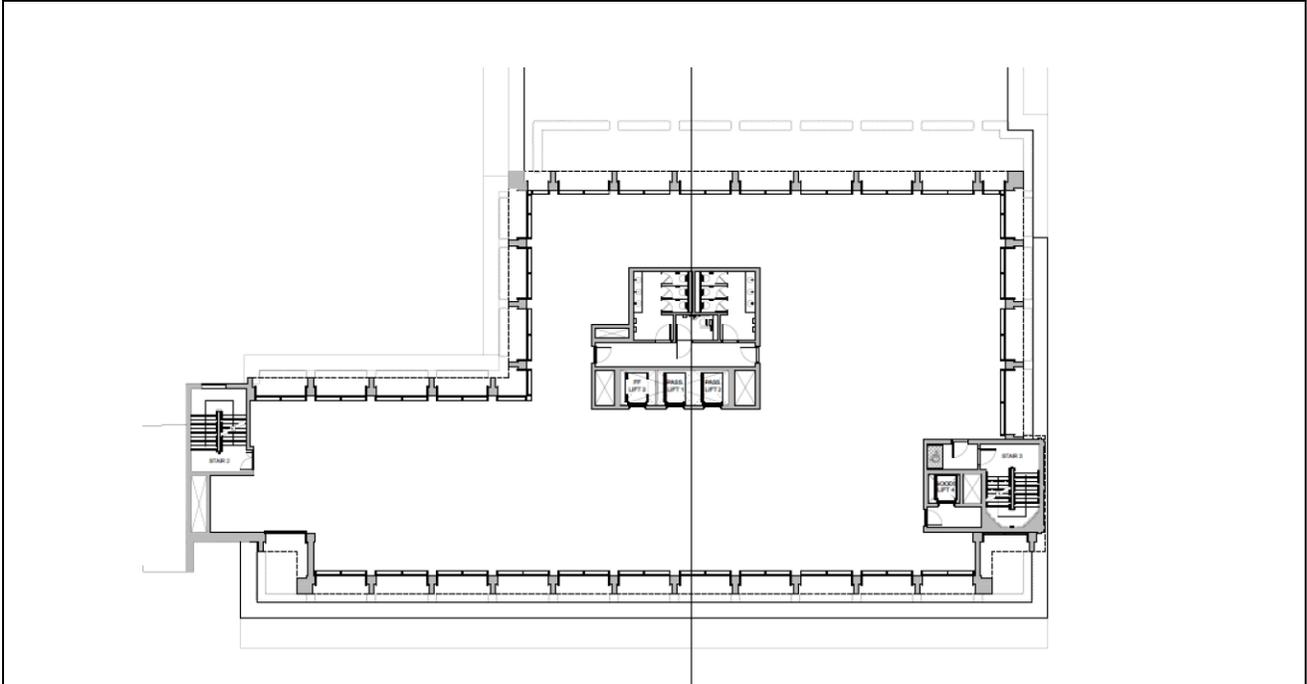
Proposed sixth floor



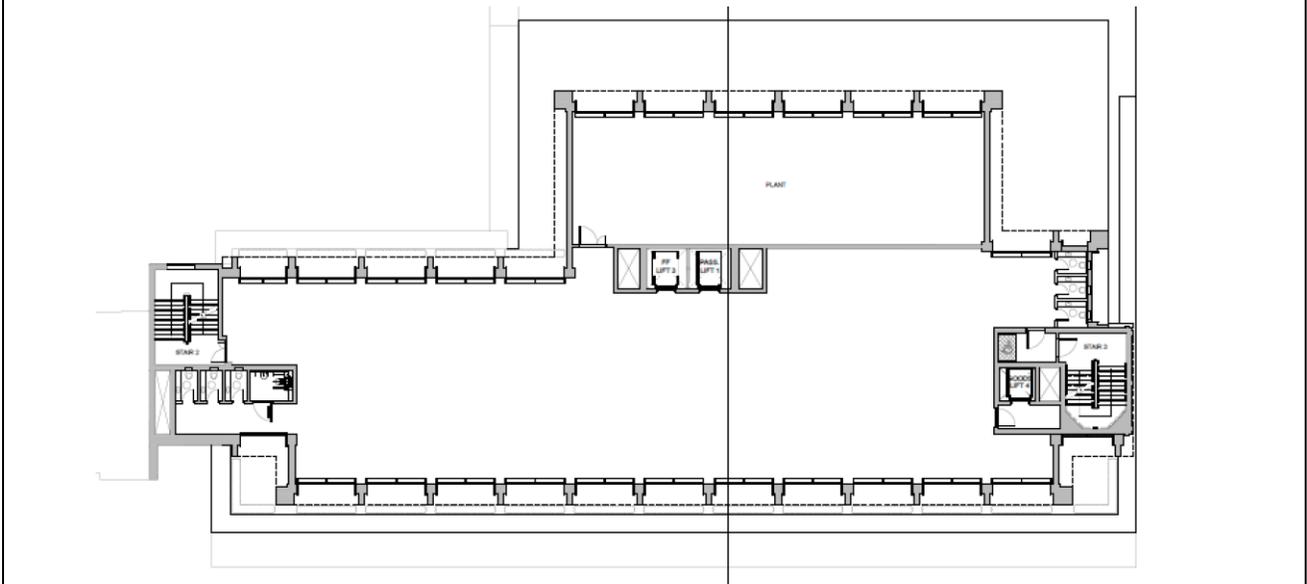
Existing seventh floor



Proposed seventh floor



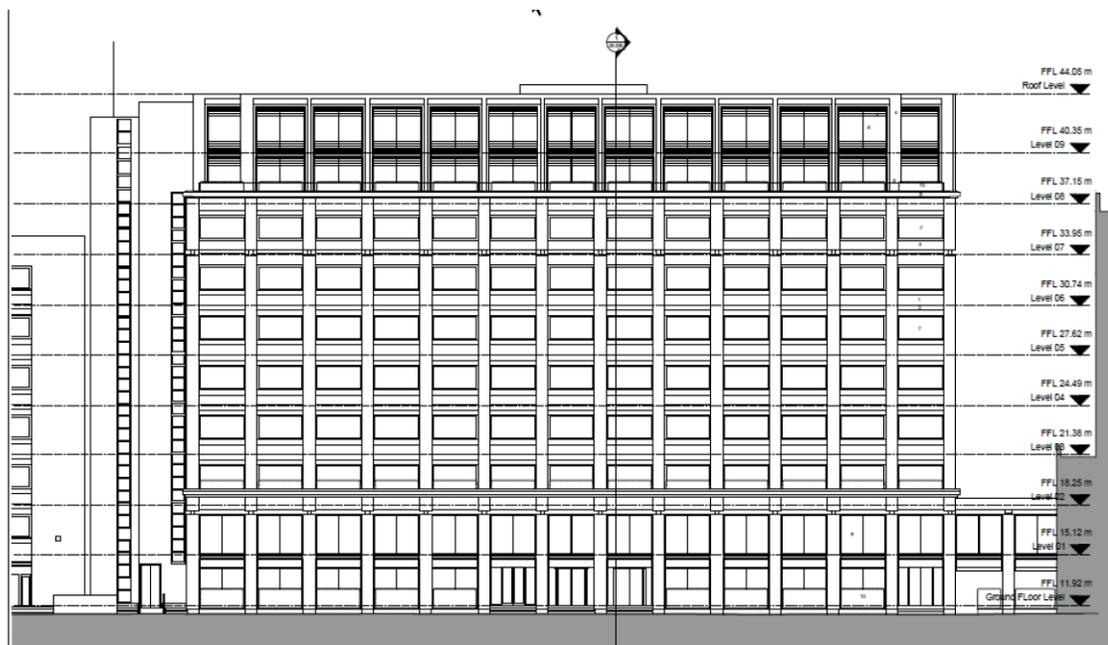
**Proposed eighth floor**



**Proposed ninth floor**



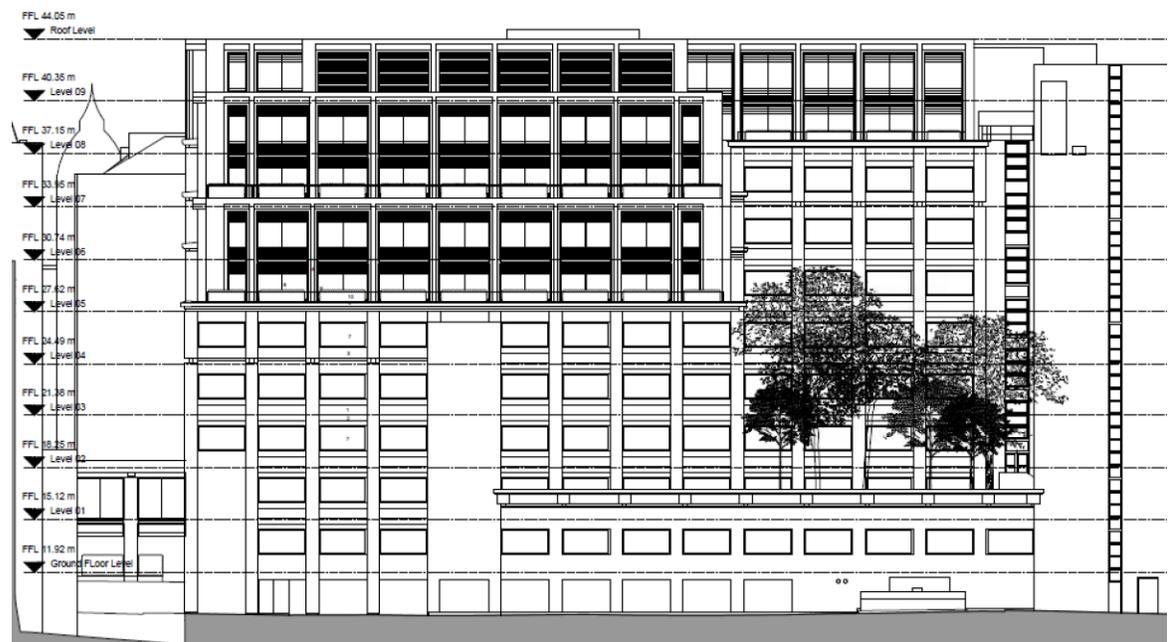
Existing south elevation



Proposed south elevation



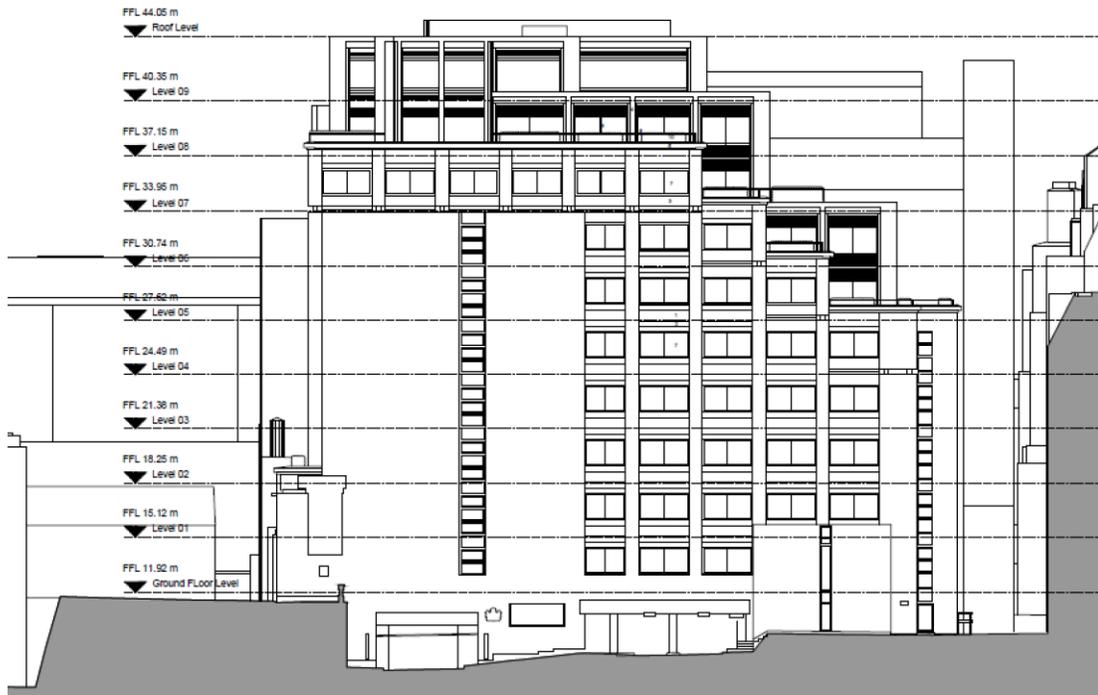
Existing north elevation



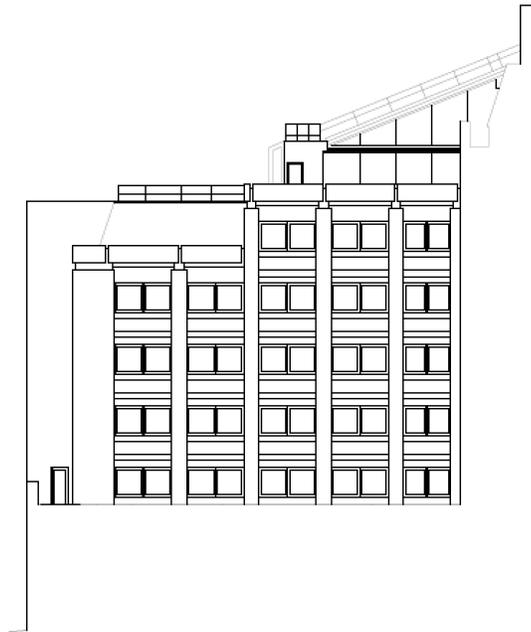
Proposed north elevation



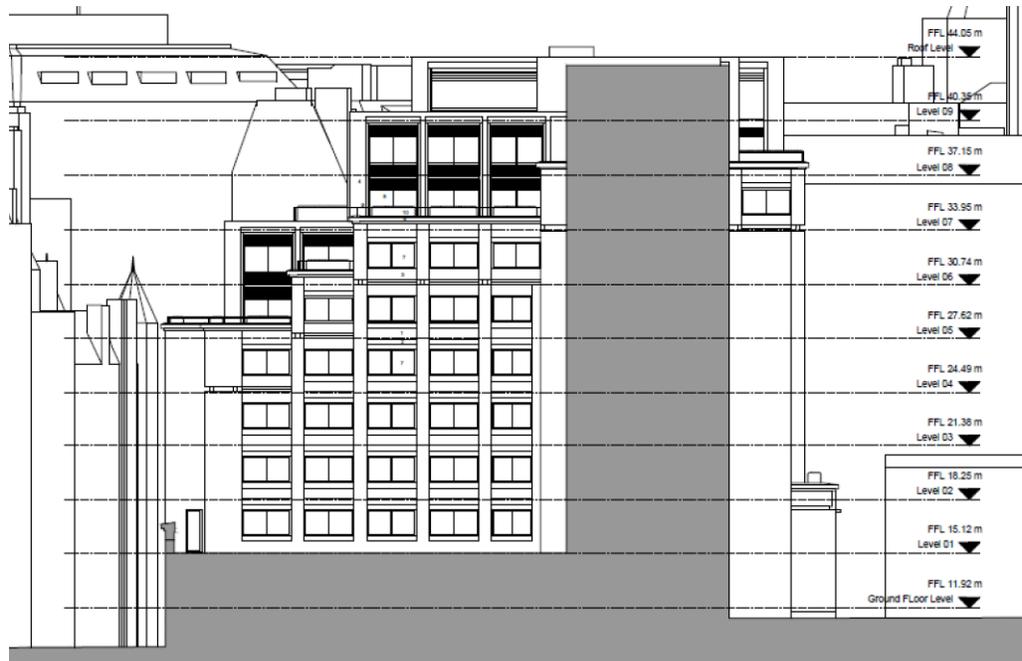
Existing east elevation



Proposed east elevation



Existing west elevation



Proposed west elevation

**DRAFT DECISION LETTER**

**Address:** 20 Carlton House Terrace, London, SW1Y 5AN

**Proposal:** Demolition of existing mansard roof and roof level plant and construction of three floors at roof level (one additional floor) with extensions at fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Alterations to the existing building including new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level, car and cycle parking at basement level three and associated works.

**Reference:** 18/10412/FULL

**Plan Nos:** CHT-SRA-XX-ZZ-DR-A-00-001 Rev. 1, CHT-SRA-XX-ZZ-DR-A-00-002 Rev. 1, CHT-SRA-XX-ZZ-DR-A-00-010 Rev. 1, CHT-SRA-XX-B1-DR-B-20-099 Rev. 1, CHT-SRA-XX-B1-DR-A-20-099 Rev. 1, CHT-SRA-XX-B2-DR-B-20-098 Rev. 1, CHT-SRA-XX-B2-DR-A-20-098 Rev. 1, CHT-SRA-XX-00-DR-B-20-100 Rev. 1, CHT-SRA-XX-00-DR-A-20-120, CHT-SRA-XX-00-DR-A-20-100 Rev. 1, CHT-SRA-XX-01-DR-B-20-101 Rev. 1, CHT-SRA-XX-01-DR-A-20-121, CHT-SRA-XX-01-DR-A-20-101 Rev. 1, CHT-SRA-XX-02-DR-B-20-102 Rev. 1, CHT-SRA-XX-02-DR-B-20-122, CHT-SRA-XX-02-DR-A-20-102 Rev. 1, CHT-SRA-XX-03-DR-B-20-103 Rev. 1, CHT-SRA-XX-03-DR-A-20-123, CHT-SRA-XX-03-DR-A-20-103 Rev. 1, CHT-SRA-XX-04-DR-B-20-10 Rev. 1, CHT-SRA-XX-04-DR-B-20-124, CHT-SRA-XX-04-DR-B-20-104 Rev. 1, CHT-SRA-XX-05-DR-B-20-105 Rev. 1, CHT-SRA-XX-05-DR-B-20-125, CHT-SRA-XX-05-DR-A-20-105 Rev. 1, CHT-SRA-XX-06-DR-B-20-106 Rev. 1, CHT-SRA-XX-06-DR-A-20-126, CHT-SRA-XX-00-DR-A-20-106 Rev. 1, CHT-SRA-XX-07-DR-B-20-107 Rev. 1, CHT-SRA-XX-07-DR-A-20-127, CHT-SRA-XX-07-DR-A-20-107 Rev. 1, CHT-SRA-XX-RF-DR-B-20-108 Rev. 1, CHT-SRA-XX-RF-DR-A-20-128, CHT-SRA-XX-08-DR-A-20-108 Rev. 1, CHT-SRA-XX-09-DR-A-20-109 Rev. 1, CHT-SRA-XX-RF-DR-A-20-110 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-300 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-320, CHT-SRA-XX-ZZ-DR-A-20-300 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-301 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-321, CHT-SRA-XX-ZZ-DR-A-20-301 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-302 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-322, CHT-SRA-XX-ZZ-DR-A-20-302 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-303 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-323, CHT-SRA-XX-ZZ-DR-A-20-303 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-200 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-201 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-201 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-200, Noise Assessment Report Rev. 02 dated 03/11/2018, Daylight and Sunlight Report dated 30.11.18, Energy and Sustainability Strategy dated 30.11.18, Planning Statement dated 30.11.2018 and Transport Statement dated 30.11.2018. For information purposes: Design and Access Statement dated November 2018 and Townscape and Heritage and Visual Impact Assessment dated 30.11.2018.

**Case Officer:** Zulekha Hosenally

**Direct Tel. No.** 020 7641 2511

**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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's 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)

- 4 You must apply to us for approval 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 work on the relevant part of the development until we have approved in writing what

you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 St James's 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)

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

- i) Detailed elevation and section drawings of the roof extension (a typical bay);
- ii) Detailed elevation and section drawings of the rear extension (a typical bay); and
- iii) Drawings showing the detailed design of the spandrel panels, including materials.

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 this part of the St James's 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)

- 6 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace, except those shown on the approved drawings.

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 St James's 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)

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at

a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

**Reason:**

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (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. (R46AB)

- 8 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. (R48AA)

- 9 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(s) 6 and 7 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. (R51AB)

- 10 The use of the seventh and eighth floor terrace areas hereby approved shall take place only between the hours of 0800 hours to 2100 hours Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays unless otherwise agreed in writing with the City Council as local planning authority. You can however use the terraces to escape in an emergency or for access for maintenance purposes.

Reason:

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

- 11 No amplified music or sound shall be played at any time on the seventh and eighth floor terrace areas.

Reason:

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

- 12 You must provide the office cycle storage space shown on the approved drawing; CHT-SRA-XX-B2-DR-A-20-098 Rev. 1 prior to occupation. Thereafter the cycle spaces within the storage area must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

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

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling 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. (R14CC)

**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, neighbourhood plan (where relevant), 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 Conditions 6, 7 and 8 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)
- 3 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.

- 4 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](http://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](mailto: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.**
- 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 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](http://www.hse.gov.uk/falls/index.htm).
- Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 7 Fractures and ruptures can cause burst water mains, low water pressure or sewer flooding. You are advised to consult with Thames Water on the piling methods and foundation design to be employed with this development in order to help minimise the potential risk to their network. Please contact: Thames Water Utilities Ltd, Development Planning, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ, Tel: 01923 898072, Email: [Devcon.Team@thameswater.co.uk](mailto:Devcon.Team@thameswater.co.uk)

- 8 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

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

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.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.