

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 22 October 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Maida Vale	
Subject of Report	Garages and Forecourt Between 117-119 and 131-133 Lanark Road, London, W9 1PB		
Proposal	Demolition of existing forecourt hardstanding and garage block containing eight garages and erection of a single building containing four, three-storey dwelling houses with front areas and gardens to rear between 131 & 133 Lanark Road (known as Site A). Demolition of existing forecourt hardstanding and garage block containing nine garages and erection of a single building containing four, three-storey dwelling houses with front areas and gardens to rear between 117 & 119 Lanark Road (known as Site B).		
Agent			
On behalf of	Westminster City Council		
Registered Number	19/04144/COFUL	Date amended/ completed	29 May 2019
Date Application Received	29 May 2019		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

1. Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992 subject to a S106 legal agreement to secure the following planning obligations:
 - i. Provision highways works to Lanark Road outside both sites to facilitate the proposed development, including alterations to vehicular crossovers and footway paving.
 - ii. Provision of lifetime (25 year) car club membership for each of the residential units.
 - iii. Removal and replacement of street tree adjacent to Site A.
2. If the S106 legal agreement has not been completed within six weeks from of the date of the Committee's resolution then:
 - a) The Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not

- b) The Director of Place Shaping and Town Planning shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so the Director of Place Shaping and Town Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

2. SUMMARY

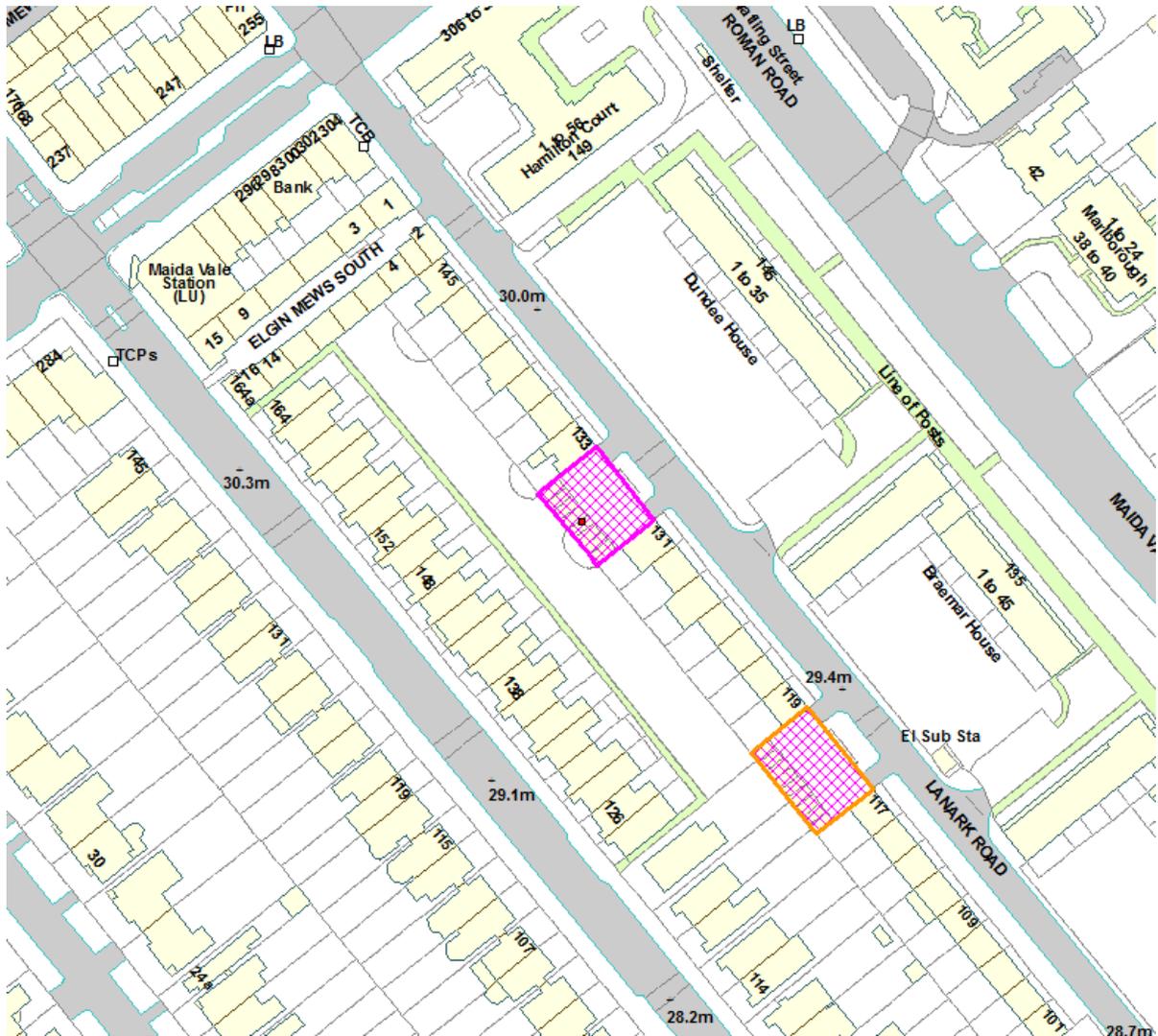
The application seeks permission for the demolition of 8 garages and erection of a single building containing four, three storey dwellings with associated private gardens between 131 and 133 Lanark Road (Site A) and for the demolition of 9 garages and erection of a single building containing four, three storey dwellings with associated private gardens between 117 and 119 Lanark Road (Site B). Both sites do not contain any listed buildings. However, and to the rear of Site A, 124 to 164 Randolph Avenue are Grade II listed. Both sites are located within the Maida Vale Conservation Area.

The key issues in this case are:

- The acceptability of the proposed residential units in terms of their size and mix;
- The acceptability of the design of the development and its impact on the character and appearance of the Maida Vale Conservation Area;
- The impact on the amenity of neighbouring residents;
- The acceptability of loss of existing off-street parking;
- The impact on the availability of on-street residents' parking in the vicinity of the site; and
- The impact on neighbouring trees.

For the detailed reasons set out in this report the proposed development is considered to be acceptable in land use, design, amenity, transportation and environment terms and, given the public benefits of the scheme, would accord with the relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and in Westminster's City Plan adopted in November 2016. Therefore, the application is recommended for approval subject to the conditions set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of garages on Site A between 131 and 133 Lanark Road



View of garages on Site B between 117 and 119 Lanark Road

5. CONSULTATIONS

WARD COUNCILLORS FOR MAIDA VALE:

Any response to be reported verbally

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY:

No objection

LONDON UNDERGROUND LIMITED:

No comment

LONDON FIRE BRIGADE:

Any response to be reported verbally

DESIGNING OUT CRIME:

No objection subject to conditions and informative

ENVIRONMENT AGENCY

Any response to be reported verbally

THAMES WATER UTILITIES LTD

No objection subject to conditions

HISTORIC ENGLAND

No comment

NATURAL ENGLAND

No comment

MEDIUM REDEVELOPMENTS & INFRASTRUCTURE:

No objection subject to conditions and informatives

WASTE PROJECT OFFICER

Following revised drawings, concerns raised over the proposed capacities, a condition recommended to overcome this.

HIGHWAYS PLANING TEAM

Objection to loss of off-street car parking

BUILDING CONTROL

Any response to be reported verbally

ARBORICULTURAL OFFICER:

No objection subject to conditions and legal agreement in order to relocate street tree adjacent to Site A.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED
(original consultation)

No. Consulted: 238; Total No. of replies: 3

Three letters received raising objection on all or some of the following grounds:

Amenity

- Loss of privacy from the top floor windows in the proposed development to residential properties to the rear
- Design includes a flat roof that has raised concerns that users will use as a roof terrace

Highways

- Loss of existing parking
- Proposal will result in extra pressure on existing parking

Other

- Rubbish not being collected regularly resulting in antisocial behaviour
- Prior to the development Westminster Council should first deal with the existing problems and mitigate potential impact
- Concerns over the demolition of the party wall facing Randolph Avenue which could result in damage to the outdoor amenity spaces

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED
(re-consultation letters sent on 13/09/19 following revised materials for the upper storey and obscure glazing)

No. Consulted: 238

Total No. of replies: 0

6. BACKGROUND INFORMATION

6.1 The Application Site

Site A is located between 131 and 133 Lanark Road. The site contains a row of 8 garages and a hardstanding forecourt area with a low level boundary garden bed adjacent to Lanark Road. Site B is located between 117 and 119 Lanark Road, further south from Site A, and comprises of 9 garages a hardstanding forecourt area with a low-level boundary garden adjacent to Lanark Road.

The surrounding buildings are two storey in height and are predominantly brick with render with flat roofs. Whilst the original purpose of these garages would appear to be provision for the surrounding residential buildings there are no records of planning conditions requiring their use by occupiers of any particular blocks. The units are let to local residents on weekly licences.

Both sites are located within the Maida Vale Conservation Area and to the rear of Site A is No's 124 to 164 Randolph Avenue which are Grade II listed.

6.2 Recent Relevant History

None relevant to both sites.

7. THE PROPOSAL

Permission is sought to demolish the existing garages and erect a single three storey building containing four three-bedroom houses with private gardens at both sites. Both sites will have a paved front area with black metal railings to the front boundary. The units will all be for social rent. Both sites will have photovoltaic panels on their flat roofs and be constructed of brick with the set back second floor being clad in dark grey aluminium to match the aluminium framed windows.

All of the proposed units would contain three bedrooms and have a floor area of approximately 101 sqm.

Following officers' concerns, the second floor bottom panel of the top floor rear facing windows will be obscure glazed and the material of the second floor amended to dark grey aluminium cladding, re-consultation letters were sent to the neighbours in relation to these changes.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Loss of existing garage

The Highways Planning Manager objects to the loss of the existing 17 total garages for both sites on the basis that their loss would be contrary to TRANS23 of the UDP as they are existing spaces and no exceptional circumstances for their loss have been provided. The loss is considered likely to increase the pressure on on-street residents' parking in the vicinity of the site; however, he notes that this objection is on the basis that the existing garages are protected by condition. In this case a search of Council records has not resulted in finding a condition restricting the use of the garages to the use by occupiers of adjoining residential properties.

A garage inspection by the applicant gained access to 8 of the garages and identified that 4 are let and 3 void with of the 8 inspected, three garages were being used for car parking, and the remaining 5 for storage however it has been noted that the garages are sub-standard and do not meet current design standards. The Council has produced a garage decant strategy to reprovide alternative garage accommodation within the vicinity for those licensees of the existing garages.

In this context and having regard to the public benefit of providing additional housing on this site, it is not considered that the loss of the garages would have such a demonstrable impact on on-street parking pressure in the immediate vicinity of the site

so as to warrant withholding permission pursuant to Policies STRA25 and TRANS23 in the UDP.

8.1.2 Residential use

The principle of providing new residential accommodation on these sites are acceptable in land use terms and accords with Policies S13 and S14 in the City Plan and Policy H3 in the UDP. All the proposed units are family sized units and so the proposal exceeds the requirements of Policy H5 in the UDP and Policy S15 in the City Plan. The size and layout of the accommodation would be compliant with the minimum standards set out in the Government's Technical Housing Standards and Policy 3.5 of the London Plan. As such, the residential accommodation proposed would be of a good standard.

The applicant has identified that the units are intended to be used to provide social rented housing. However, given only eight residential units are proposed over both sites and the scheme delivers less than 1,000 sqm of new residential floorspace on the sites, it does not trigger a requirement to provide affordable housing under Policy H4 in the UDP and Policy S16 in the City Plan.

8.2 Townscape and Design

UDP Policy DES 1 establishes principles of urban design and conservation, ensuring the highest quality of new development. With regards to architectural quality it states that development should be of the highest standards, use high quality materials appropriate to its setting and maintain the character, scale and hierarchy of existing buildings.

UDP Policy DES 4 seeks to ensure the highest quality of new development in order to preserve or enhance Westminster's townscape. The policy sets out considerations whereby new infill development must have regard to the prevailing character and quality of the surrounding townscape specifically noting that the development conforms or reflects established boundary lines and local scale, storey heights and massing of adjacent buildings, characteristic frontage plot widths, roof profiles including silhouettes of adjoining buildings, distinctive forms of prevalent architectural detailing and type of characteristic materials. Part (H) also notes that where there is the existence of a set piece or unified architectural composition or significant building groups new development should conform or reflect the design characteristics.

UDP policy DES 9 seeks to preserve or enhance the character or appearance of conservation areas and their setting.

The proposed development consists of two set of four three-storey houses. The front elevations of both sites align with the existing terraces with defensible space being provided to the front elevations and demarked by railings. The houses are accessed from the side elevation and separated from the existing terraces by a forecourt area. The rear elevations project deeper than the existing rear-built line and are towards the centre. The buildings are all three storeys in height, with the top storey being recessed. The elevations are to be a soft red brick, with two bonds proposed to create visual interest. During the course of the application the material to the top storey has been amended to dark grey aluminium cladding panels, which aids in defining the level as a roof storey.

The redevelopment of these sites is accepted as it addresses the poor-quality townscape created by the recessed garages. The location of the buildings, aligning with the established line of the neighbouring terraces is in accordance with the aims of DES 4, with the deeper footprint considered acceptable in design and townscape terms. The form of the buildings is appropriate for their location, with the building height creating a step between its immediate neighbours which breaks up the form of Lanark Road as a whole.

With regards to detailed design, the use of red brick is reflective of the surrounding buildings, albeit the tone is brighter and therefore are considered to be contextually appropriate, whilst demarking the buildings as a group, together making a contribution to the area. Detail is generated through the brick bond. The side and rear elevations are detailed like the front elevation owing to their high visibility in private views from the buildings that overlook the site and obliquely from within Lanark Road. The use of dark grey aluminium cladding for the upper storey is supported as this aids in defining the upper level as a 'roof storey' and reduces the appreciated mass of the new buildings. The use of a flat roof is in keeping with the surrounding blocks and the use of photovoltaic panels on the roof is supported and secured by condition. The scale of the fenestration creates hierarchy and relates the building to its neighbours, whilst the simplistic detailing comfortably identifies the buildings as later additions to the area.

It is noted that the rear boundary of the buildings to the rear of the application site (fronting Randolph Avenue), is the existing garages. Therefore, in demolishing the garages a new boundary is to be erected. It is proposed that this is a brick boundary wall to the height of the neighbouring boundary walls, which is considered to be appropriate. Boundaries within the site are to be timber fences with trellises above which is also acceptable.

In conclusion, the proposal is considered to comply with UDP policies DES 1 DES and DES 9 as well as S28 of the City Plan. The new buildings will preserve the character and appearance of the Maida Vale Conservation Area.

8.3 Residential Amenity

8.3.1 Sunlight and Daylight

The applicant has submitted a daylight and sunlight assessment of the proposed developments at Sites A and B, which assesses its impact on the adjacent properties 117, 119, 131 and 133 Lanark Road. The properties to the front of the sites, Dundee House and Braemar House and to the rear within Randolph Avenue are not considered to be impacted due to the distance.

All of these properties are shown to fully comply with BRE criteria for both daylight and sunlight.

In light of the above considerations the proposed development is considered to be acceptable in terms of its impact on daylight and sunlight and would accord with Policy ENV13 in the UDP and S29 in the City Plan.

8.3.2 Sense of Enclosure

The proposed developments would be sufficiently distant from most neighbouring properties windows (at its nearest approximately 20 metres to Randolph Avenue) and sufficiently limited in height (2 storey's and a set back top level) so as not to cause a material increase in sense of enclosure.

8.3.3 Privacy

Two objections have been received from residents living in Randolph Avenue on the grounds that the proposal will result in loss of privacy for their property and the outdoor amenity space. The rear elevation of the proposed sites, facing Randolph Avenue will be roughly 20 metres away from the rear elevation of the closet wing whilst this is a substantial distance the applicant has agreed to obscure the bottom half of the windows within the second floor to reduce direct overlooking into the outdoor amenity spaces. A condition will be recommended to secure this detail.

There are no windows in the side elevation of the existing adjacent dwellings on Lanark Road furthermore the window at first floor level facing the rear gardens of Lanark Road will be obscured glazed. Therefore, it is not considered that any significant overlooking between these buildings would result from the development.

Concerns have also been raised in regards to the flat roof being used as a terrace although no access has been proposed to the roofs of either of the sites, a condition has been recommended to ensure the amenity of the nearby residents is protected.

8.4 Transportation/Parking

The loss of the existing garages has been discussed in the land use section above.

The Highways Planning Manager has objected to the proposal on the grounds that no off street parking is being provided for either of the sites; furthermore the Council's most recent parking survey for both sites A and B indicated that parking occupancy both during the daytime and night time within the vicinity of the site is over the 80% threshold set by Policy TRANS 23. The site has a high level of public transport accessibility and in this context, and having regard to the public benefit of providing additional housing on this site, it is not considered that the impact on street car parking in this case is such so as to warrant withholding permission pursuant to Policies STRA25 and TRANS23 in the UDP.

The submitted Transport Statement states that 2 cycle places are provided for each unit. This is in accordance with the London Plan. The Highways Planning Manager has requested that details of the cycle provision are conditioned as it is unclear from the submitted drawings if the spaces are weather proof. It is therefore recommended that such a condition requiring details is attached to any permission.

The Waste Project Officer has raised concerns following revised drawings that the capacities for the waste and recycling facilities may be inadequate. It is considered that

this can be addressed by attaching a condition to any permission requiring details of waste storage provision.

8.5 Economic Considerations

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

8.6 Access

Level access is provided to the entrance of the houses however no habitable accommodation will be provided at ground floor level. As the development provides less than ten units there is no requirement to provide any accessible units.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Sustainability

As identified in the application documents, the site is in an area of low flood risk and is therefore an appropriate and sustainable location for residential development.

The introduction of photovoltaic panels at roof level is welcomed and it is recommended that this provision is secured by condition.

8.7.2 Trees

The City Councils Arboricultural Section have raised no objections to the proposed tree removal and replacement of the street tree to the front of Site A this will be secured by way of legal agreement. No objections have been raised to the other submitted details subject to conditions securing suitable tree protection and landscaping.

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, the draft plan has been revised and formal consultation is now being carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019. In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.9 Neighbourhood Plans

There is no relevant Neighbourhood plan in place in this location.

8.10 London Plan

This application raises no strategic issues.

8.11 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.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure details of tree protection measures. The applicant has agreed to the imposition of the condition.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment.

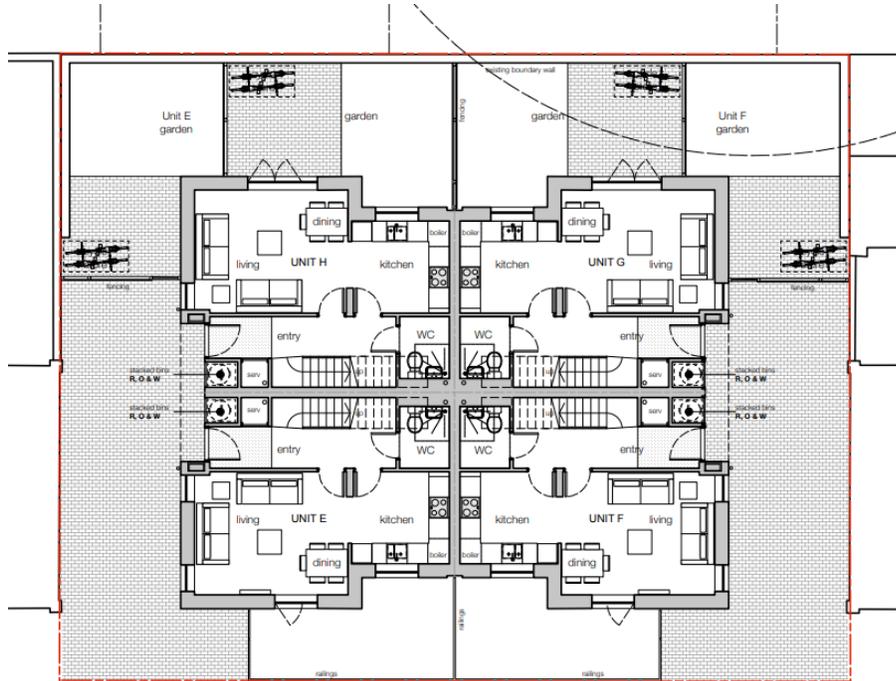
8.14 Other Issues

Concerns were raised in regards to the demolition of the rear boundary wall and the security issue that may arise to the rear gardens of Randolph Avenue, the applicant has agreed to a condition securing the priority of the construction of the boundary wall.

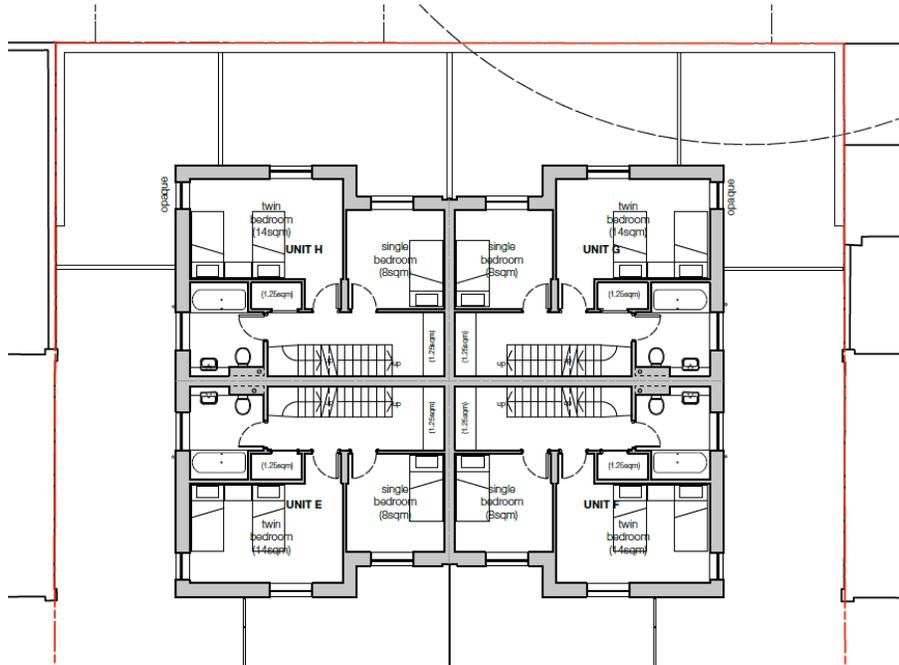
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT northplanningteam@westminster.gov.uk

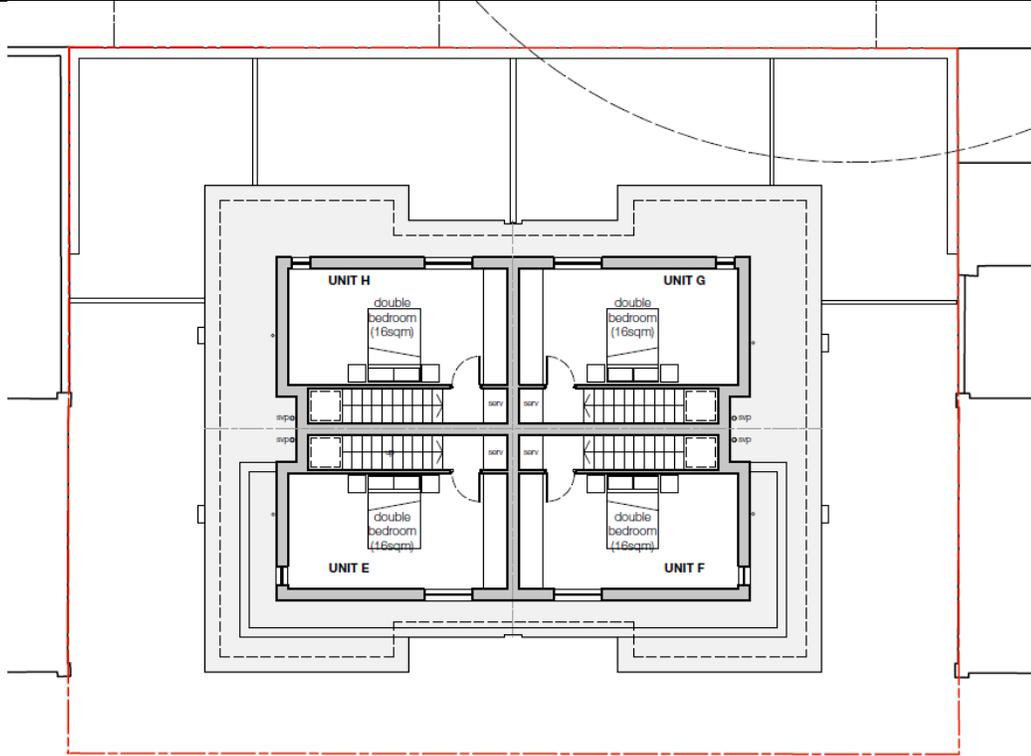
9. KEY DRAWINGS



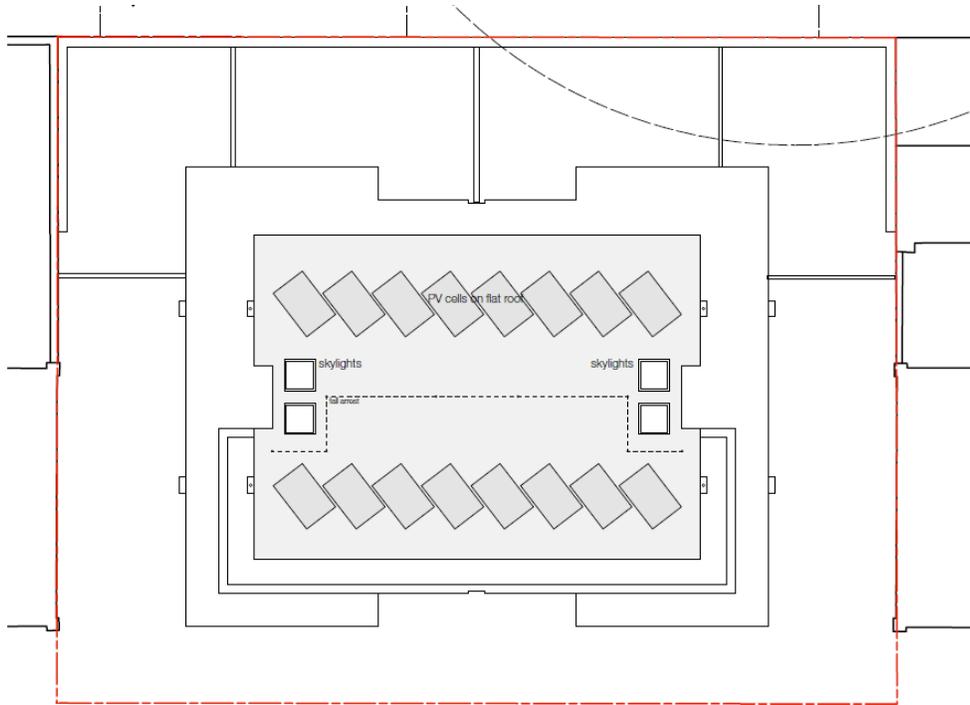
Proposed Ground Floor Plan (same layout for both sites)



Proposed First floor Plan (same layout for both sites)



Proposed Second Floor Plan



Proposed Roof Plan



Visual of Site A – front elevation



Visual of Site B – front elevation

Item No.

5

DRAFT DECISION LETTER

Address: Garages And Forecourt Between 117-119 and 131-133, Lanark Road, London, W9 1PB,

Proposal: Demolition of existing forecourt hardstanding and garage block containing eight garages and erection of a single building containing four, three-storey dwelling houses with front areas and gardens to rear between 131 & 133 Lanark Road (known as Site A). Demolition of existing forecourt hardstanding and garage block containing nine garages and erection of a single building containing four, three-storey dwelling houses with front areas and gardens to rear between 117 & 119 Lanark Road (known as Site B).

Reference: 19/04144/COFUL

Plan Nos: LR-PL01, LRA-PL02, LRA-PL03, LRA-PL04, LRA-PL06, LRA-PL07, LRA-PL08, LRB-PL02, LRB-PL03, LRB-PL04, LRB-PL06, LRB-PL07, LRB-PL08, LRB-PL05A, LRA-PL05A, LRB-PL09A, LRB-PL10A, LRA-PL09A, LRA-PL10A, Design and Access Statement Rev A, Arboricultural Impact Assessment dated 03 April 2019, Daylight/Sunlight -& Internal Illuminance Analysis, Preliminary Bat Roost Assessment, Statement of Community Involvement dated April 2019 and Transport Statement Rev B.

Case Officer: Frederica Cooney

Direct Tel. No. 020 7641 7802

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 Maida Vale 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 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 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 Maida Vale 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 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:

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 Maida Vale 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 paint any outside walls of the building without our permission. This is despite the fact that this work would normally be 'permitted development' (under class C of part 2 of schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015) (or any order that may replace it). (C26WB)

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 Maida Vale 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 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

photovoltaics on the roof

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 8 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)

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)

- 9 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 1 year 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 5 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 Maida Vale 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)

- 10 You must apply to us for our approval of details of an auditable system of arboricultural site supervision and record keeping prepared by an arboricultural consultant who is registered with

the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. The details of such supervision must include:

- i) identification of individual responsibilities and key personnel.
- ii) induction and personnel awareness of arboricultural matters.
- iii) supervision schedule, indicating frequency and methods of site visiting and record keeping
- iv) procedures for dealing with variations and incidents.

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 adhere to the approved supervision schedule.

You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included. You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

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

- 11 You must apply to us for approval of details of the foundations of the front and rear boundary walls where these are adjacent to trees. Your design must include methods for avoiding damage to tree roots. The foundations details and methods must agree with the details to be submitted in your arboricultural method statement. You must not start work on this part of the development until we have approved what you have sent us. You must then construct the wall foundations according to the approved details.

Reason:

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

- 12 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 . (C14EC)

Reason:

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

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

Reason:

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

- 14 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

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

- 15 You must not occupy each building until the City Council has provided written confirmation that the buildings have achieved 'Secured by Design' accreditation. You must retain all features of the building required to achieve 'Secured by Design' accreditation thereafter.

Reason:

To reduce crime in accordance with policy S29 of Westminster's City Plan (November 2016).

Informatives

- 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.
- 3 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 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 provision of affordable housing, highways works, provision of lifetime car club membership and removal and replacement of a street tree.
- 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

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 5 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: <https://www.westminster.gov.uk/street-naming-numbering> (I54AB)
- 6 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)
- 7 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 8 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.

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.