

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 3 <sup>rd</sup> April 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Regent's Park	
<b>Subject of Report</b>	14 Denning Close, London, NW8 9PJ,		
<b>Proposal</b>	Partial demolition of existing property, excavation of a basement; construction of part two storey and part single storey front extensions, erection of front and rear dormer extensions and associated external alterations.		
<b>Agent</b>	Mr Jack Hastie		
<b>On behalf of</b>			
<b>Registered Number</b>	17/10421/FULL	<b>Date amended/ completed</b>	23 November 2017
<b>Date Application Received</b>	23 November 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St John's Wood		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

Permission has previously been granted at the application site for a number of works including the erection of extensions to the front elevation at ground and first floor levels, excavation of a basement level, alterations to the roof and the replacement of the conservatory to the rear.

This application seeks permission for works to include those that have already been granted, namely the excavation of a basement level and a two-storey extension to the front elevation and additional works including alterations to the garage and the erection of dormer extensions to the front and rear.

The application has received objections from four neighbouring residents. The St John's Wood Society do not raise objection to the proposals however request that careful consideration is given to the comments of the neighbours and that previous construction management, overlooking and privacy concerns have been overcome.

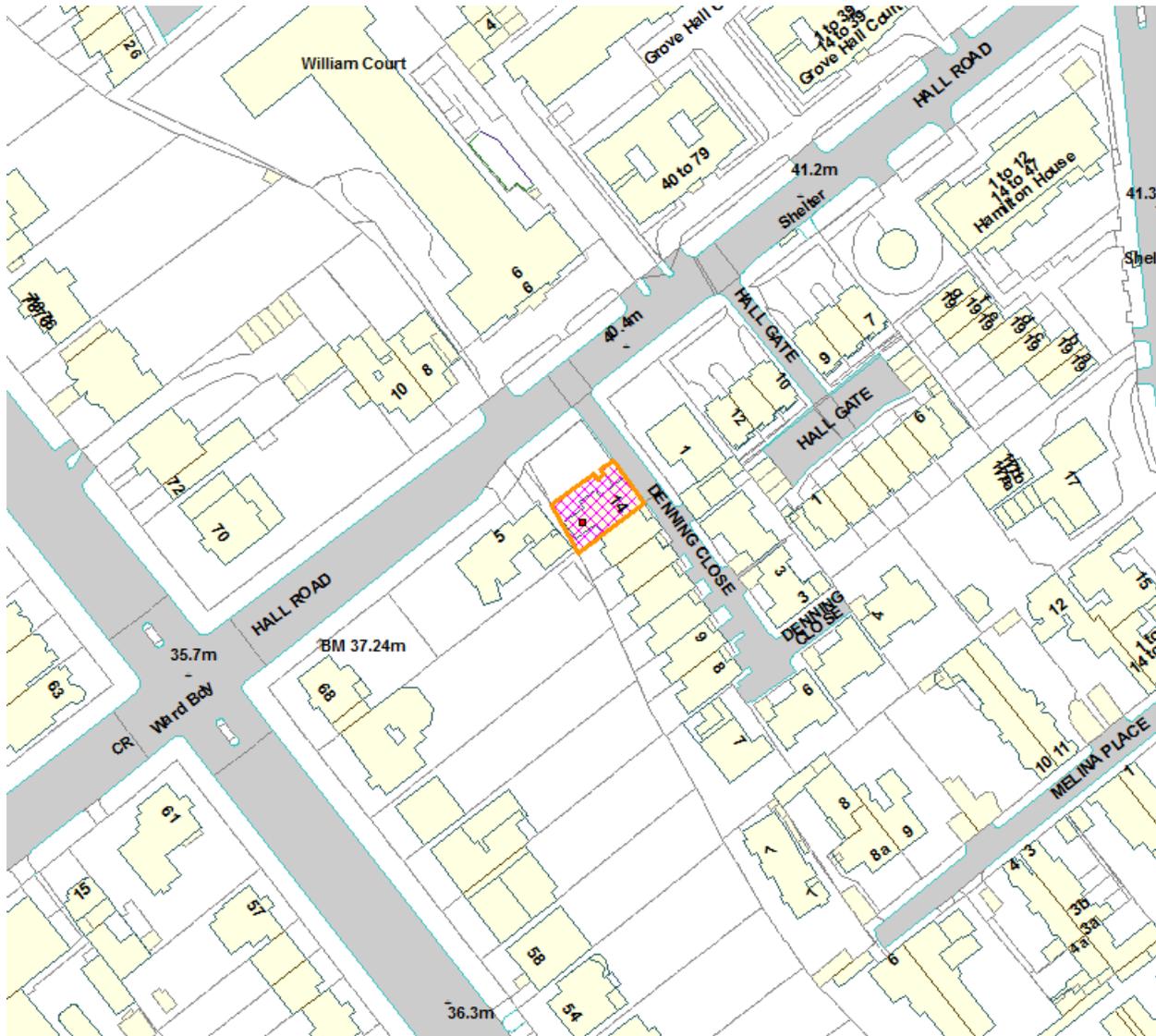
The key issues in this case are:

- The impact of the proposed development on the character and appearance of the adjoining St John's Wood Conservation Area.

- The impact of the proposal and associated construction activity on the amenity of neighbouring residents.

For the detailed reasons set out in this report, the proposed development is considered to accord with the relevant land use, design, amenity and environment policies in the Unitary Development Plan adopted in January 2017 and Westminster's City Plan adopted in November 2016. Therefore, subject to the recommended conditions set out in the draft decision letter appended to this report, it is recommended that permission is granted.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



**CONSULTATIONS****ST JOHN'S WOOD SOCIETY**

Careful consideration of the construction management plan has been requested which ensures the restrictions of Saturday working and protects the amenity of neighbours by addressing issues caused by difficult access. The concerns raised in previous application of overlooking and loss of privacy should be addressed.

**ARBORICULTURAL SECTION**

Query raised relating to the tree categories in the Arboricultural Report. Objection given the loss of existing soft landscaping and that there is no indication that it will be possible to restore or maintain sustainable soft landscaping within the proposed courtyard.

**HIGHWAYS PLANNING**

No objection.

**THAMES WATER**

No objection, subject to information relating to groundwater discharges into the public sewer.

**BUILDING CONTROL**

No objection. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater, including underground rivers has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible.

**ENVIRONMENTAL HEALTH**

No objection.

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**

No. Consulted: 19

Total No. of replies: 4

No. of objections: 4

No. in support: 0

In summary, the following issues were raised:

*Construction*

- Parking disruption during construction, ability of residents to drive in/out of the close as a large number of collections/deliveries may block access both in and out of the close.
- Skips during construction will block pedestrian access.
- Constructors parking and therefore causing traffic in the close.
- The construction management plan provided is a previous version. More information required where on site personal intend to park. It fails to include details of lorry swept path drawings.
- Private car park to front of property should not be used except for parking for the properties intended for. Construction works will prevent residents from 8-13 Denning Close from using this public car park.

- Impossible for lorries to access to load/unload skips due to the narrowness of Denning Close, possible damage to walls, pavements, lampposts and bollards. (Not shown on applicants drawings.)

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Reconsultation has been carried out on receipt of amended plans relating to the roof alterations.

RECONSULTATION RESPONSES:

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 19  
Total No. of replies: 0  
No. of objections: 0  
No. in support: 0

Any responses to be reported verbally.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## **5. BACKGROUND INFORMATION**

### **5.1 The Application Site**

14 Denning Close is a dwellinghouse located at the entrance of the close (a cul de sac off Hall Road). The building is not listed and is not within a conservation area, although the boundary of the St John's Wood Conservation Area runs along its eastern boundary.

### **5.2 Recent Relevant History**

11/06254/FULL – Permission Refused; Erection of a two storey front extension and an additional storey onto existing garage.

12/01158/FULL - Permission Granted; Erection of first floor extension with pitched roof to north (front) elevation, a front single storey extension at ground floor level and associated external alterations.

15/05949/FULL - Permission Granted; Works of partial demolition of the existing house in connection with its enlargement, including the excavation of a basement and new rear glazed roof to conservatory.

15/10567/FULL – Permission granted; Erection of two storey front extension.

The applicant has supported the application with a letter from Savills advising that the permission 15/05949/FULL has been implemented in that the front extension to the house has been demolished, the demolition of the rear conservatory has commenced and a 2m deep trench has been excavated in association with the basement excavation.

## 6. THE PROPOSAL

Planning permission is sought for partial demolition of the existing property, excavation of a basement; construction of part single storey, part two storey front extensions, dormer roof extensions to the front and rear roof slope and associated external alterations.

This application is an amalgamation of the works permitted under references 15/05949/FULL and 15/10567/FULL but with additional works including the alterations to the garage and the front fenestration of the property.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Residential	254.36	450.28	195.92
Total			

## 7. DETAILED CONSIDERATIONS

### 7.1 Land Use

The application will result in an increase in residential floorspace which is considered acceptable in land use terms and is compliant with Policy H3 of the UDP and Policy S14 of the City Plan, both of which seek to increase residential floorspace within Westminster.

### 7.2 Townscape and Design

The relevant policies are DES 1, DES 5 and DES 6 of Westminster's Unitary Development Plan and S28 of Westminster's City Plan.

In design terms, extensions beyond the front building line, and extensions at roof level to principle elevations are normally resisted under policies DES 5 and DES 6 of the adopted UDP. The proposal in terms of then front extensions are similar to those granted in 2012 and 2015.

Given the new façade is set back substantially from Hall Road and will be partly screened by the existing high brick boundary wall and trees, it is not considered that the front addition will harm the proportions of this house. In addition, the front dormer extension is similar to the dormer windows on the other properties in Denning Close in terms of design, form and location and is therefore considered to be a subordinate addition within the street scape. Whilst it is accepted that the proposed extensions will be visible from views within the St John's Wood Conservation Area along Hall Road, it is considered to be in keeping with the host building and its immediate surrounding.

The proposal will therefore preserve the character and appearance of the adjoining Conservation Areas.

The basement does not have any external manifestations (with the exception of a flush roof light which is not visible from public or private views) and therefore is considered acceptable in design terms.

There are no objections to the replacement rear conservatory, or to the two side windows.

### **7.3 Residential Amenity**

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of Westminster's City Plan aims to protect the amenity of residents from the effects of development.

#### **Sunlight and Daylight**

The proposed front extension follows the same profile as the 2012 and 2015 permission. There is an existing dormer window in the side elevation of No. 5 Hall Road, which serves a bedroom. The proposed front extension sits just behind this dormer. It is accepted that the front extension will be visible from the neighbour's bedroom, but will not result in any material loss of daylight. There will be no significant impact on No. 1 Denning Close and any loss of sunlight will be within acceptable limits.

#### **Sense of Enclosure**

There will be a small increase in enclosure to No. 5 Hall Road and No. 1 Denning Close, but these losses will be within acceptable limits. In terms of the location of the dormer in relation to that of No. 13 Denning Close, this dormer window is already enclosed by a party wall at roof level which restricts its outlook. The dormer will not result in any significant increase in sense of enclosure.

#### **Overlooking**

The dormer extension facing No. 13 Denning Close will not benefit from any windows, it will however be served by a rooflight. Therefore, it will not result in any loss of privacy to the adjoining property. It is recommended that a condition restricting permitted development rights is attached to any permission to ensure that windows are not added to this dormer which has the potential to introduce overlooking from this rear dormer.

With regards to the side windows onto Denning Close, these windows have previously been accepted and are considered difficult to resist given they would constitute permitted development.

#### **Noise Disturbance**

The proposals includes the provision of plant within the basement. The application has been supported by an acoustic report which has been reviewed by the City Council's Environmental Health Team.

Environmental Health raise no objection to the proposed plant on noise or nuisance grounds.

The acoustic report indicated that with noise reduction measures in place, the City Council's design noise level criteria can be met. It is recommended that a condition is imposed to require compliance with the Council's noise criteria.

### **Transportation/Parking**

The proposal does not represent an increase in residential units. No car parking provision is lost.

The Highways Planning Manager has reviewed the proposals and states that it is important to note that the altered position of the garage access leaves sufficient manoeuvring area for one car to gain easy access. However if a car is already in the garage this may result in a second car having more difficulty gaining entry. However, Denning Close is a private road and the proposed access point is far enough from the junction with Hall Road for the proposal to not affect the public highway.

Given the above the proposed works are acceptable and comply with policies TRANS2 or TRANS23.

### **7.4 Economic Considerations**

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

### **7.5 Access**

Access arrangements will remain unchanged.

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

#### **Refuse/Recycling**

The property will remain as a single dwelling and it is therefore not considered necessary to secure any additional waste/recycling storage.

#### **Trees**

The applicant has submitted an Arboricultural Report to support the application. The Arboricultural Manager has reviewed the submission and does not think that the proposal will affect any existing trees. It is stated however that they cannot support the application, as there is no indication that it will be possible to restore or maintain sustainable soft landscaping within the courtyard amenity space.

In this instance, given the small size of the courtyard, it is not possible to include a significant amount of planting and therefore it is not considered that Arboricultural Manager's objection can be supported. The proposal includes the provision of a green wall which is considered to mitigate the absence of soft landscaping and a condition is recommended to ensure that this is provided.

### **7.7 London Plan**

This application raises no strategic issues.

## 7.8 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.

## 7.9 Planning Obligations

Planning obligations are not relevant in the determination of this application. The development is CIL liable due to more than 100m<sup>2</sup> of additional residential floorspace being created. Based on the applicant's floorspace figures the CIL liability is expected to be £13,750 in respect of the Mayor's CIL and £45,256.60 in respect of Westminster's CIL; albeit it should be noted that this is before consideration of any exemptions that may apply.

## 7.10 Environmental Impact Assessment

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

## 7.11 Other Issues

### Basement

The proposed basement development is compliant with the City Plan policy on basement development (Policy CM28.1). The policy requires the basement developments to residential buildings not to extend beneath more than 50% of the garden land of the original and not be more than a single storey below the original floor level. The proposed development complies with these elements of the policy.

Building Control have assessed the proposed basement, the accompanying structural method statement, the method of construction, underpinning and safeguarding of the neighbouring site and confirmed that these are acceptable. They have confirmed that the proposal to safeguard adjacent properties during construction is considered to be acceptable and that the proposal should not have significant effects on the structural stability of neighbouring building. It is noted that the site is within the Maida Vale surface water flood risk hotspot as shown in the "Basement Development in Westminster" SPG however building control have stated that the proposal would not increase the likelihood of flooding in the local area.

In terms of the requirements of the policy for the provision of 1.2m soil depth above basement excavations, in this instance there would be a small strip of land above the basement that would not comply with this policy. Given the small area concerned (6m x 1m) it is not considered that the provision of the required soil depth is necessary to make the proposal acceptable in this instance.

Objections have been received from residents in Denning Close on the grounds that the proposed basement will result in disruption during construction. The objections raise very detailed concerns relating to the impact of construction traffic on the ability of residents to park and to access and egress the close. The objections also include very

detailed criticism of the Construction Management Plan submitted with the application dated December 2016. Residents consider that this plan does go into such detail regarding the management of construction traffic as conditioned in the 14<sup>th</sup> March 2017 permission. The applicants have now submitted the Construction Traffic Management Plan as previously approved by the City Council.

The applicants have submitted the required Appendix A to indicate their compliance with the Code of Construction Practice which is to be secured by condition. It is considered that requiring the construction works to be approved by the Council's Environmental Inspectorate and to comply with the council's Code of Construction Practice would be the most effective way of ensuring that the disruption to the neighbouring residents during construction is reasonably minimised.

The proposed basement is compliant with all other relevant elements of the policy and considered acceptable.

## **8. BACKGROUND PAPERS**

1. Application form
2. Response from Highways Planning dated 18<sup>th</sup> January 2018
3. Response from Thames Water dated 5<sup>th</sup> December 2017
4. Response from Arboricultural Manager dated 4<sup>th</sup> January 2018
5. Response from St John's Wood Society, dated 18 December 2017
6. Response from Building Control dated 15<sup>th</sup> March 2018
7. Response from Environmental Health dated 15<sup>th</sup> March 2018
8. Letter from occupier of 7 Denning Close, London, dated 3 December 2017
9. Letter from occupier of 9 Denning Close , Hall Road, dated 5th December 2017
10. Letter from occupier of 10 Denning Close, St John's Wood, dated 8 December 2017
11. Letter from occupier of 4 Denning Close, Hall Road, dated 11 December 2017

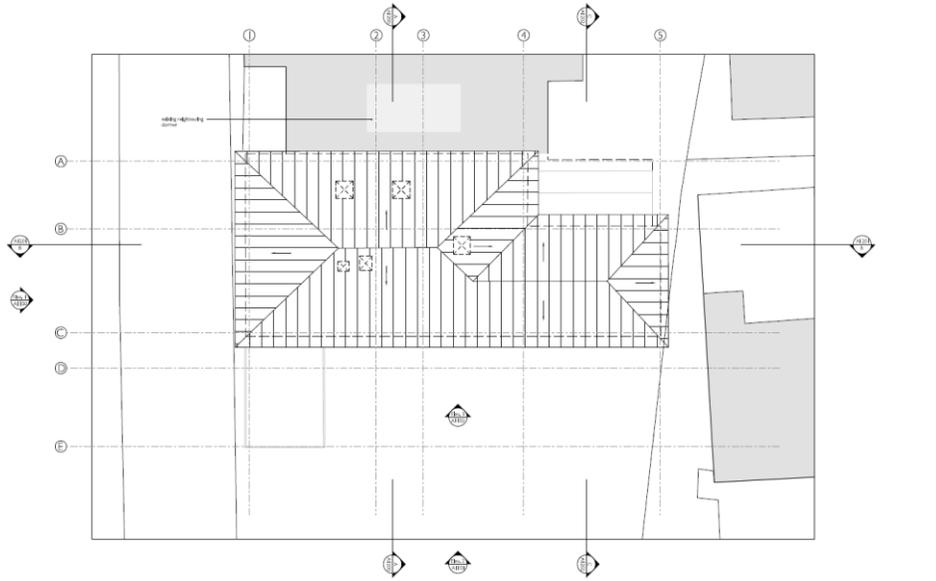
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

**IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RICHARD LANGSTON BY EMAIL AT [rlangston@westminster.gov.uk](mailto:rlangston@westminster.gov.uk).**





### EXISTING ROOF PLAN



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**Notes:**  
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**Client:**  
Fernand Forder  
**Project:**  
14 Denning Close  
London, NW10 9JY

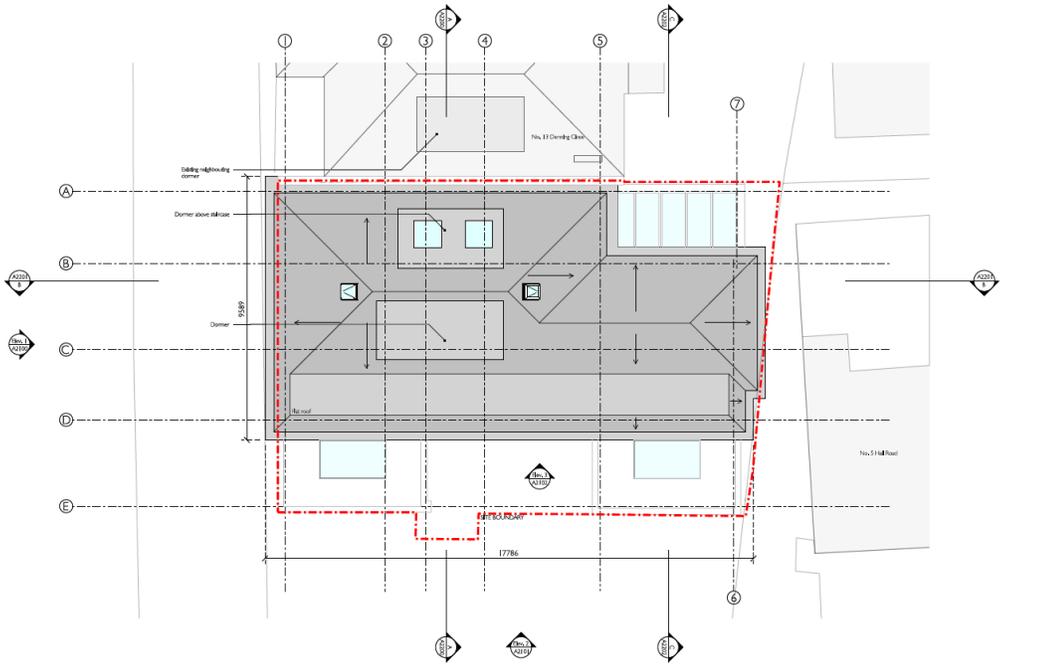


01	24.08.17	Issue for planning
02	06.12.17	Final design
03	23.11.17	Issue for planning
04	23.08.17	Issue for submission to Phase 1
05	24.08.17	Final design
06	23.08.17	Issue for planning
07	20.02.17	Issue for comments
08		Reason for Issue

**Project:** 14 DENNING CLOSE  
**Drawing Title:** Existing Roof Plan  
**Scale:** 1:100 @ A3  
**Date:** 04/17

**UBERAUM**  
ARCHITECTS  
Project No. 1705  
Drawing No. A0013  
Rev. 01

### PROPOSED ROOF PLAN



**UBERAUM**  
Architects  
14 & 16, 15th Floor, New York  
London EC2A 3EY  
Tel: +44 (0)20 7339 1793  
www.uberraum.com  
info@uberraum.com

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**Client:**  
Fernand Forder  
**Project:**  
14 Denning Close  
London, NW10 9JY

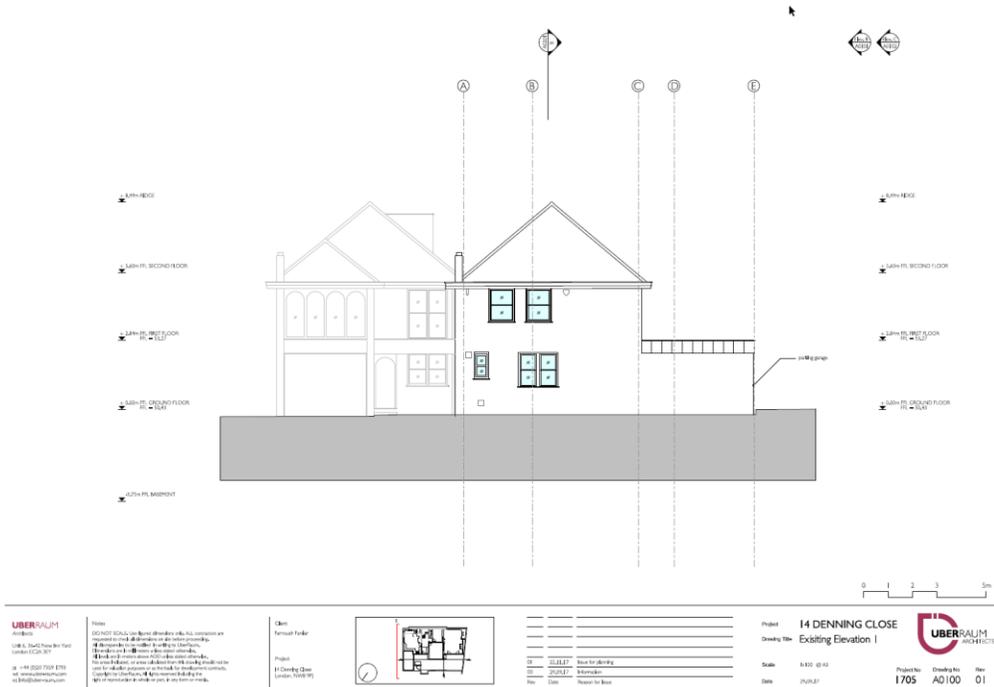


08	08.09.18	Issue for planning
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13	23.08.17	Issue for planning
14	20.02.17	Issue for comments
15		Reason for Issue

**Project:** 14 DENNING CLOSE  
**Drawing Title:** Proposed Roof Plan  
**Scale:** 1:100 @ A3  
**Date:** 24/08/17

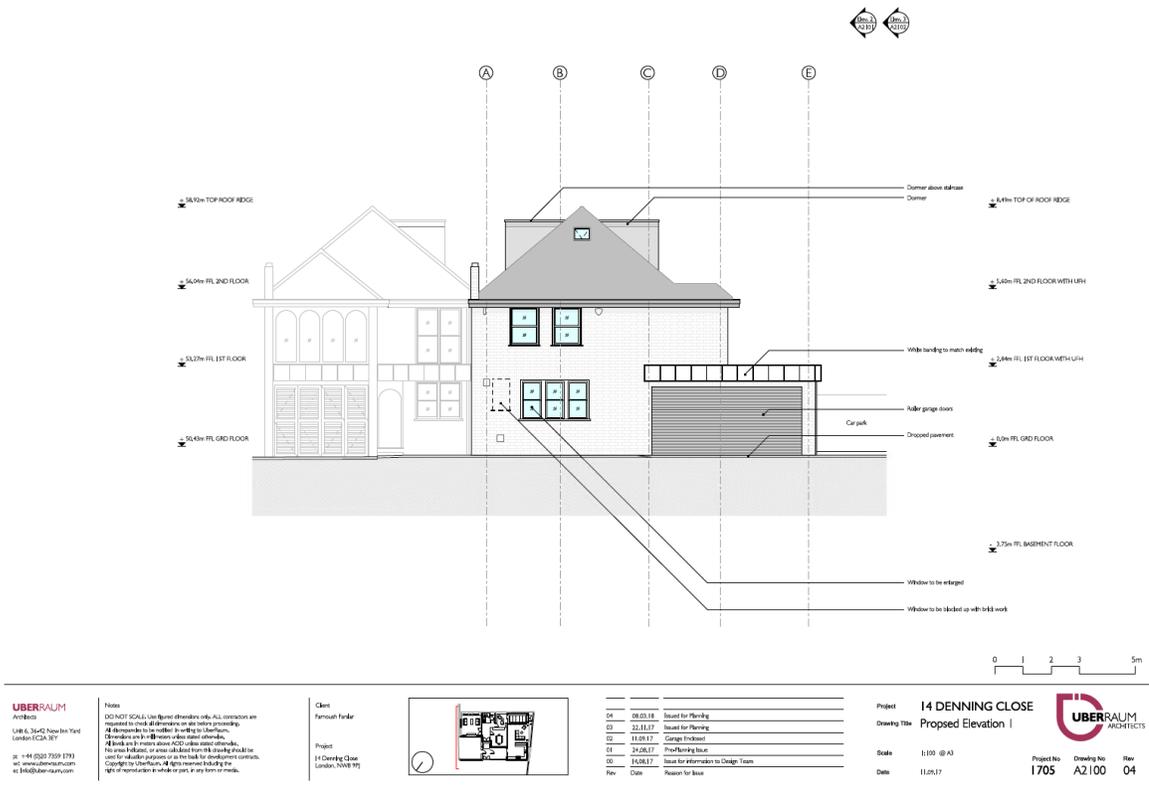
**UBERAUM**  
ARCHITECTS  
Project No. 1705  
Drawing No. A2013  
Rev. 08

### EXISTING SIDE ELEVATION



<p><b>UBERRAUM</b> Architects</p> <p>Unit 6, 5a-5c New Inn Yard London EC2A 3EY</p> <p>Tel: +44 (0)20 7559 1793 www.uberraum.com info@uberraum.com</p>	<p><b>Notes</b></p> <p>DO NOT SCALE. Use figure dimensions only. All construction is required to comply with Building Regulations and all other applicable legislation.</p> <p>Dimensions are given in meters unless otherwise stated.</p> <p>Dimensions are given in millimeters unless otherwise stated.</p> <p>Dimensions are given in centimeters unless otherwise stated.</p> <p>Dimensions are given in feet and inches unless otherwise stated.</p> <p>Dimensions are given in feet and inches unless otherwise stated.</p> <p>Copyright © Uberraum. All rights reserved. Indemnity for use of reproduction in whole or in part is prohibited.</p>	<p><b>Client</b> Farnham Forder</p> <p><b>Project</b> 14 Denning Close London, NW8 9Y</p>		<table border="0"> <tr><td>01</td><td>08.03.18</td><td>Issue for Planning</td></tr> <tr><td>02</td><td>22.03.17</td><td>Issue for Planning</td></tr> <tr><td>03</td><td>11.09.17</td><td>Garage Extension</td></tr> <tr><td>04</td><td>24.08.17</td><td>Proposed Elevation</td></tr> <tr><td>05</td><td>04.08.17</td><td>Issue for Information to Design Team</td></tr> <tr><td>06</td><td>04.08.17</td><td>Reason for Issue</td></tr> </table>	01	08.03.18	Issue for Planning	02	22.03.17	Issue for Planning	03	11.09.17	Garage Extension	04	24.08.17	Proposed Elevation	05	04.08.17	Issue for Information to Design Team	06	04.08.17	Reason for Issue	<p><b>Project</b> 14 DENNING CLOSE Existing Elevation I</p> <p><b>Scale</b> 1:100 @ A3</p> <p><b>Date</b> 25/01/17</p> <p><b>Project No</b> 1705 <b>Drawing No</b> AD100 <b>Rev</b> 01</p>	<p><b>UBERRAUM</b> ARCHITECTS</p>
01	08.03.18	Issue for Planning																						
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### PROPOSED SIDE ELEVATION



<p><b>UBERRAUM</b> Architects</p> <p>Unit 6, 5a-5c New Inn Yard London EC2A 3EY</p> <p>Tel: +44 (0)20 7559 1793 www.uberraum.com info@uberraum.com</p>	<p><b>Notes</b></p> <p>DO NOT SCALE. Use figure dimensions only. All construction is required to comply with Building Regulations and all other applicable legislation.</p> <p>Dimensions are given in meters unless otherwise stated.</p> <p>Dimensions are given in millimeters unless otherwise stated.</p> <p>Dimensions are given in centimeters unless otherwise stated.</p> <p>Dimensions are given in feet and inches unless otherwise stated.</p> <p>Dimensions are given in feet and inches unless otherwise stated.</p> <p>Copyright © Uberraum. All rights reserved. Indemnity for use of reproduction in whole or in part is prohibited.</p>	<p><b>Client</b> Farnham Forder</p> <p><b>Project</b> 14 Denning Close London, NW8 9Y</p>		<table border="0"> <tr><td>01</td><td>08.03.18</td><td>Issue for Planning</td></tr> <tr><td>02</td><td>22.03.17</td><td>Issue for Planning</td></tr> <tr><td>03</td><td>11.09.17</td><td>Garage Extension</td></tr> <tr><td>04</td><td>24.08.17</td><td>Proposed Elevation</td></tr> <tr><td>05</td><td>04.08.17</td><td>Issue for Information to Design Team</td></tr> <tr><td>06</td><td>04.08.17</td><td>Reason for Issue</td></tr> </table>	01	08.03.18	Issue for Planning	02	22.03.17	Issue for Planning	03	11.09.17	Garage Extension	04	24.08.17	Proposed Elevation	05	04.08.17	Issue for Information to Design Team	06	04.08.17	Reason for Issue	<p><b>Project</b> 14 DENNING CLOSE Proposed Elevation I</p> <p><b>Scale</b> 1:100 @ A3</p> <p><b>Date</b> 11.05.17</p> <p><b>Project No</b> 1705 <b>Drawing No</b> A2100 <b>Rev</b> 04</p>	<p><b>UBERRAUM</b> ARCHITECTS</p>
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**DRAFT DECISION LETTER**

**Address:** 14 Denning Close, London, NW8 9PJ,

**Proposal:** Excavation of a basement; construction of a two storey front extension, extension in width and height of existing garage; roof extension and associated external alterations.

**Reference:** 17/10421/FULL

**Plan Nos:** Eva\_091 REV A; A1100 01; A1101 01; A1102 01; A1011 01; A1010 01; A1013 01; A1012 01; A1200 01; A1201 01; A1202 01; EVA\_300; EVA\_301; EVA\_302; EVA\_303; EVA\_310; EVA\_320; A2009 10; A2100 04; A2101 04; A2011 10; A2010 10; A2013 08; A2200 02; A2201 02; Acoustic Report 440633/SS1; Desk Study & Ground Investigation Report J14207; Arboricultural Report 140532-PD-11; Construction Methodology Statement June 2016; Geotechnical Environmental Report; Structural Method Statement August 2015

**Case Officer:** Coelho

**Direct Tel. No.** 020 7641 6204

**Recommendation and Reason(s)**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision and any drawings approved subsequently by the City Council as local planning authority pursuant to the 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 not carry out any building work which can be heard at the boundary of the site only: , o 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: , 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 you have agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site., , You must highlight on the copy of the planning permission any condition that restricts the hours of building work.

Reason:

To make sure other people in the building are fully aware of the conditions and to protect their rights and safety. (R21FA),

- 5 You must only use the garage for people living in this property to park their private motor vehicles. (C22EB)

Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 6 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

Reason:

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

- 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.

- 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.

- 9 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application., , Green wall., , You must not remove any of these features. (C43FA)

Reason:

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

- 10 You must not form any windows or other openings (other than those shown on the plans) in the rear dormer of the building without our permission. This is despite the provisions of Classes A and B of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it).

Reason:

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

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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).
- 3 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 4 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)

- 5 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.**
- 6 During demolition and construction, you are advised to collaborate/co-operate with other developments in Denning Close in order to ameliorate the impact of works on the amenity of local residents.

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.