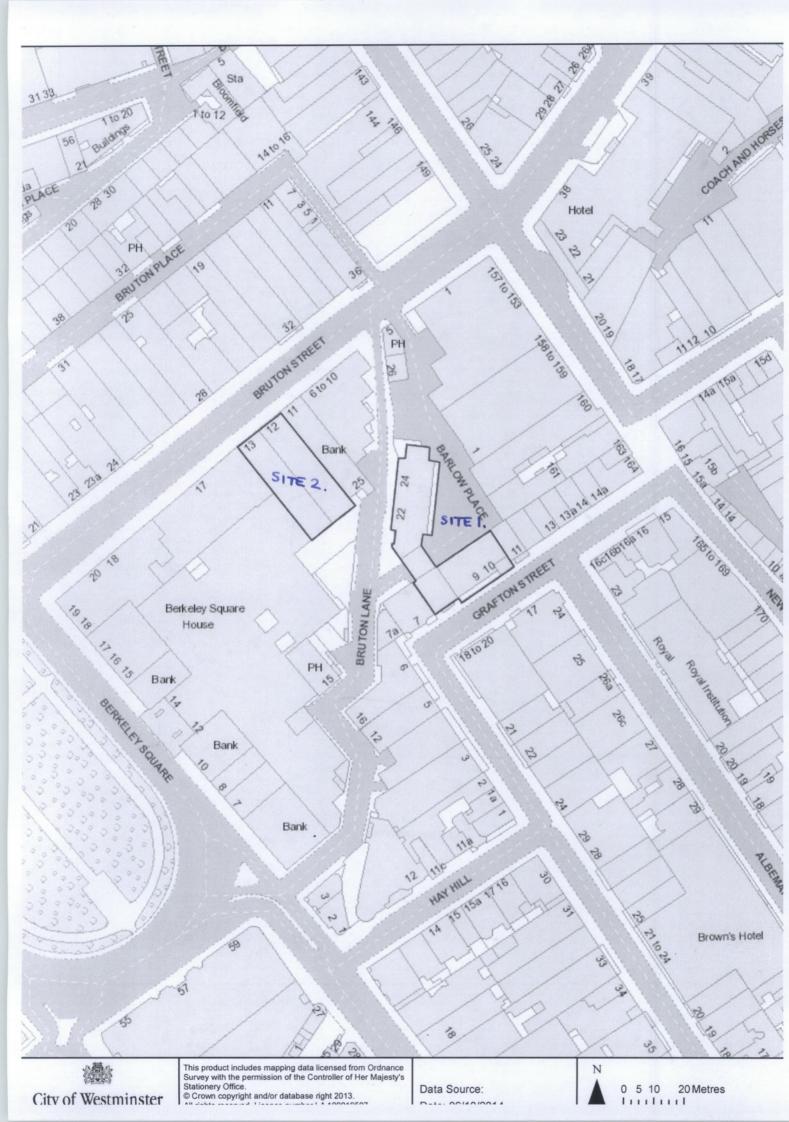
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CITY OF WESTMINSTER			
PLANNING APPLICATIONS	Date	Classification	1
COMMITTEE 14 October 2014		For General R	elease
Report of		Wards involve	ed
Operational Director Developm	nent Planning	West End	
Subject of Report	 Development Site At 8-10 G London, W1 12-13 Bruton Street, Londo 		and 22-24 Bruton Lane,
Proposal	Site 1. Demolition of all existing buildings and redevelopment to provide (i) a six storey building (plus three storey basement) on Grafton Street comprising dual/alternative retail, restaurant or office use (Class A1/A3/B1) at ground and basement level 1, car parking and plant installation at basement level 2 and office use (Class B1) at first - fifth floor levels with plant enclosure at rooftop level; (ii) an 11 storey (plus two storey basement) building on Barlow Place comprising car parking and residential storage at basement levels and dual/alternative retail or restaurant (Class A1/A3) use at ground floor, and residential use (Class C3) at first - tenth floors containing 15 residential units. Creation of roof terraces and plant enclosure at roof level and balconies at all floor levels. Associated provision of open space and landscaping. Site 2. Demolition of 12 - 13 Bruton Street and erection of an eight storey (plus basement) building comprising dual/alternative retail (Class A1) or restaurant use (Class A3) at ground floor level and office use (Class B1) at first to seventh floor levels. Provision of plant and cycle storage at basement level and plant and photovoltaic panels at seventh floor roof level.		
Agent	Gerald Eve		
On behalf of	Grafton Estate No.2 LP (nominee	e One) Limited	
Registered Number	1. 14/00784/FULL 2. 14/00789/FULL	TP / PP No	TP/5081
Date of Application	24.01.2014	Date amended/ completed	27.01.2014
Category of Application	Major		
Historic Building Grade	Both sites are unlisted		
Conservation Area	Both sites are within the Mayfair Conservation Area		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Within Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	No licence applications have been submitted		

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1. RECOMMENDATION

- 1. Grant conditional permissions for Sites 1 and 2, subject to a \$106 legal agreement to secure:
- Provision of £2,262,084 towards the City Council's affordable housing fund (index linked and payable upon commencement);
- Provision of £1,576,860 towards Mayoral CIL/Crossrail SPG;
- Provision of £397,916 towards public realm improvements in the vicinity of the sites;
- No more than 9,123m2 of office floorspace to be occupied until the residential building at Nos.22-24 Bruton Lane is ready for occupation, unless otherwise agreed in writing with the Council:
- Should the residential building at Nos.22-24 Bruton Lane not be ready for occupation when
 the occupied office floorspace exceeds 9,123m2, £335,000 is to be paid immediately to the
 affordable housing fund. After 12 months, if the residential building is not ready for
 occupation, a further payment of £335,000 is to be made, and a payment of £335,000 is to be
 made thereafter every six months for five years until the residential building is ready for
 occupation;
- The costs of monitoring the S106 agreement.
- 2. If the S106 legal agreement has not been completed within six weeks of the date of this resolution then:
- (a) The Operational Director shall consider whether it would be possible and appropriate to issue the permissions with additional conditions attached to secure the benefits listed above. If so, the Operational Director is authorised to determine and issue such decisions under Delegated Powers; however, if not:
- (b) The Operational Director shall consider whether the permissions should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Operational Director is authorised to determine the applications and agree appropriate reasons for refusal under Delegated Powers.





8-10 Grafton Street



22-24 Bruton Lane



12-13 Bruton Street



12-13 Bruton Street (Rear Elevation)

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2. SUMMARY

The proposals involve two applications to be considered together as a land use swap package. Site 1) at Nos. 8-10 Grafton Street and Nos. 22-24 Bruton Lane comprises two unlisted modern conjoined buildings in office and retail use linked at the rear from ground to fourth floor levels. Nos. 8-10 has a flying freehold over the entrance of its neighbour at No.7 which is a Grade II listed building. Nos.22-24 is located to the rear of Grafton Street and due to the height differences between Grafton Street and Bruton Lane the ground floor level on Grafton Street equates to the second floor level within the Bruton Lane building.

Site 2) at Nos. 12-13 Bruton Street is a pair of interconnected buildings on the south side of Bruton Street comprising basement, ground and four upper floors (with a small mansard type structure at fifth floor level on No.12 and a similar sized plant area on No.13). Although they appear to be Victorian, the facades were in fact rebuilt in the 1980s. They are mostly in office use, but also include two flats on the second and third floors and a maisonette on the top two floors.

Permission is sought for the demolition of all the buildings at Site 1) and their replacement with new buildings. Nos. 8-10 Grafton Street will be rebuilt with three basement levels, ground floor level, five upper storeys and rooftop plant room. This building will be used for office purposes with a retail unit at ground floor level. The two basement levels will be connected to a new 11 storey building to be built at Nos. 22-24 Grafton Street which would comprise 15 residential flats on the upper floors with shop or restaurant use at ground floor level.

The buildings at Site 2) are also proposed to be completely demolished and rebuilt, being replaced with a new building comprising basement, ground and seven upper levels. The ground floor would be used for either shop or restaurant purposes, with the remainder of the building in office use.

The overall scheme including both sites would increase both residential and commercial floorspace, but the residential increase would be greater by +249m2. The uplift in residential floorspace would be +3288m2 which would require the provision of on-site affordable housing, but no affordable housing is included in the proposals and, in lieu of this, the applicant has offered to contribute to the City Council's affordable housing fund.

The key issues for consideration are:

- The design, height and bulk of the new buildings at both sites and the contribution of these to local townscape;
- The impact of the proposals at both sites on surrounding residential amenity;
- The lack of on-site affordable housing provision;
- The amount of payment offered towards the City Council's affordable housing fund in lieu of on-site provision.

It is considered that the proposals are acceptable in all respects. It is accepted there are physical constraints that make difficult the provision of on-site affordable housing, and that given the economic viability considerations the financial contribution offered in lieu of on-site provision is the maximum achievable.

3. CONSULTATIONS

SITE 1) 8-10 GRAFTON STREET AND 22-24 BRUTON LANE:

GREATER LONDON AUTHORITY Stage 1 response:

The principle of development is generally acceptable in strategic planning terms but certain elements do not comply with the London Plan, which are:

- No on-site affordable housing is provided;
- In lieu of on-site affordable housing a full financial payment should be made to the affordable housing fund:
- Generally the residential units are over-sized and there is potential for more residential units in the scheme;
- Provision of more active frontages on the southern part of Bruton Lane should be investigated;
- Proposals fall short of the 40% carbon reduction target;
- After viability considerations all available S106 funding should be for affordable housing.

TRANSPORT FOR LONDON

No objection, subject to the car parking levels being reduced; cycle parking being increased and contributions made to Crossrail

LONDON UNDERGROUND LIMITED No objection.

ENGLISH HERITAGE - ARCHAEOLOGY No objection.

ENGLISH HERITAGE

Authorisation granted for the City Council to determine the application.

RESIDENTS' SOCIETY OF MAYFAIR AND ST JAMES'S

No objection but comments that shops would be preferable to restaurants.

ENVIRONMENTAL HEALTH

No objection.

CLEANSING MANAGER

No objection

BUILDING CONTROL

No objection.

GO GREEN MANAGER

Requests a financial contribution to the carbon off-setting fund.

HIGHWAYS PLANNING MANAGER

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 242; Total No. of Replies: 1.

One letter of support received on behalf of four owners of the flats at 1 Barlow Place.

ADVERTISEMENT/SITE NOTICE: Yes

SITE 2) 12-13 BRUTON STREET:

ENGLISH HERITAGE

Authorisation granted for the City Council to determine the applications.

RESIDENTS' SOCIETY OF MAYFAIR AND ST JAMES'S No objection.

ENVIRONMENTAL HEALTH No objection.

HIGHWAYS PLANNING MANAGER No objection.

CLEANSING MANAGER No objection.

BUILDING CONTROL No objection.

GO GREEN MANAGER

Requests a financial contribution to the carbon off-setting fund.

ADJOINING OWNERS/OCCUPIERS AND ANY OTHER REPRESENTATIONS No. Consulted: 132 Total No. Replies: 0

ADVERTISEMENT/SITE NOTICE: Yes

BACKGROUND INFORMATION

4.1 The Application Sites

Site 1)

4.

The application site comprises Nos.8-10 Grafton Street, which is an unlisted building comprising basement, lower ground, ground, first, second, third and fourth floor levels with a set-back fifth floor level. There is an existing retail unit over part lower ground and ground floor levels, with offices on the upper floors. This building was built in the late 1950s/early 1960s and includes a flying freehold over the entrance of its neighbour (No. 7) which is Grade II listed.

The second building on Site 1) is Nos. 22-24 Bruton Lane which is conjoined with Nos.8-10 Grafton Street but on a different street frontage with facades to both Bruton Lane and Barlow Place. This building comprises basement, lower ground, ground and six upper floors, and is entirely in office use. Due to the height differences between Grafton Street and Bruton Lane, the ground floor level of the building on Grafton Street equates to the second floor level of the building in Bruton Lane. Both buildings are not listed but they are within the Mayfair Conservation Area, and the Core Central Activities Zone.

Bruton Lane connects Berkeley Street to the south and Bruton Street to the north. It serves as servicing route to the rear of several buildings on Berkeley Square and to buildings on Grafton Street and Bruton Street itself. Barlow Place is a private road at the rear of New Bond Street and is within the applicant's ownership. It provides access, parking and servicing areas for several of the retail units on New Bond Street.

Site 2)

The existing site consists of two interconnected buildings on the south side of Bruton Street comprising basement, ground and four upper floors (with a small mansard type structure at fifth floor level on No.12 and a similar sized plant area on No.13). Although they appear to be Victorian, the facades were in fact rebuilt in the 1980s. They are mostly in office use, but with two flats on the second and third floors and a maisonette on the top two floors. There is a parking area for approximately four vehicles in the rear basement, accessed from Bruton

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Lane. The buildings are not listed but they are within the Mayfair Conservation Area, and the Core Central Activities Zone.

4.2 Relevant History

Site 1)

On 3 April 2008 planning permission was granted for the redevelopment to provide i) a seven storey plus basement office building on Grafton Street comprising ground floor retail use, offices and roof plant enclosure and ii) an 11 storey plus basement building, with roof level plant enclosure, comprising a mix of offices and 11-self contained flats, fronting Bruton Lane; provision of open space and associated landscaping.

The time limit for implementing the 2008 permission was extended on 18 March 2011 and the applicant has claimed that implementation of this permission has commenced but has subsequently ceased.

Site 2)

26 June 2012 - permission granted for the demolition of 12 - 13 Bruton Street and erection of a new building comprising basement, ground and seven upper floors for retail (Class A1), offices (Class B1), residential (Class C3), car parking (accessed from Bruton Lane) and associated plant and equipment. (Not implemented).

July 1985 – Permission granted for redevelopment to provide office and light industrial accommodation and three residential units with associated service areas and car parking. This was a variation of a permission granted in November 1983, when permission had been granted for partial redevelopment, behind retained facades. In the event the whole structure collapsed during demolition and retrospective consent was subsequently granted for the demolition of the facades. The July 1985 permission included the rebuilding of the original facades in replica. (Implemented).

5. THE PROPOSAL

Site 1)

Permission is sought for the demolition of all the existing buildings on the site. Nos.8-10 Grafton Street would be replaced with a new building comprising three basement levels, ground floor and five upper storeys, and a roof top plant room. The fifth floor level would be set back from the floors below and the roof top plant room will be set further back.

The first basement level (lower ground floor) and ground floor would be used for either shop/restaurant purposes or offices, with a minimum 199m2 retail to replace existing shops. The offices would occupy first floor level upwards. The new building would be clad in Portland stone and would incorporate bronze metalwork. The scheme is very similar to the planning permissions granted in 2008 and 2011, but the main changes are:

- a different shape to the eastern façade, changing from a curved elevation as previously granted to a stepped and terraced façade, resulting in the creation of terraces for the office floorspace;
- retail floorspace would be provided at the rear of Grafton Street facing Bruton Lane; and
- glazed bay windows would be incorporated into the ground floor retail on Grafton Street.

Nos. 22-24 Bruton Lane is proposed to be redeveloped to provide an 11 storey (plus two storey basement) building. This triangular new building would stand alone and would be no longer connected to Nos.8-10 Grafton Street, other than at basement level. The building would be mainly residential, comprising 15 residential units on the upper floors with a separate residential entrance located on Bruton Lane. Eighteen car parking spaces are proposed at basement level, accessed via a car lift located at the rear of the proposed new Grafton Street building. The remainder of the ground floor would be occupied for either shop or restaurant

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purposes with entrances on Barlow Place or Bruton Lane. External balconies for the flats are proposed at first to tenth floor level on the Bruton Lane and Barlow Place elevations, plus a roof terrace. Plant would be accommodated with a roof top enclosure. The building would be predominately clad in glass, with bronze spandrel panels.

As with the proposed new building on Grafton Street the new building on Bruton Lane would be very similar to that granted planning permission in 2008 and 2011, but with the following differences:

- The building would be mainly residential; as opposed to the previous schemes which
 proposed office floorspace from first to third floor levels;
- The creation of balconies on the Barlow Place and Bruton Lane elevations for the residential units;
- Bronze panels in place of stone;
- The overall height of the building would be higher by 800mm;
- Creation of retail or restaurant floorspace at ground floor level.

Proposed floorspace schedule (all buildings at Site 1)

Use	Existing	Proposed	+/- difference
Residential	0	3928	+3928
Offices	6121	5339	-782
Retail/restaurant	199	526	+327
Flexible office and/or retail and or restaurant *	0	1286	+1286
Total commercial	6320	8437	+2117

^{*}Restaurant use to be limited to 450m2 at 8-10 Grafton Street.

Site 2

Permission is sought for the demolition of the existing building and its replacement with an eight storey (plus basement) building, for use as offices on the upper floors and shops or restaurant on the ground floor. The entrance to the upper floors will be gained from Bruton Street.

Plant and cycle parking facilities would be provided at basement level and further plant and photovoltaic panels are proposed to be installed at rear seventh floor roof level.

The scheme is very similar to that granted in June 2012 but the main differences are:

- The use of all the upper floors for office purposes;
- No car parking provision;
- Balconies introduced on the rear elevation;
- Retail presence on the Bruton Lane elevation;
- The overall height of the building would be 1200mm higher;
- Restaurant proposed as an alternative to shops.

Proposed floorspace schedule (Site 2):

Use	Existing	Proposed	+/- difference
Residential	640	0	-640
Offices	3002	4839	+1837
Retail/Restaurant	0	371	+371
Total commercial	3,642	5,210	+1568

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As the proposals comprise a land use swap package it is necessary to consider the floorspace provision on both sites together as follows:

Overall Comparative Floorspace Schedule (Sites 1 and 2 combined)

3928 10178 897	+3288 +1055 +698**
897	+698**
1286	+1286
12361	+3039
•	12361

^{*}Restaurant use limited to a maximum of 450m2 at 8-10 Grafton Street.

6. DETAILED CONSIDERATIONS

6.1 Land Use

<u>Overvie</u>w

The proposals have been submitted as a land use swap with significant similarities to a package of proposals previously granted permission on these sites, but with the key change being that instead of the residential floorspace being provided on the upper floors of the new building at Site 2) it would be provided at Site 1) within the proposed new building at Nos.22-24 Bruton Lane. Conversely, the office floorspace previously proposed to be provided within the new building at Nos.22-24 Bruton Lane would in the current proposals be provided at Site 2).

The other main change from the previous permissions would be the introduction of additional shop or restaurant floorspace at Site 1).

None of these changes worsen the disposition of uses provided throughout the sites compared to the previous permissions.

Light industrial floorspace

The 1985 planning permission for the redevelopment of Site 2) was conditional on the provision of a small light industrial unit of 93m2. The applicant advises that when they acquired the site in August 2006 there was no evidence of this light industrial unit and the building was in use throughout for office purposes with the exception of the upper floor residential units granted as part of the 1985 permission. The head lease from 1987 indicates that the property has been let predominantly as offices and residential since 1987. This appears to show that the light industrial use was never implemented nor the condition complied with. Given this, and the fact that the site is not located in an area where light industrial uses are particularly protected, it is not considered that there is any justification for withholding planning permission on these grounds.

Offices

The sites are located within the Core Central Activities Zone to where new offices are directed by City Plan Policy S18 and UDP Policy COM1. Therefore, an increase in office floorspace is acceptable in principle.

Mixed use policy

UDP Policies CENT3 and COM2 and City Plan Policy S1 aim to encourage mixed use developments within Central Westminster, with the particular aim of including residential

^{**} Minimum 199m2 A1 retail.

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accommodation. It is a requirement that any increase in commercial development (especially offices) in excess of 200m2 should be matched by residential provision.

As a standalone scheme the proposals for Site 2) would be unacceptable as this would involve an increase in commercial floorspace by 1568m2 without an equivalent increase in residential floorspace.

It is recognised that it can sometimes be equally appropriate to provide the requisite housing on another site if it is in the same vicinity, as in this case where the proposed residential accommodation would be provided within the 11 storey triangular building at Site 1.

As a result of the land use swap, there will be an overall increase of 3039m2 of commercial floorspace which would be exceeded by the uplift of 3288m2 residential floorspace, thereby complying with UDP Policy CENT3.

Residential (unit mix and standard of residential floorspace at Site 1)

City Plan Policy S14 aims to protect all residential land. As a standalone scheme the proposals for Site 2) would result in the loss of three residential units. However, the combined proposals would deliver 15 units so there would be a net gain of 12 units, and therefore no breach of policy.

The proposed mix would provide 6x1 bed, 4x2 bed, 4x3 bed and 1x4 bed units and therefore 41% would be provided as family-sized accommodation, in compliance with UDP Policy H5. All the flats would comply with the minimum dwelling space standards as set out in the London Plan.

In its Stage 1 response the GLA has stated that the scheme does not appear to optimise the amount of residential floorspace and queries whether a greater number of units could be designed into the same floorspace. The applicant has responded by stating that due to the triangular shape of the site there are design challenges for creating high quality units which achieve the standards set out in the London Plan, particularly with regard to ensuring all units are dual-aspect. The number of additional units which could be accommodated in the building through alternate layouts, whilst complying with the relevant standards, is likely to be limited and would probably mean that not all would be dual-aspect.

Affordable housing

The 3288m2 additional residential floorspace achieved in the proposals requires the provision of 25% on-site affordable housing under Policies H4 and S16. Where it is acknowledged as being impractical or inappropriate to provide affordable housing either on nor off-site (on land nearby), the City Council may consider a financial contribution to the City Council's affordable housing fund in accordance with the adopted formula. For the amount of increased floorspace in this scheme, a policy compliant contribution would be £4,466,555.

The applicant has stated that the affordable housing cannot be provided on site as the key objective of their proposals is to reconfigure land uses within previously permitted schemes to achieve a more logical disposition across the sites. The affordable housing would be required to be accommodated within the 11 storey tower and it would be necessary to introduce a dedicated affordable housing entrance and services core (two lifts; escape staircase and dedicated service risers). The applicant has stated that this would have the following implications:

- The introduction of the second services core compromises the scheme design;
- Access to the affordable units from the second service core introduces long corridors within the building plan and reduces efficiency;
- The triangular shape of the building creates further difficultly in creating the second core;
 and
- The introduction of the second core would reduce the retail provision at ground floor level.

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The applicant has therefore concluded that on-site affordable housing is inappropriate. The applicant has also concluded that it is not possible to provide the required affordable housing floorspace off-site due to the high costs involved in purchasing a site, which would have an impact on viability.

The applicant has also argued that the proposed development is not able to be support the level of policy compliant contribution set out above. They contend that a certain amount of weight should be given to the consented development at Site1) where the affordable housing contribution was £272,000 (in accordance with the formula applicable that time).

The City Council's has appointed an independent viability expert to assess the proposals and to advise on the matter. Our consultants agree that the provision of on-site affordable housing would undermine the economic viability of the proposals, but that by not providing it on-site there would be excess monies that could be provided for funding legitimate S106 Agreement considerations including affordable housing. This would be £4,236,860, and this sum could be broken down to provide £1,576,860 towards Mayoral CIL/Crossrail SPG (compulsory payment), with the remaining £2,660,000 allocated to affordable housing (£2,262,084) and public realm (£397,916).

The applicant has agreed to make these payments, and in these circumstances given that independent advice is that this is the maximum that could be sought within the constraints of economic viability, it is considered acceptable.

Retail

The protection and enhancement of retail shopping provision is supported under City Plan Policy S21 and UDP Policy S24. There is an existing A1 retail unit at Site 1) which faces onto Grafton Street and it is important that at least the same amount of A1 retail floorspace is provided in the new development. In the proposals the proposed retail accommodation is identified as flexible space for either shop or restaurant use at both Sites 1) and 2) and it is paramount to ensure, by the imposition of a planning condition, that at least 199m2 of this floorspace is reserved on Grafton Street for A1 retail use only.

Restaurant

City Plan Policy S6 accepts that, in principle, entertainment uses are appropriate for the Core Central Activities Zone, and neither of the sites are located within a Stress Area where the introduction of new entertainment uses is considered more sensitive.

The maximum size for the restaurant within the flexible floorspace within Site 1) is 450m2 at Nos.8-10 Grafton Street and 167m2 at Nos. 22-24 Bruton Lane, and at Site 2) it would be 371m2. In such circumstances, given that these are 'medium-sized' entertainment uses UDP Policy TACE9 applies which requires the City Council to consider carefully the potential impact on residential amenity and environmental quality, taking into account the cumulative impact with other nearby entertainment uses, and the effect on the character and function of the area.

The restaurant proposals are speculative with no end-user identified, and therefore it is not possible at this time to consider the likely impact by assessing the track record of the intended occupier. However, conditions could be used to control the opening times and activity to limit the impact. These conditions would ensure that the uses would essentially be sit-down restaurants with any ancillary bar limited to a small part of the premises (i.e. 15%) and these bars could be used only by diners before and after meals. The hours of opening would be restricted to relatively early terminal hour of midnight with breakfast opening at 07.00hrs. The main entrance doors at ground floor level would be required to be self closing to minimise noise escape. All the new buildings proposed at both sites have been designed to incorporate internal kitchen extracts terminating at high level.

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6.2 Townscape and Design

Site 1)

In urban design terms the current proposals are very similar to those which were previously granted planning permission. The height and bulk of each of the proposed buildings remains largely unchanged although the proposed residential building would be 800mm taller. The architectural approach is also very similar and the main changes in this respect from the previously approved schemes are relatively minor and include:

- A change to the shape of the eastern facade of the rear part of the office building, south of the residential building (on Barlow Place); and
- The addition of projecting balconies on the east and west sides of the residential building (on Bruton Lane and Barlow Place).

The first change is uncontentious. It replaces a curved form with a stepped, terraced form. This change does not diminish the architectural quality of the building or its impact on the area.

The second change would not deliver the previously approved sleek, continuous façade, which had no projections from the building line. Although it would be better in design terms if the amenity space was created by insetting it into the façade, it is acknowledged that more daylight and sunlight can achieved for amenity space on projecting balconies than for recessed ones, and given that this would therefore provide superior residential accommodation, this overrides the design concerns.

Other than this, the overall quality of the proposed building is very good and it would be sited in a location where there is, generally, a lack of architectural quality in the immediate context. Both proposed buildings would enhance this rather neglected part of the Mayfair Conservation Area. They are considered to comply with Policies S25 and S28 of the City Plan: Strategic Policies and chapter 10 of the Unitary Development Plan, including Policies DES 1, DES 4 and DES 9.

Site 2

The site lies within a terrace of undistinguished 20th century buildings, none of which are of architectural merit. The existing buildings on the site are not considered to make a positive contribution to this part of the Mayfair Conservation Area.

The current proposals are very similar to those granted planning permission in 2012. The height of the now proposed building would be 1200mm taller than that previously approved and balconies for the office accommodation are also introduced on the rear elevation at first to fifth floor levels where there were previously none. A shopfront would also be introduced on the rear elevation, which was not part of previous proposals. These proposed alterations to the approved schemes are considered acceptable.

It is considered that this is a high quality modern building which would enhance this side of Bruton Street, the settings of the listed buildings opposite and the character and appearance of the Mayfair Conservation Area. It is in accordance with the City Plan Policies S25 and S29 and UDP Policies DES1, DES4, DES9 and DES10.

6.3 Amenity

Daylight and Sunlight Overview

Policy S29 of the City Plan aims to improve the residential environment of Westminster whilst UDP Policy ENV13 aims to protect and improve residential amenity, including sunlighting and daylighting to existing properties. In implementing Policy ENV13 the advice of the Building Research Establishment (BRE) with regard to natural lighting values is used and it is a requirement of the City Council that most major planning applications are accompanied by a

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sunlight and daylight report using accepted BRE methodology. For daylighting matters, the most commonly used BRE method for calculating values is the 'vertical sky component' (VSC) method which measures the amount of light reaching the outside face of a window. This method is most widely used as it does not need to rely on internal calculations, which means that it is not necessary to gain access to all affected properties to assess, and compare, potential light loss across all properties. However, it is still important to know what an affected room is used for, since the BRE guidelines principally seek to protect living rooms, dining rooms, kitchens and, to a lesser extent, bedrooms. Using this method is an affected window is already not well lit (considered to be below a nominal value of 27%) and the daylight received at the affected window would be reduced by 20% or more as a result of the proposed development, the loss would be noticeable and the adverse numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexible depending on the circumstances.

With regard to sunlighting, the BRE guidelines state that where the amount of sunlight to an existing window is already limited, and would be reduced by more than 20% as a result of a development, the window is likely to be adversely affected. Only windows facing within 90 degrees of due south of the proposed development need to be tested, and living rooms and conservatories are considered to be the most important rooms to be protected in terms of sunlighting – with kitchens and bedrooms less so.

Site 1

In the previously approved scheme, there were losses to VSC and APSH to the existing residential windows at 160 New Bond Street. Planning permission was granted 22 January 2013 for the redevelopment behind the retained front façade of No. 160 to improve the retail floorspace and to reconfigure the residential accommodation in that building. In that approved scheme the rearranged residential floorspace will be located at fourth and fifth floor level and situated to the front of the building overlooking New Bond Street - therefore set back further away from Barlow Place at the rear. The main windows to the residential units would overlook New Bond Street, but there is a living room window at fourth floor level and a bedroom window at fifth floor level which would face west towards the current application site, though set well back from the site boundary. In acknowledging this new relationship between the application site and the reconfigured no. 160 New Bond Street, the proposals for Site 1) would create a gap that would actually improve the situation for the rearranged residential units at No.160 New Bond Street.

1 Barlow Place

No.1 Barlow Place comprises five residential flats at ground to fifth floor level, which are all single aspect, overlooking Barlow Place. Two windows serve each of the living rooms at ground to third floor level and three windows serve the living room to the maisonette at fourth and fifth floor level. The windows currently overlook the east elevation of Nos.22-24 Bruton Lane and therefore the outlook from these windows is currently poor. As a result of the proposals, the proposed new residential building will be separated from the office building and a gap between the buildings will be created. The outlook from the existing residential windows at 1 Barlow Place will therefore be improved, a fact recognised by some of the residents who have written in support of the application (signed by occupiers of four of the five flats).

However, despite this gap there will be losses of VSC to the flats in No.1 Barlow Place in excess of 20%, ranging from 28.7% to 47.8%) as a result of the new buildings being taller than existing and the increase in solid mass of the proposed building has an impact on VSC values.

Similarly there would be losses to APSH to the windows within No.1 Barlow Place greater than 20%.

However, these impacts need to be balanced against the opinion of the residents affected who in supporting the scheme clearly consider it more important to have a greater gap

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between them and the replacement building, as proposed, than keeping the building at its current lower height but closer to them. In these circumstances it is considered that the opinion of the local residents is an important material consideration in favour of the development.

Table showing the impact of the proposed development on daylighting to 1 Barlow Place

Window	Level	Room use	Existing VSC	Consente d VSC	% loss	Propose d VSC	Additional % loss	Total % loss
W1/r1	Grnd	Bed	11.48	6.95	39.4 %	6.51	6.29%	43.2 %
W2/r2	Grnd	Living room	10.79	7.04	34.7 %	6.57	6.72%	39.1 %
W3/r2	Grnd	Living room	8.23	6.30	23.4 %	5.87	6.82%	28.7 %
W1/r1	1 st	Bed	13.51	8.05	40.3 %	7.52	6.66%	44.3 %
W2/r2	1 st	Living room	12.80	8.14	36.3 %	7.56	7.14%	40.9 %
W3/r2	1 st	Living room	10.02	7.26	27.5 %	6.72	7.45%	32.9 %
W1/r1	2 nd	Bed	16.21	9.55	41%	8.87	7.12%	45.2 %
W2/r2	2 nd	Living room	15.56	9.76	37.2 %	8.99	7.91%	42.2 %
W3/r2	2 nd	Living room	12.36	8.62	30.2 %	7.93	7.97	35.8 %
W1/r1	3 rd	Bed	19.24	11.16	42%	10.32	7.53	46.3 %
W2/r2	3 _{rd}	Living room	19.31	11.73	39.2 %	10.75	8.39	44.3 %
W3/r2	3 rd	Living room	16.54	11.56	30.1 %	10.52	8.94	36.3 %
W1/r3	4 th	Living room	22.24	12.53	43.6	11.59	7.50	47.8 %
W2/r3	4th	Living room	24.03	14.26	40.6	13.13	7.91	45.3 %
W3/r3	4th	Living room	24.54	14.94	39.1	13.71	8.23	44.1
W1/r1	5 th	Bed	27.67	16.50	40.3	15.28	7.38	44.7 %

Overlooking

The proposed terraces on the eastern façade of the new building at Site 1) will be set back at second floor level and above, and are not considered to have an adverse impact on overlooking.

Balconies are also proposed on the Bruton Lane and Barlow Place elevations of the new building at Nos.22-24 Bruton Lane and there will also be a roof terrace. The nearest existing residential accommodation is at 1 Barlow Place, but the proposed balconies facing these properties are set back and it is not considered that they will increase the amount of overlooking to a significant degree.

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Increased sense of enclosure

With regard to increase sense of enclosure, the principle of development of similar height and bulk has previously been granted and it is considered that the proposed building would materially worsen any potential sense of enclosure.

Plant

Rooftop plant is proposed for both buildings and acoustic reports have been submitted with the applications. Environmental Health officers have no objections to the proposals, subject to the City Council's standard noise conditions. As the ground floor could be used for either retail or restaurant purposes, it is proposed, if the restaurant use is implemented, that an extract fan/air handling unit would be installed within the ground floor demise, which will connect to an internal duct discharging at roof level. It is considered that if the restaurant use is implemented, a condition requiring detailed drawings of the ventilation system should be submitted.

Site 2)

There are no residential buildings that would be affected by the development. The increased height will have an impact on the adjoining offices in Berkeley Square House, which has a large lightwell facing the west flank of the buildings. However, the proposals would not materially affect daylighting or the sense of enclosure to the extent that a refusal of permission would be justified.

The proposed balconies are considered acceptable as they are set away from the residential building proposed at Site1), and there are no other existing residential properties surrounding the building.

Plant

Roof top plant is proposed at seventh floor level. Environmental Health officers have no objection to the proposal subject to the imposition of the City Council's standard noise conditions. As the ground floor could be used for either retail or restaurant purposes, it is proposed, if the restaurant use is implemented, that an extract fan/air handling unit would be installed within the ground floor demise, which will connect to an internal duct which will discharge at roof level. It is considered that if the restaurant use is implemented, a condition requiring detailed drawings of the ventilation system should be submitted.

6.4 Transportation/Parking

Site 1

The proposal includes the provision of 18 car parking spaces for the 15 residential units. This is considered acceptable and complies with UDP Policy TRANS23. The GLA has objected to the scheme on the grounds of over-provision of car parking spaces, but this is not supported by the Council's own parking standards.

Cycle parking is proposed for the residential part of the development, and a total of 28 spaces are proposed. This exceeds the requirement in UDP Policy TRANS10, which is welcome. Cycle parking is also proposed for the office/retail and restaurant parts of the development and a total of 80 spaces are proposed, again exceeding policy requirements. It is essential that these 80 spaces are available for all non-residential parts of the development, not just the office floorspace. This can be dealt with by condition.

In the submitted scheme cycle parking is shown on the public highway in Bruton Lane. This is not acceptable as the pavements in Bruton Lane are too narrow. An amending condition is recommended to remove this element of the proposal which would, in any case, not be acceptable to the City Council as Local Highway Authority.

The proposals include a dedicated loading bay for servicing on Bruton Lane together with the opportunity to service from Bruton Place which is a private road. The servicing bay is only big

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enough to accommodate one vehicle at a time and this could have an impact on the public highway if more than one vehicle arrives at the same time. The submission of a servicing management plan could cover this and this is secured by condition.

Works to Barlow Place, including re-paving, tree planting and shared surfaces are shown in the submitted scheme. In highways terms the works are acceptable considering that Barlow Place is entirely within the applicant's ownership (but will be publically accessible). These works do not form part of the public realm contribution and are additional to it.

Site 2

There are currently four on-site car parking spaces with a requirement (from the 1985 permission) that at least one car parking space is made available for each of the existing residential flats. No off-street car parking is proposed within the new development as the existing residential units are to be relocated to Site 1). The number of proposed spaces at Site1) takes into account the 15 residential units proposed and the three spaces relocated from Site 2). The Highways Planning Manager has raised concern over the loss of the existing car parking spaces, but as these are to be relocated, it is considered acceptable.

Cycle parking spaces are to be provided at basement level, to a level consistent with UDP Policy TRANS10.

Balconies are proposed on the rear elevation which are above 5.5m and therefore not likely to interfere with the functioning of the highway.

The servicing of the retail or restaurant use at ground floor level should be covered by a servicing management plan which is required by condition.

6.5 Economic Considerations

The general regenerative benefits of the proposals to the local economy are recognised.

6.6 Other UDP/Westminster Policy Considerations

Basement Excavation

This impact of basement excavation is at the heart of concerns expressed by residents across many central London Boroughs, heightened by well publicised accidents occurring during basement constructions. Residents are concerned that the excavation of new basements is a risky construction process with potential harm to adjoining buildings and occupiers. Many also cite potential effects on the water table and the potential increase in the risk of flooding.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

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The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures.

To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

This report has been considered by our Building Control officers who advised that the structural approach appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the building regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

The City Management Plan will include policies specifically dealing with basement and other subterranean extensions. This is at an early stage of development and will not carry any weight as a material consideration in determining planning applications until it has progressed significantly along the route to final adoption.

6.7 London Plan

The application is referable to the GLA as the building at Site 1) would exceed above 30 metres in height. The Stage 1 response has been received from the Mayor who has made the following comments:

- The principle of the development is generally acceptable in strategic planning terms;
- Proposal does not comply with London Plan Policy 3.12 as no affordable housing is provided on site and the outcome of the viability assessment is required to determine whether the application complies with LP Policy 3.12, but it is suspected that given the increase in residential sales values since 2011, the applicant will be able to comply with the City Council's Interim Planning Guidance;
- The proposed residential quality is high and is welcomed. However, given the potential for over-sized units, the applicant should provide detailed justification for the current approach to the residential layout and typology.
- The applicant should explore alternative arrangements that would provide more active frontages onto the southern proportion of Bruton Lane;

- The proposals appear to have been designed with inclusive design principles in mind and will achieve at least 10% wheelchair adaptable units and Lifetime Homes standards which are welcomed. The applicant should provide further details of how the change in levels across the site will be addressed and the proposed ramps;
- Proposals fall short of the 40% carbon reduction target set out in LP policy 5.2. The
 proposal should include additional measures aimed at achieving further carbon reductions;
- The level of car parking should be reduced.

These points are addressed within the report.

6.8 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13th November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

6.9 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

These tests are already set out in Government Circular 5/2005 which deals with the issue of planning obligations and of which the Council's SPG takes account.

6.9.1 Public Realm

The SPG requires a contribution towards public realm improvements in the area. As the schemes are being considered as a package, the level of contribution is to be considered cumulatively.

The proposals at Site 1) include a flexible use (Class A1/A3 or B1) which, depending on which combination is implemented, would alter the level of public realm contribution. According to the formula in the SPG, if all of the flexible floorspace (1286m2) at Site 1) is implemented as offices, the contribution would be £397,916 (Sites 1 and 2). If all of the flexible floorspace

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(1286m2) is implemented as retail or restaurant use, the level of contribution would be £354,228. In the circumstances it is considered appropriate to require the maximum sum.

It is the applicant's aspiration to carry out a public realm improvement scheme along the length of Bruton Lane and they have requested that the public realm contribution is ringfenced for this. However, in order for this to occur the scheme needs to be formally acknowledged as a 'Priority Public Realm Project' under the City Council's Supplementary Planning Document on Public Realm Credits (SPD). This would require the SPD to be amended to include this scheme. Should planning permission be granted for the land use package, it would be subject to a requirement to make a full financial public realm contribution to the City Council, and the City Council would consider using this funding towards the Bruton Lane improvement scheme if, and when, it is approved. Alternatively, the money would be spent within the vicinity of the site. As previously noted in this report the public realm contribution will not be used to fund the proposed works to Barlow Place, as this is entirely within the applicant's ownership and therefore not specifically 'public'.

6.9.2 Crossrail Contribution

The Crossrail contribution for Sites 1 and 2 is £1,576,860 if the flexible space is occupied as offices and £1,517,830 if all the flexible space is occupied by retail/restaurant.

6.9.3 Carbon Off-Setting

The City Council has an established carbon off-setting fund, though has not adopted a detailed policy or formula, instead currently relying on the London Plan Policy 5.2. The proposals at Site 1) and Site 2) trigger a contribution to off-set the remaining carbon emissions. The contribution at Site 1) is £190,240 and at Site 2) is £137,760. However, in this case it is considered more appropriate for this sum to be directed towards the affordable housing payment, which is a position supported by the GLA.

6.9.4 Legal Agreement

The applicant has set out the difficulties they are anticipating in the construction programme, as the developments at Site 1) and Site 2) are scheduled to start at the same time. However, the build period for Site 1) is significantly longer than that of Site 2), with the former due to be ready for handover in second quarter of 2017 and the latter due to be ready for handover in the third quarter of 2016.

The City Council's standard wording for S106 agreements requires the residential part of the development to be ready for occupation before the office part of the development. This is to ensure that the residential floorspace is delivered. As the residential floorspace is being provided within Site 1) which has the longer build time, the office floorspace would be complete and laying vacant until the residential floorspace is ready for occupation. The standard wording of the S106 is proposed to be re-worded to allow part of the office floorspace to be occupied, but would still allow the City Council to ensure the residential floorspace is delivered. The wording is as follows:

- To pay the affordable housing payment on commencement of development;
- Not to occupy more that 9,123m2 of office floorspace (which represents the existing floorspace across the sites) until the residential building (Nos.22-24 Bruton Lane) is ready for occupation, unless otherwise agreed in writing with the Council;
- If the residential building (Nos.22-24) has not been made ready for occupation when the
 office floorspace exceeds 9,123m2, a payment of £335,000 should be made immediately
 to the affordable housing contribution fund. After 12 months, if the residential building is
 not ready for occupation, a further payment of £335,000 should be made, and a payment

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made thereafter every six months for five years until the residential building is ready for occupation (this would result in a maximum affordable housing penalty contribution of £3,350,000).

Given the onerous penalties for any significant delays in the provision of the residential accommodation it is considered that this different approach is satisfactory in this case.

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

Site 1

The proposal does not comply with London Plan Policy 5.2 which requires a 40% reduction in CO2 reduction for all major development as only 28% would be achieved. Neither does the development achieve the 20% renewable reduction required under City Plan Policy S40, only achieving 8%. This however is better than in the previously approved schemes. The proposed efficiencies exceed the minimum requirements of Part L of the Building Regulations. Passive and energy efficiency measures have been maximised for the development including high efficiency heat recover; low specific fan powers; LED lighting and a central energy centre arrangement that include a CHP to serve the base load heating load and a future connection to a district scheme.

Renewables have been assessed for the site and PV panels are included at roof level. Alternative renewable technologies have been reviewed but they are not suitable (wind turbines, ground source heat pumps and biomass)

In these circumstances the Go Green Manager has stated that the applicant needs to off-set its remaining carbon emissions in line with London Plan Policy, the sum for which has been calculated at £190,240. The applicant has offered to pay this but, as indicated above, officers consider that, in line with GLA recommendations, it would be more appropriate in this case if this sum was instead directed to the affordable housing fund.

A condition is recommended to ensure that all the energy efficiency measures and CHP units are installed and maintained for the lifetime of the development. Photovoltaic panels are proposed at roof level of the two buildings and again these are secured by condition.

The residential units will aim to achieve Code for Sustainable Homes Level 4 and aim to achieve BREEAM Excellent for the office floorspace.

Site 2

The proposal does not comply with London Plan Policy 5.2 and achieves 28% reduction in C02 levels and 4% reduction from renewable technology. The same area of photovoltaic panels is proposed as the approved scheme. The proposal exceeds the minimum requirements of Part L of the Building Regulations. Passive and energy efficiency measures have been maximised for the development to minimise solar gain and heat loss and maximise daylight technology and methods, including LED lighting, high efficiency hat recovery and a central energy centre with connection provided to a future district scheme.

The Go Green Manager has stated that applicant should be invited to off-set its remaining carbon emissions with a payment of £137,760. Again it is considered that this should instead be used for affordable housing provision.

Photovoltaic panels are proposed at rear seventh floor roof level. A green roof is also proposed. The proposed office floorspace will aim to achieve BREEAM Excellent. All these measures will be secured by condition.

6.11 Access

Site 1

Level access will be provided to all buildings. The residential entrances are provided with adequate space to manoeuvre to suit Part M and the Wheelchair Housing Design. All the residential units are being designed to meet Lifetime Homes Criteria, and 10% of the units will be capable of wheelchair adaptation.

Site 2

Level access will be provided to the ground floor retail/restaurant and the office floorspace.

6.12 Conclusion

The overall package is considered acceptable and is recommended for approval.

BACKGROUND PAPERS

Site 1

- 1. Application form
- 2. Letter from the Greater London Authority dated 19 March 2014
- 3. Email from Transport for London dated 21 March 2014
- 4. Letters from London Underground dated 21 February 2014 and 30 September 2014
- 5. Letter from English Heritage dated 11 February 2014
- 6. Letter from English Heritage Archaeology dated 25 April 2014
- 7. Letter from the Residents' Society of Mayfair and St James's dated March 2014
- 8. Memorandum from Building Control dated 4 February 2014
- 9. Memorandum from the Go Green Programme Manager dated 5 February 2014
- 10. Memorandum from Environmental Health dated 24 March 2014
- 11. Email from Thames Water dated 25 February 2014
- 12. Memorandum from Highways Planning Manager dated 23 May 2014
- 13. Letter from Phillips and Southern on behalf of the owners of Flats 1, 2, 3 and 4 1 Barlow Place dated 11 September 2014

Site 2

- 1. Application form
- 2. Letter from the Residents' Society of Mayfair and St James's dated 17 February 2014
- 3. Letter from English Heritage dated 25 February 2014
- 4. Memorandum from the Go Green Programme Manager dated 5 February 2014
- 5. Memorandum from Environmental Health dated 7 February 2014
- Email from Thames Water dated 10 February 2014
- 7. Memorandum from Building Control dated 19 February 2014
- 8. Memorandum from the Cleansing Manager dated 6 March 2014
- 9. Memorandum from the Highways Planning Manager dated 3 April 2014

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT STEVE BRANDON ON 020 7641 9541 OR BY E-MAIL – StevenB@westminster.gov.uk

DRAFT DECISION LETTER

Address:

Development Site At 8-10 Grafton Street And 22-24 Bruton Lane, London, W1

Proposal:

Demolition of all existing buildings and redevelopment to provide (i) a six storey building (plus three storey basement) on Grafton Street comprising dual/alternative retail, restaurant or office use (Class A1/A3/B1) at ground and basement level 1, car parking and plant installation at basement level 2 and office use (Class B1) at first - fifth floor levels with plant enclosure at rooftop level; (ii) an eleven storey (plus 2 storey basement) building on Barlow Place comprising car parking and residential storage at basement levels and dual/alternative retail or restaurant (Class A1/A3) use at ground floor, and residential use (Class C3) at first - tenth floors containing 15 residential units. Creation of roof terraces and plant enclosure at roof level and balconies at all floor levels. Associated provision of open space and landscaping.

Plan Nos:

JA12_B0_P_B1_001 A, JA12_B0_P_G_001 A, JA12_B0_P_LG_001 A, JA12_B0_P_01_001 A, JA12_B0_P_02_001 A, JA12_B0_P_03_001 A, JA12_B0_P_04_001 A, JA12_B0_P_05_001 A, JA12_B0_P_RF_001 A, JA12_B0_E_S_001 A, JA12_B0_E_N_001 A, C645_B1_E_S_001 A, C645_B0_S_BB_001 A, C645_B2_E_S_001 A, C645_B1_E_N_001 A, C645_B0_P_LG2_001 A, C645_B0_P_00_001 A, C645_B0_P_01_001 A, C645_B0_P_02_001 A, C645_B0_P_03_001 A, C645_B0_P_01_001 A, C645_B0_P_05_001 A, C645_B0_P_RF_001 A, C645_B0_P_LG1_001 A, C645_B0_P_05_001 A, C645_B0_P_09_001 A, C645_B0_P_08_001 A, C645_B0_P_07_001 A, C645_B0_P_09_001 A, C645_B0_P_08_001 A, C645_B0_P_07_001 A, C645_B0_P_06_001 A, C645_B0_P_10_001 A, C645_B0_P_

JA12_B0_S_AA_001, C645_B0_E_W_001 A, habitats and wildlife assessment, energy statement, Planning statement, construction management plan, transport statement dated January 2014, historic environment assessment dated December 2013, pedestrian level wind microclimate assessment desk study, acoustic report dated 22 January 2014, sustainability statement Rev 3, heritage impact assessment dated December 2013, et unique length control of the CRMATION CNIV.

dated December 2013, structural engineering report (INFORMATION ONLY)

Case Officer:

Helen MacKenzie

Direct Tel. No. 020 7641 2921

Recommended Condition(s) and Reason(s):

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 basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:

- * between 08.00 and 18.00 Monday to Friday; and
- * not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11BA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

The area of the site at 8-10 Grafton Street used for Class A3 purposes shall not exceed 450sqm, the area of site at 22-24 Bruton Lane used for Class A3 purposes shall not exceed 167sqm.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet S21 and S24 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE9 of our Unitary Development Plan that we adopted in January 2007.

If you provide an A3 use or uses, no more than 15% of the floor area of each of the uses shall consist of a bar or bar seating. You must use the bar to serve restaurant customers only, before, during or after their meals. (C05GA)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

You must not open the restaurant premises to customers, and you must not allow customers on the premises, outside the hours 07.00 to midnight Monday to Saturday and 08.00 - 23.00 on Sundays. (C12DC)

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 10 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

You must apply to us for approval of details of the ventilation system to get rid of cooking smells from the restaurant(s), including details of how it will be built and how it will look. You must not begin any restaurant use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB)

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of

Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

You must apply to us for approval of a management plan to show how you will prevent restaurant customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

8 The development must provide at least 199sqm Class A1 retail floorspace on Grafton Street

Reason:

To ensure that there is no reduction in retail floorspace at the site in accordance with policies S7 and S21 of Westminster's City Plan: Strategic Policies adopted November 2013 and SS4 of our Unitary Development Plan that we adopted in January 2007

9 The Class A3 uses allowed by this permission must not begin until you have fitted selfclosing doors at the entrances. You must not leave these doors open except in an emergency or to carry out maintenance. (C13MA)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To make sure that the development is completed and used as agreed, and to make sure that it meets H5 of our Unitary Development Plan that we adopted in January 2007. (R07AB)

- (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: Strategic Policies adopted November 2013, 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.

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.

increase the minimum assessed background noise level (expressed as the lowest 24 hour LA90, 15 mins) by more than 10 dB one metre outside any premises.

- (2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required by an emergency loss of power.
- (3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays.

Reason:

As set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.

The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 14 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

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

out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

17 All residential windows must be capable of being opened.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

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

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- You must apply to us for approval of detailed drawings of the following parts of the development:
 - the layout of the cycle parking indicating 28 cycle spaces for the residential part of the development and 80 spaces for the non-residential part of the development

You must not start work until we have approved what you have sent us.

You must then carry out the work according to these detailed drawings. (C26CB)

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

The 80 non-residential cycle parking spaces must be available to all the commercial uses, not just the office accommodation.

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 21 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:
 - removal of the cycle racks on Bruton Lane

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan: Strategic

Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

22 You must adhere to the details submitted in the Construction Management Plan dated November 2013.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

23 No development shall commence until a drainage strategy detailing any on and /or off site drainage works has been submitted to and approved by the local planning authority. No discharge of foul or surface water from the site shall be acceptable in the public system until the drainage works referred to in the strategy have been completed.

Reason:

The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.

24 Prior to occupation you shall submit and have approved in writing by the local planning authority a detailed servicing management strategy for the Class A1/Class A3 and Class B1 uses, in particular to ensure that no more than one vehicle at a time attends the servicing bay. All servicing shall be undertaken in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

- You must apply to us for approval of detailed drawings (at scales 1:20 and 1:5) of the following parts of the development:
 - 1. External doors

- 2. Shopfronts
- 3. Windows
- 4. Glazed facades
- 5. Metalwork (railings, gates etc)
- 6. Plant screening
- 7. Service bay entrances and gates
- 8. Public art for 8-10 Grafton Street and 22-24 Bruton Lane

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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:
 - provide details on all structures;
 - accommodate the location of the existing London Underground structures and tunnels;
 - accommodate ground movement arising from the construction thereof; and
 - and mitigate the effect of noise and vibration arising from the adjoining operations within the structures and tunnels.

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the

development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2001 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.

- A) No development shall take place until the applicant (or heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
 - B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A)
 - C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

- 31 **Pre Commencement Condition**. You must not start any demolition work on site until we have approved either:
 - (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or
 - (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the proposed arrangements. (C29AC)

Reason:

To maintain the character of the Mayfair Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Mayfair Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of

the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 33 You must provide the following bio-diversity features before you start to use any part of the development, as set out in your application.
 - photovoltaic panels on the roofs

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: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

34 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

within the energy report by Hoare Lea

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: Strategic Policies adopted November 2013. (R44AC)

You must submit detailed drawings showing the layout of the restaurant uses before the restaurants are occupied. The drawings must include the entrances, kitchens, covers and bar areas.

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Mayfair Conservation Area. This is in line with S25 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 9 of our Unitary Development Plan that we adopted in January 2007. (R05FC)

- 36 **Pre Commencement Condition**. You must apply to us for approval of detailed drawings of how you will give people with disabilities access to all parts of the development. These drawings must include:
 - * full details of threshold levels:
 - * relevant elevations, plans and cross-sections of the building at a scale of 1:50; and
 - * plans of all doors and handrails at a scale of 1:20.

You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C20BA)

Reason:

To make sure that there is reasonable access for people with disabilities, and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and H 8 and DES 1 (B)

of our Unitary Development Plan that we adopted in January 2007. (R20BC)

Informative(s):

- 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: Strategic Policies adopted November 2013, 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.
- 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)

- 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.
- 4 The lifts are required to comply with BS EN 81-70:2003
- The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641

7240 or 020 7641 7230). (I58AA)

- The following guidance is recommended with regard to the provision of adequate natural ventilation:
 - Natural ventilation should allow for cooling in summer months.
 - Low-level background ventilation should be designed to prevent excessive heat loss or draughts.
 - It should be controllable, and properly installed.
- 7 The following is recommended for the provision of mechanical ventilation within the dwellings proposed. The following guidance is recommended with regard to the provision of adequate mechanical ventilation:
 - There should be means for rapid ventilation within the kitchen and bathroom.
 - Ventilation by mechanical means should provide at least one air change per hour in habitable rooms and kitchens and three per hour in bathrooms and w.c. compartments.
- Balustrades should be provided where there is a change of level, for example on the roof terrace and balconies. These should reduce the risk of serious personal injury through a fall from height. Balustrades in this type of building should be 1100mm high, have no gap through which a 100mm sphere can pass and must not be able to be easily climbed by a child.
- 9 The following guidance is recommended with regard to the security of the dwellings:
 - Each dwelling should be capable of being secured against unauthorised entry.
 - The design of the building and its curtilage should include a clearly defensible space.
 - In multi-occupied buildings entry phones are recommended
- Buildings must be provided with appropriate welfare facilities for staff who work in them and for visiting members of the public.

Detailed advice on the provision of sanitary conveniences, washing facilities and the provision of drinking water can be found in guidance attached to the Workplace (Health, Safety and Welfare) Regulations 1992.

www.opsi.gov.uk/Sl/si1992/Uksi 19923004 en 1.htm

The following are available from the British Standards Institute - see www.bsi-global.com/Building/Utilities:

- BS 6465-1:2006: Sanitary installations. Code of practice for the design of sanitary facilities and scales of provision of sanitary and associated appliances
- BS 6465-3:2006: Sanitary installations. Code of practice for the selection, installation and maintenance of sanitary and associated appliances.
- 11 You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)

- Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained.
 - Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following:
 - * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handraits, and that these are installed correctly and properly maintained. Additional handraits should be provided down the centre of particularly wide staircases where necessary;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.
- The kitchen extract ducts should be designed to discharge at highest roof level and clear of all existing and proposed windows in the vicinity.
 - All kitchen extract ducts must be fitted with doors/hatches for cleaning, at 3 metre intervals, complying with the H&S safe access standards (Informative 180CB).
- 14 The refuse storage for food premises should be capable of storing up to 3 days accumulated refuse. It should be finished so as to be capable of easy cleaning and will also require suitable ventilation.
- There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services Contact Centre on 0845 850 2777.
 - Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- You are advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
- 17 With regards to Condition 30, the written scheme of investigation will need to be prepared

and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs

You are advised that the watching brief should include the following:

A watching brief involves the proactive engagement with the development ground works to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

As recommended the assessment, an archaeological watching brief should be carried out during basement excavations following insertion of the basement perimeter pile walls and during excavation of the proposed UKPN substation basement in order to record any previously unrecorded archaeological remains and to allow a fuller understanding of their significance. The scope of any further environmental analysis depends on clarification of potential derived from previous work.

19 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

This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge. If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at

http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil
Further details on the Mayor of London's Community Infrastructure Levy can be found on our
website at: http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/.
You are reminded that payment of the CIL charge is mandatory and there are strong
enforcement powers and penalties for failure to pay.

DRAFT DECISION LETTER

Address: 12 – 13 Bruton Street, London, W1J 6PZ

Proposal: Demolition of 12 - 13 Bruton Street and erection of an eight storey (plus

basement) building comprising dual/alternative retail (Class A1) or restaurant use (Class A3) at ground floor level and office use (Class B1) at first to seventh floor levels. Provision of plant and cycle storage at basement level and plant

and photovoltaic panels at seventh floor roof level.

Plan Nos: P-00-G100-001, P-00-G100-002 C, XP 00 G100 001 A, XP B1 G100 001

A, XP_01_G100_001 B, XP_02_G100_001 A, XP_03_G100_001 A, XP_04_G100_001 A, XP_05_G100_001 A, XP_05_001 A, XP_05

XP_04_G100_001 A, XP_05_G100_001 A, XP_RF_G100_001 A,

XE_NW_G100_001 A, XE_SE_G100_001 A, XS_AA_G100_001 B, XP-00-JC20-001, XP-B1-JC20-001, XP-01-JC20-001, XP-02-JC20-001, XP-04-JC20-001, XP-05-JC20-001, XP-RF-JC20-001, XE-NW-JC20-001, P_B1_C645_001 B, P_00_C645_001 C, P_01_C645_001 A, P_TY_C645_001

A, P_06_C645_001 A, P_07_C645_001 A, P_RF_C645_001 A, E_NW_C645_001 A, E_SW_C645_001 A, E_SW_C645_001 A,

S_AA_C645_001 A, S_BB_C645_001, D_AL_C645_001, D_AL_C645_002 A,

Construction management statement dated November 2013, habitats and wildlife assessment, energy statement rev 01, sustainability statement rev 01, transport statement dated December 2013, historic environment assessment dated January 2014, acoustic report dated 22 January 2014, Structural Engineering report Stage C (INFORMATION ONLY), planning statement,

heritage statement.

Case Officer: Helen MacKenzie Direct Tel. No. 020 7641 2921

Recommended Condition(s) and Reason(s):

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.

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 any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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)

- 3 You must apply to us for approval of detailed drawings (at scales 1:20 and 1:5) of the following parts of the development:
 - 1. Typical facade details at all levels, including windows:
 - 2. Ground floor shopfronts and entrances (front and rear);
 - 3. Roof level plant; and
 - 4. Public art.

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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 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 provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

The cycle parking at basement level must be made available for the office and retail/restaurant parts of the development

Reason:

To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

If you provide an A3 use or uses, no more than 15% of the floor area of each of the uses shall consist of a bar or bar seating. You must use the bar to serve restaurant customers only, before, during or after their meals. (C05GA)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

In the event the restaurant use is implemented; you must not open the restaurant premises to customers, and you must not allow customers on the premises, outside the hours 07.00 to midnight Monday to Saturday and 08.00 - 23.00 on Sundays. (C12DC)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

In the event that the restaurant use is implemented; you must apply to us for approval of details of the ventilation system to get rid of cooking smells from the restaurant(s), including details of how it will be built and how it will look. You must not begin any restaurant use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details.

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE9 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

You must apply to us for approval of a management plan to show how you will prevent restaurant customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the restaurant use until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the restaurant is in use.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

In the event that the restaurant use is implemented, the restaurant use must not begin until you have fitted self-closing doors at the entrances. You must not leave these doors open except in an emergency or to carry out maintenance. (C13MA)

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13FB)

- (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: Strategic Policies adopted November 2013, 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.

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.

14 You must apply to us for approval of detailed drawings and a bio-diversity management

plan in relation to the bio-diverse roof to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

photovoltaic panels

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: Strategic Policies adopted November 2013. (R44AC)

You must provide the waste store shown on drawing P-00_C645_001 C before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- A) No development shall take place until the applicant (or heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.
 - B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A)
 - C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of

Westminster's City Plan: Strategic Policies adopted November 2013 and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

Prior to the occupation of either the Class A1 retail or the Class A3 (whichever is submitted first, and for the alternative use if subsequently implemented), you shall submit and have approved in writing by the local planning authority a detailed servicing management strategy for the Class A1 retail and/or the Class A3. All servicing shall be undertaken in accordance with the approved strategy unless otherwise agreed in writing by the local planning authority.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

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

You must carry out basement excavation work only:

- * between 08.00 and 18.00 Monday to Friday; and
- * not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11BA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 20 **Pre Commencement Condition**. You must not start any demolition work on site until we have approved either:
 - (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or
 - (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the proposed arrangements. (C29AC)

Reason:

To maintain the character of the Mayfair Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

21 You must not carry out demolition work unless it is part of the complete development of the

site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Mayfair Conservation Area as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

In the event the restaurant use is implemented, you must submit detailed drawings showing the layout of the restaurant uses before the restaurants are occupied. The drawings must include the entrances, kitchens, covers and bar areas.

Reason:

To prevent a use that would be unacceptable because of the character and function of this part of the Mayfair Conservation Area. This is in line with S25 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 9 of our Unitary Development Plan that we adopted in January 2007. (R05FC)

23 You must adhere to the submitted Construction Management Plan dated November 2013

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

Informative(s):

- 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: Strategic Policies adopted November 2013, 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.
- 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.
- 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. (I50AA)

- 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. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- Conditions 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)
- 6 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
 - * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to

non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- You must ensure that the environment within a workplace meets the minimum standard set out in the Workplace (Health, Safety and Welfare) Regulations 1992 with respect to lighting, heating and ventilation. Detailed information about these regulations can be found at www.hse.gov.uk/pubns/indg244.pdf. (I80DB)
- This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge. If you have not already done so you must submit an Assumption of Liability Form to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/. You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.
- 9 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

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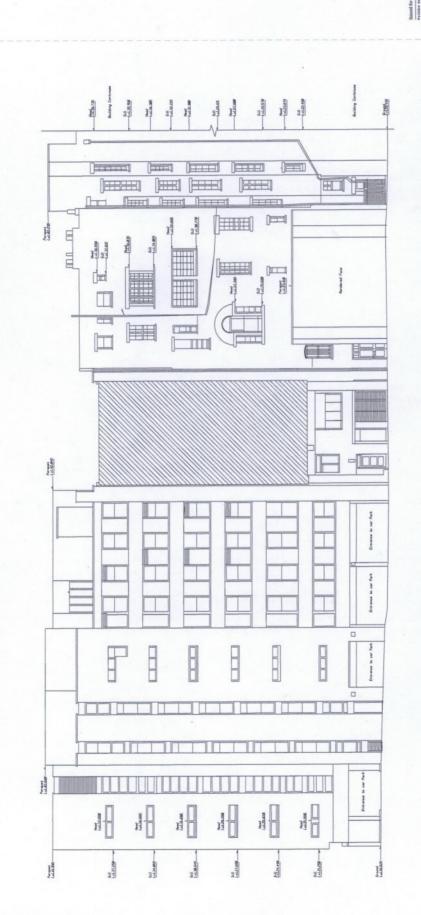
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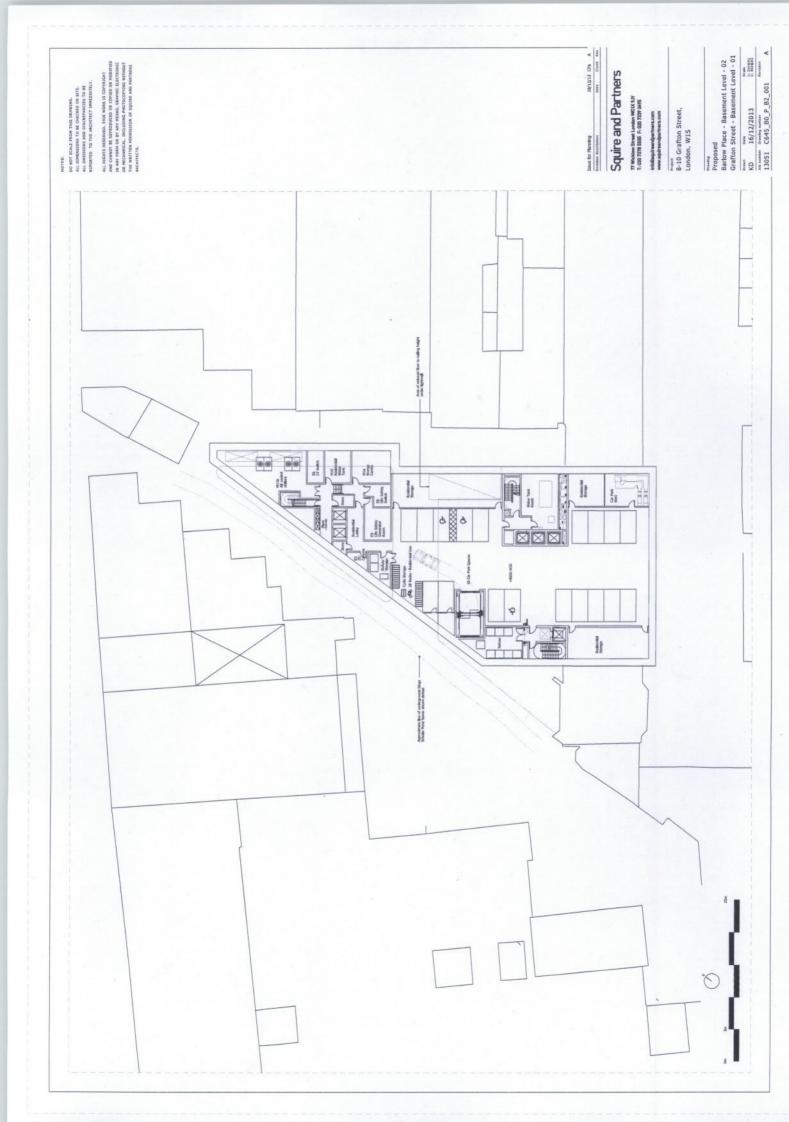
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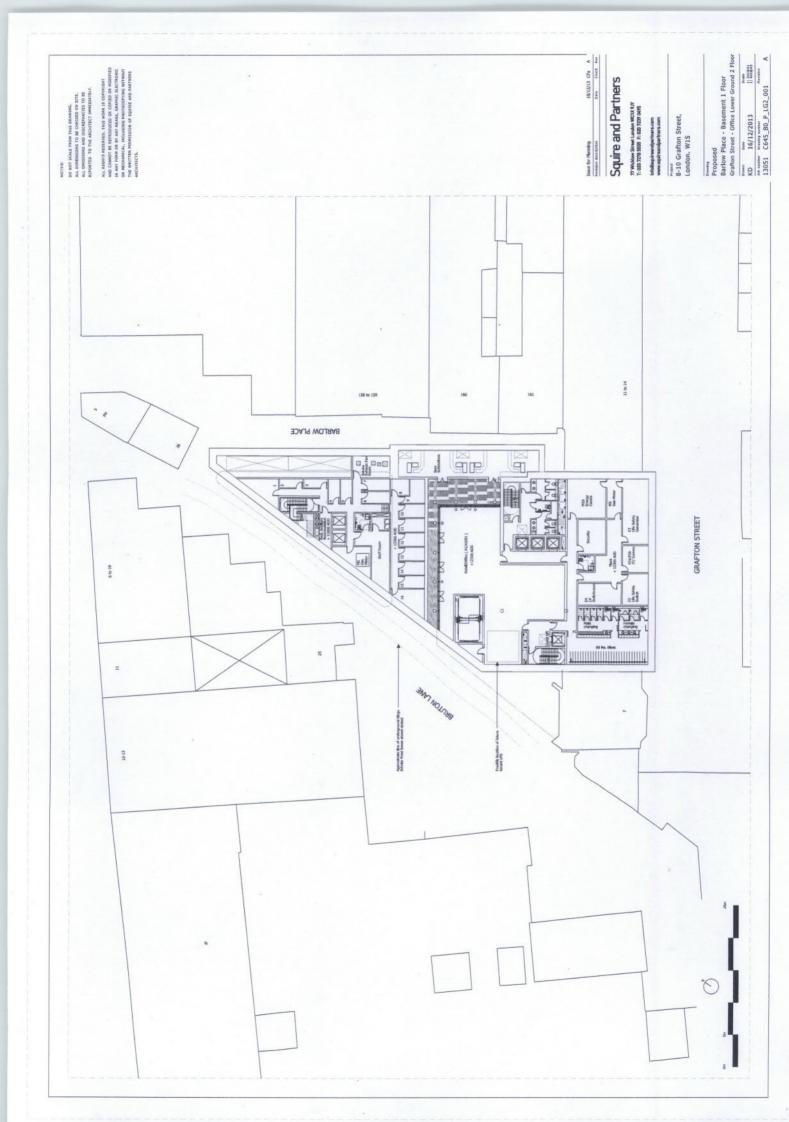
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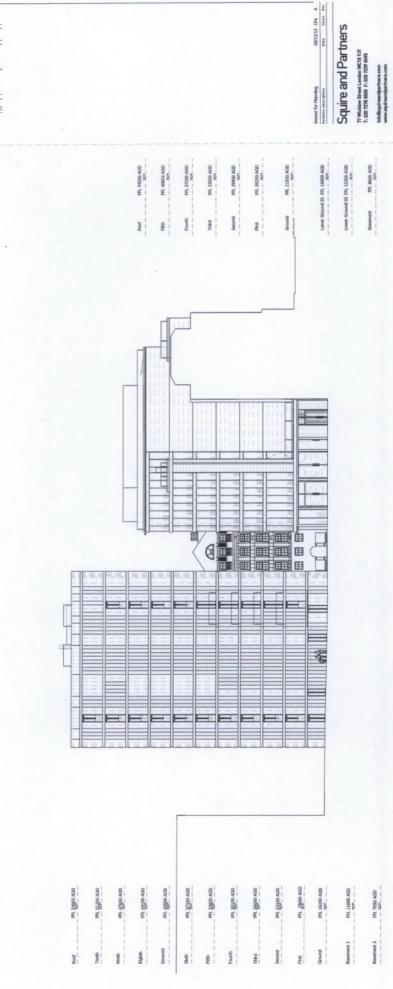




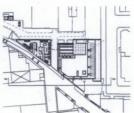








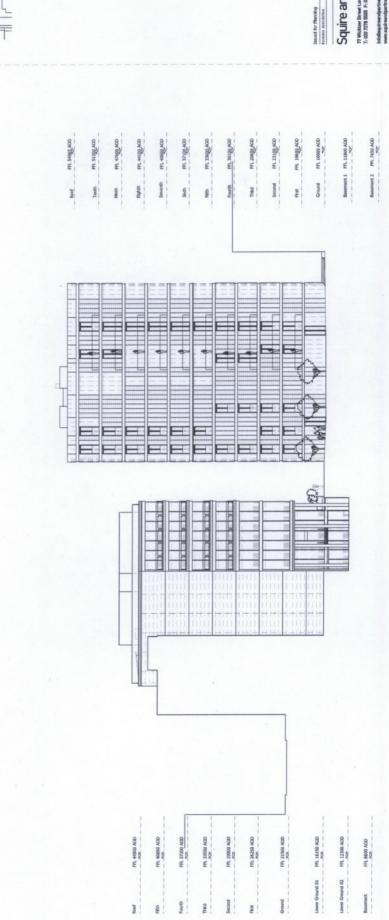
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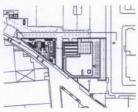
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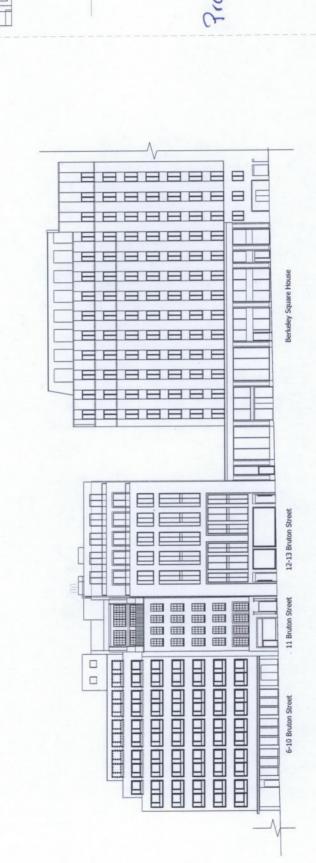
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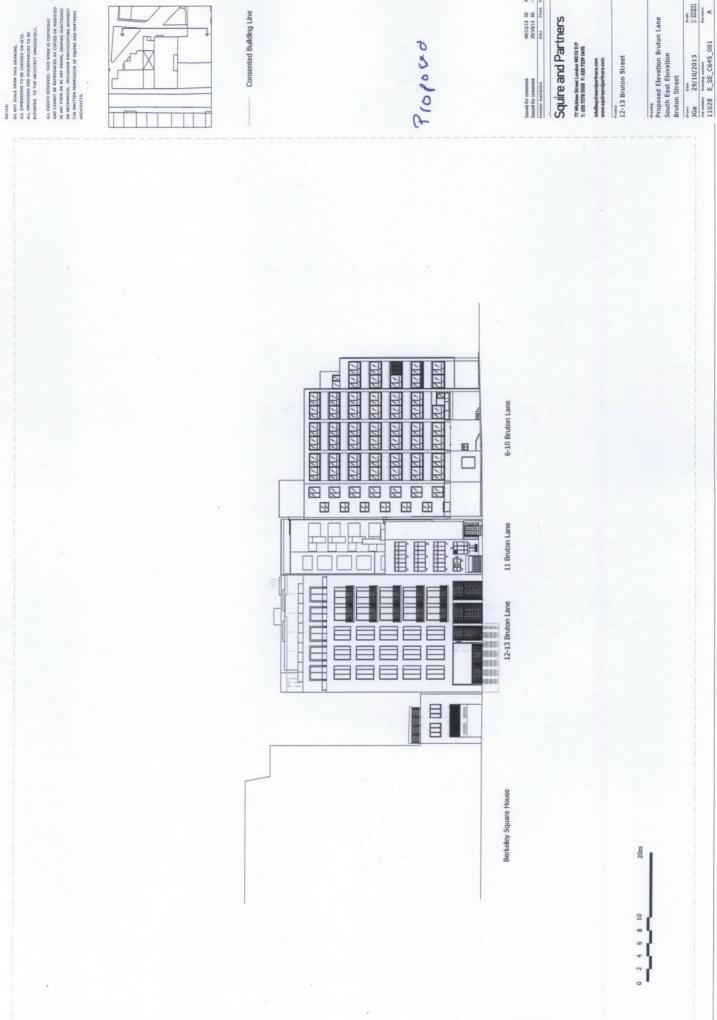
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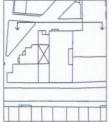
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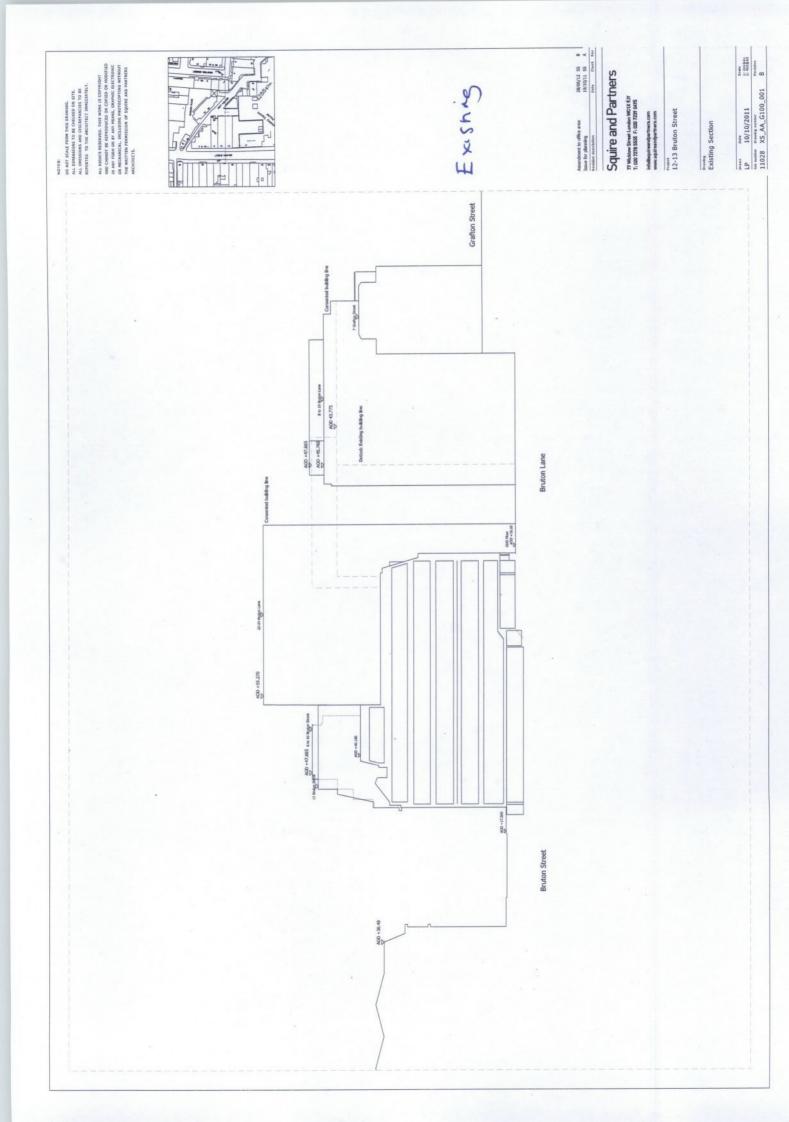
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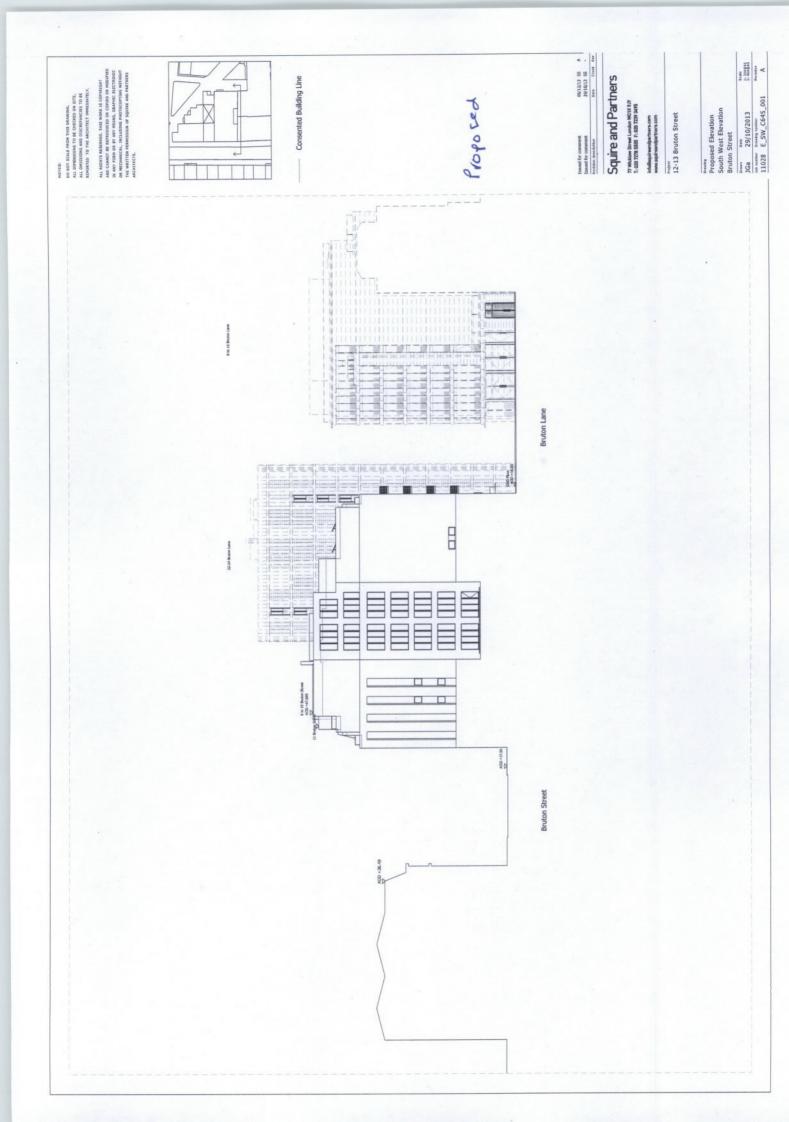


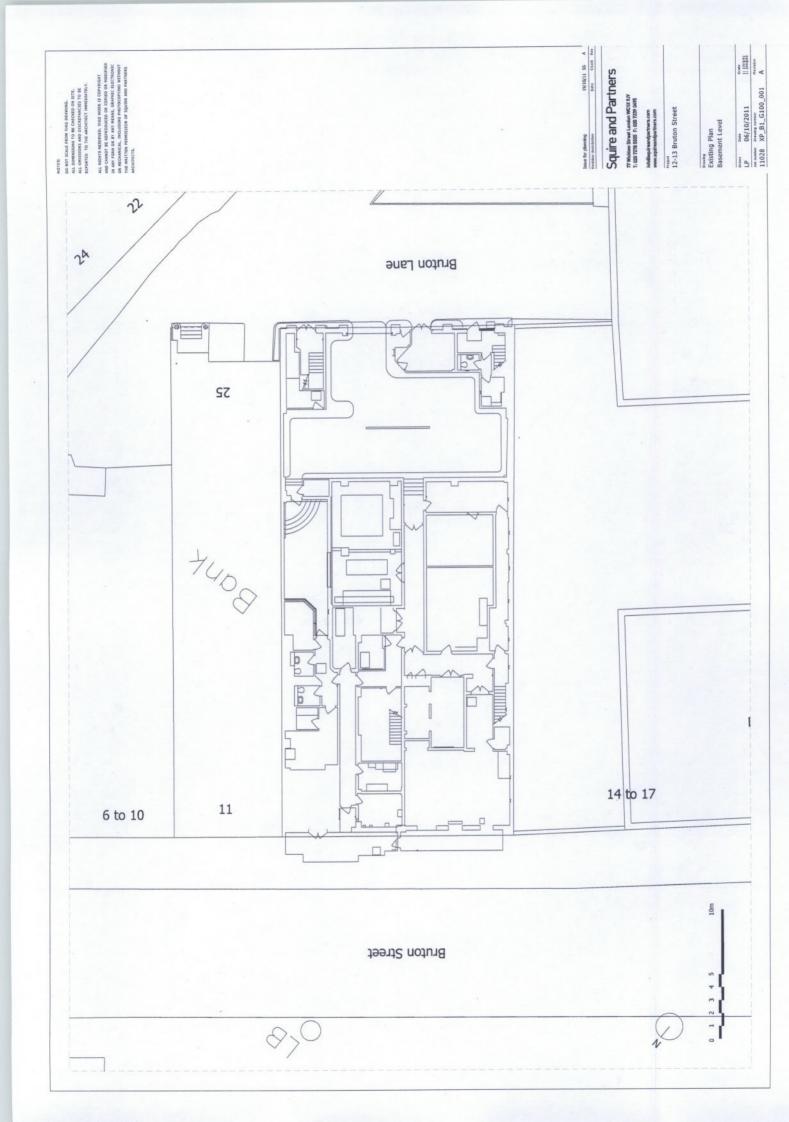


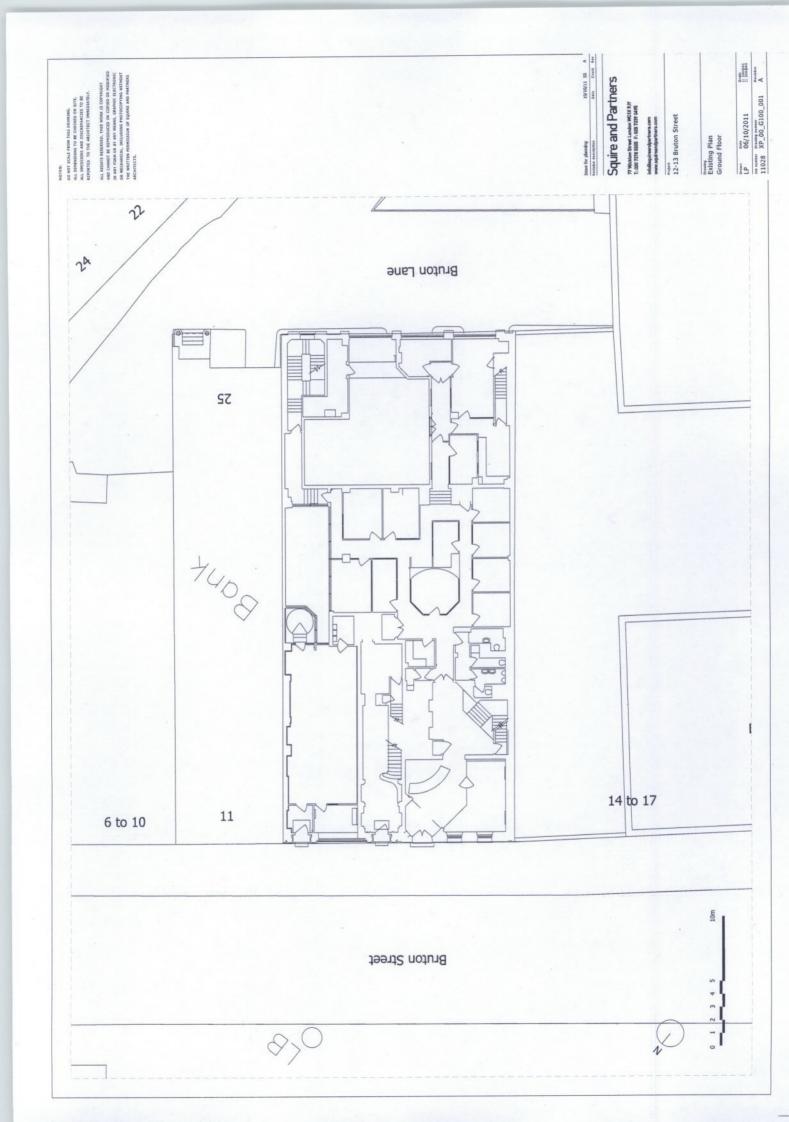
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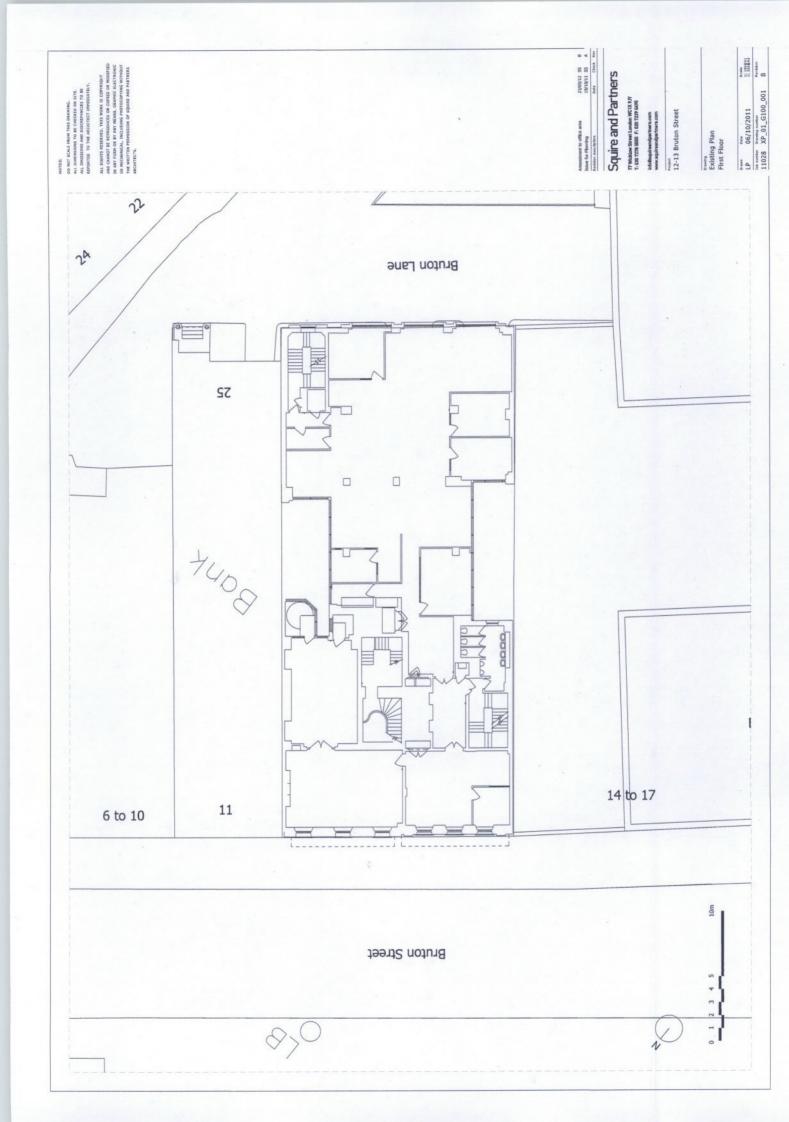
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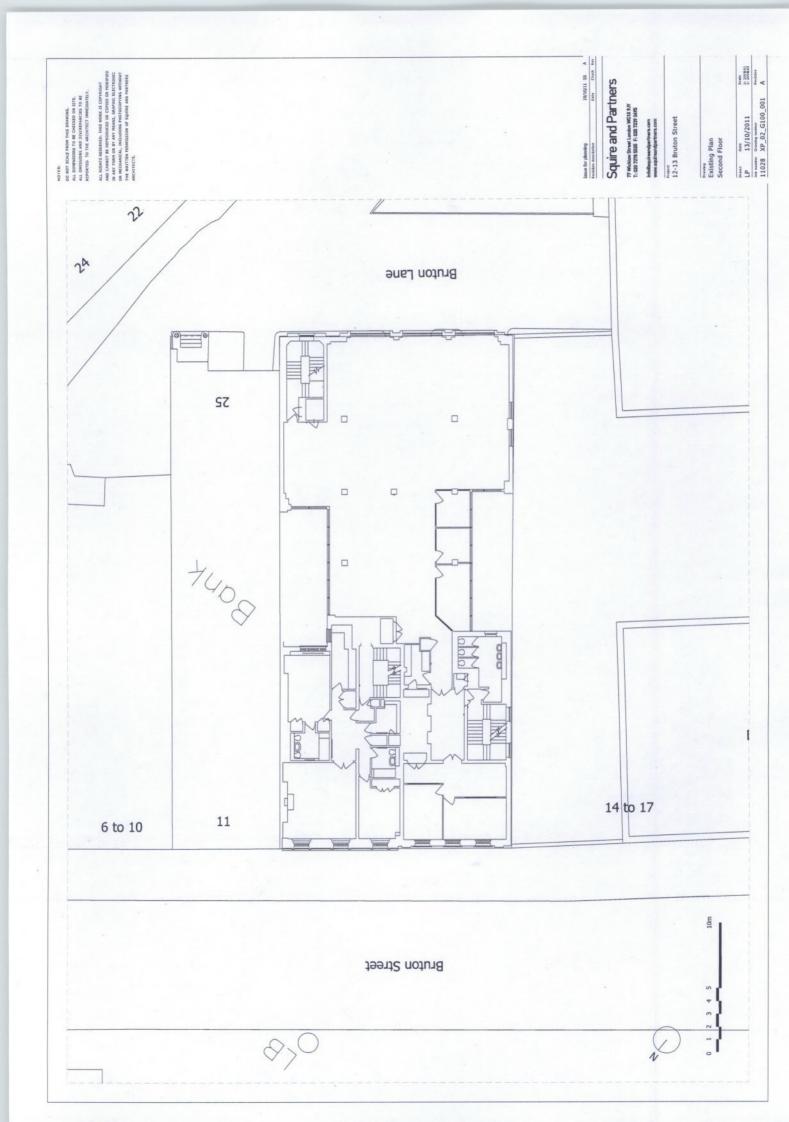


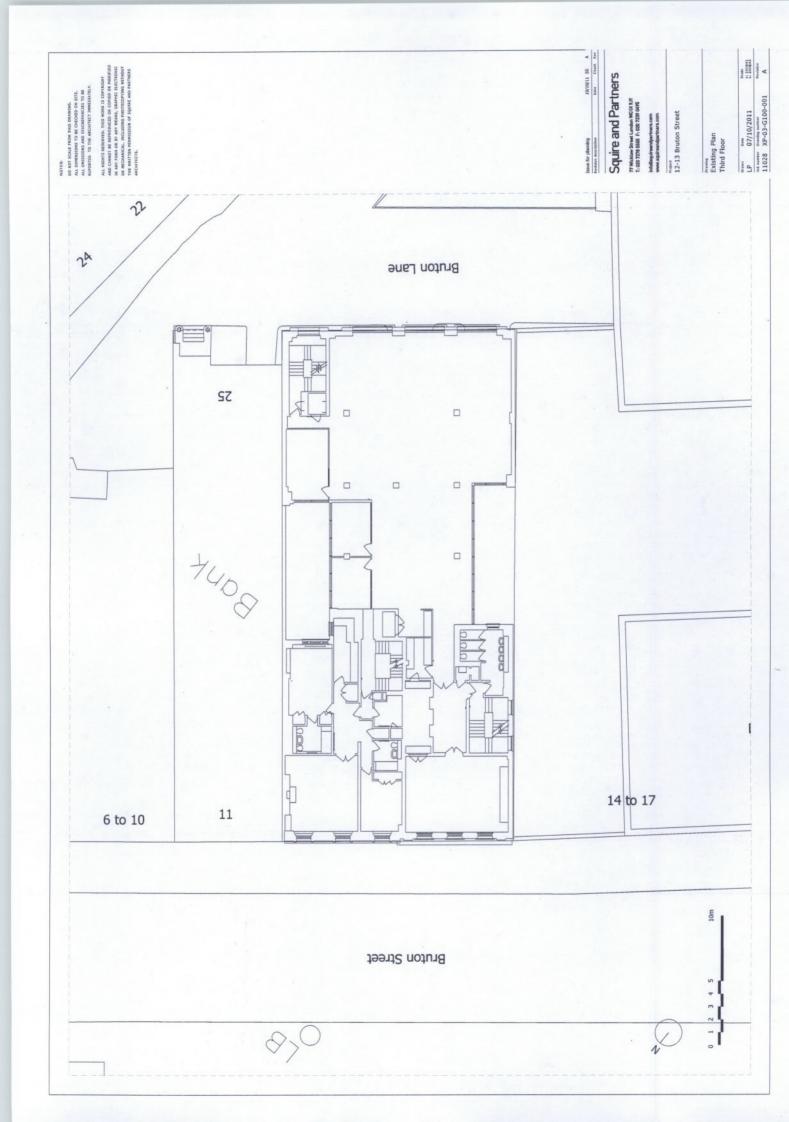


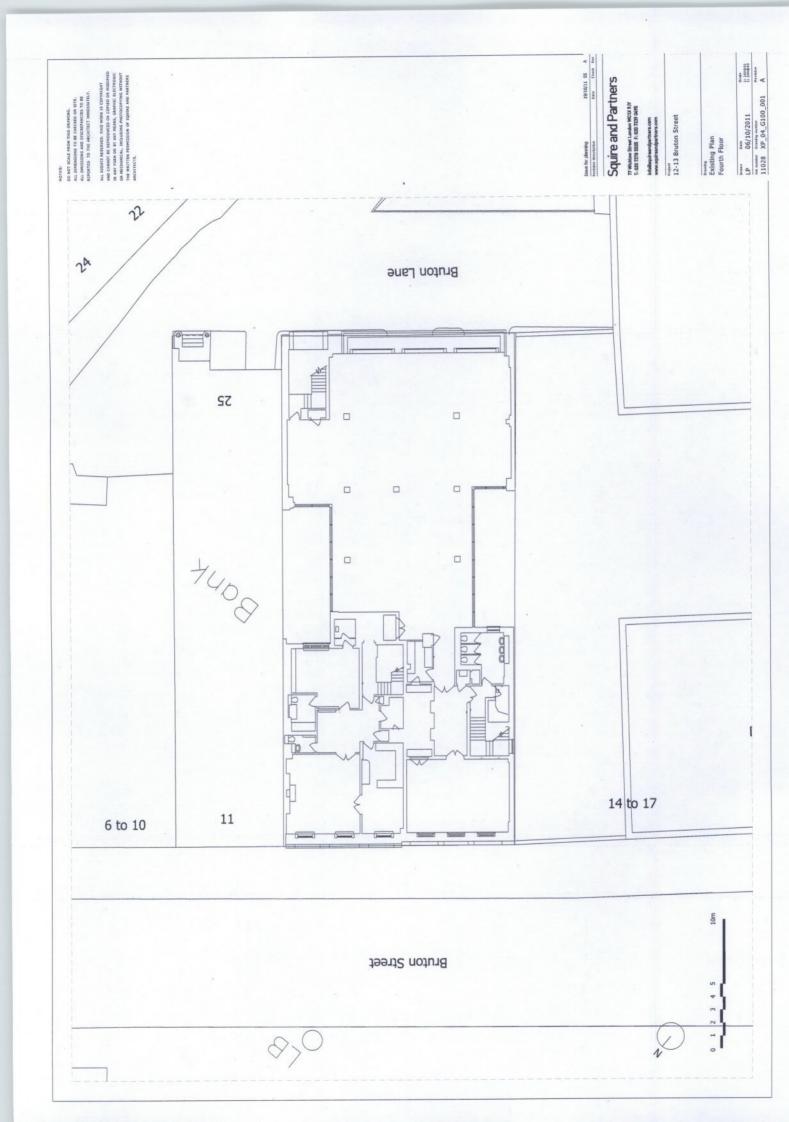


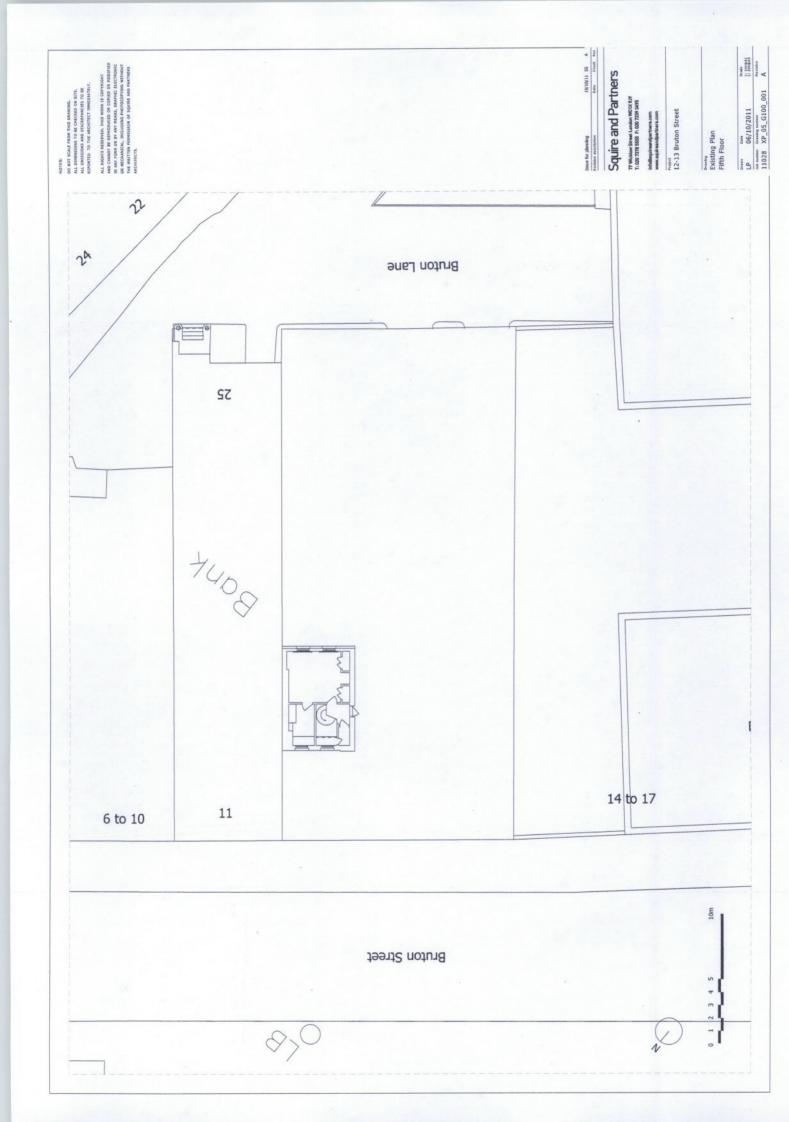


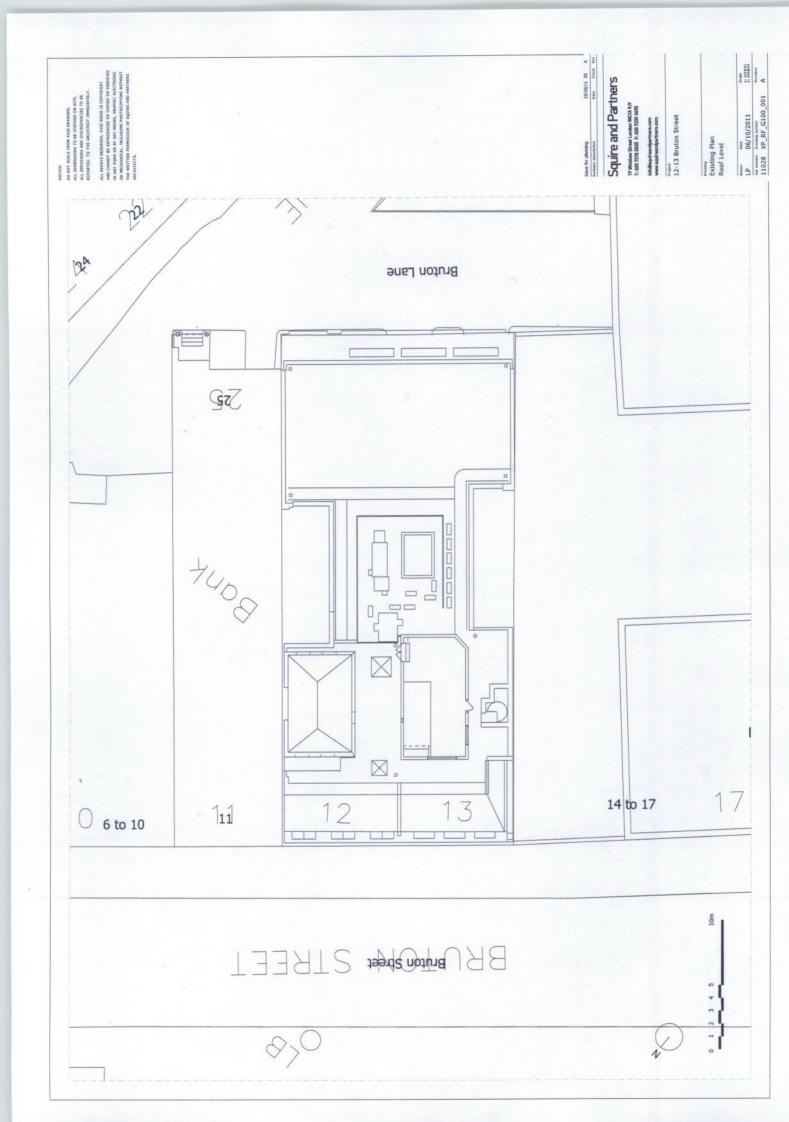












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12-13 Bruton Street

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