

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 18 February 2020	<b>Classification</b> For General Release	
<b>Report of</b> Director of Place Shaping and Town Planning		<b>Ward(s) involved</b> Bayswater	
<b>Subject of Report</b>	<b>Basement And Ground Floor Flat A, 36 Westbourne Gardens, London, W2 5PU</b>		
<b>Proposal</b>	Basement excavation beneath the existing driveway, erection of a conservatory at upper ground floor level, installation of an opaque glazed panel at ground floor level, provision of garden steps with associated fenestration alterations to the side elevation at 36 Westbourne Gardens.		
<b>Agent</b>	Mr Will McGuinness		
<b>On behalf of</b>	Mr & Mrs Riboldi		
<b>Registered Number</b>	19/03090/FULL	<b>Date amended/ completed</b>	15 January 2020
<b>Date Application Received</b>	23 April 2019		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Westbourne		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

The application relates to Flat A located on the ground and lower ground floor level of this mid-19th century stucco building, which occupies a prominent corner site with elevations on Westbourne Gardens and Durham Terrace.

Planning permission is sought for the excavation of a basement beneath the existing driveway, erection of a conservatory at upper ground floor level to the Westbourne Gardens elevation and associated works.

Whilst the application was reported to committee on 7 January 2020, it was not presented or discussed, but was withdrawn from the agenda by officer's as it had come to light that the ownership certificate had not been completed correctly.

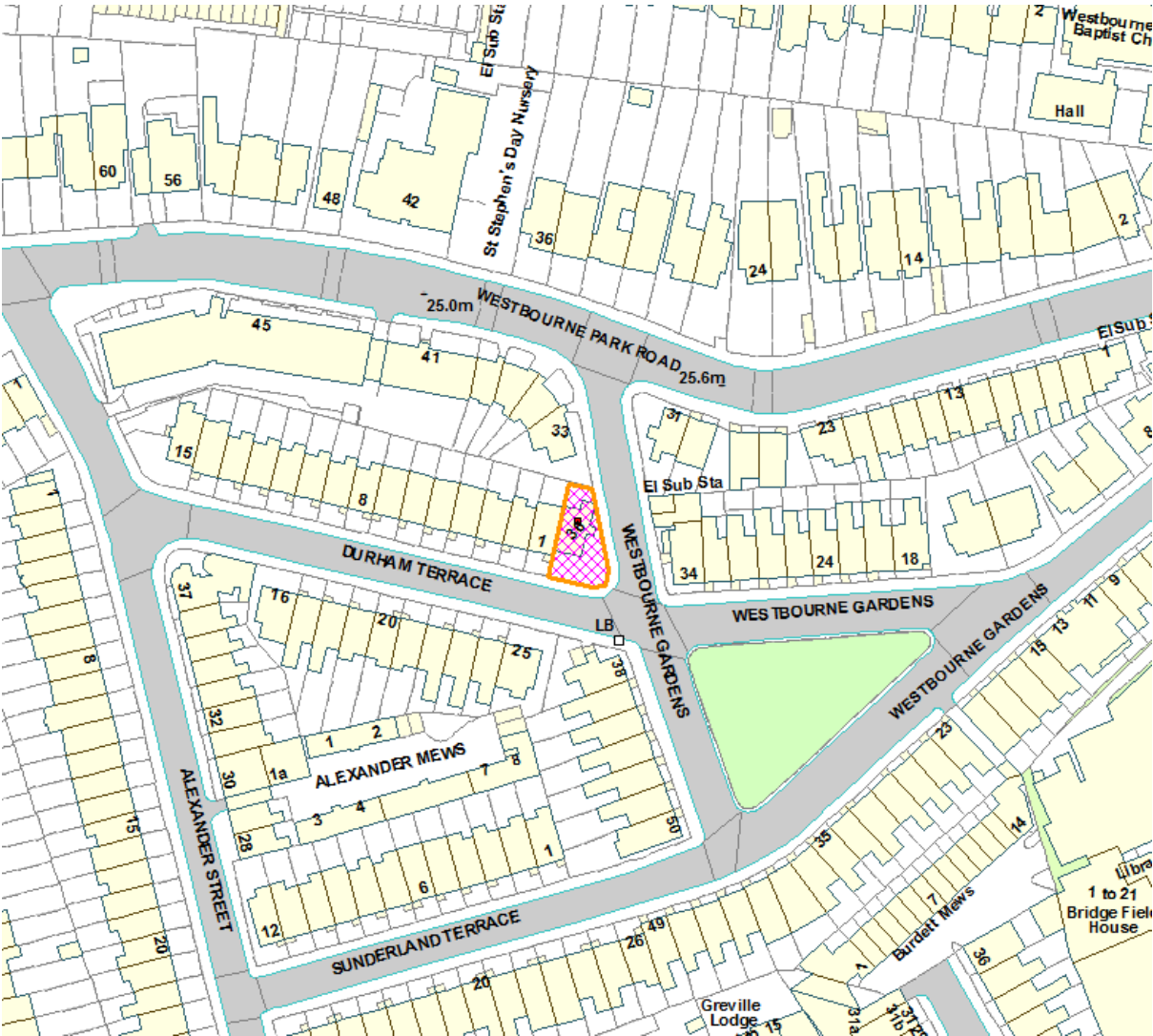
Objections have been received from neighbouring residents on a number of grounds including the design, impact on the conservation area and the impact of excavation works on neighbouring properties and residents.

The key issues in this case are:

- \* The impact of the proposal on the appearance of the host building and the character and appearance of the Westbourne Conservation Area
- \* The impact of the proposal on the amenity of neighbouring residents.

Subject to appropriate conditions as set out in the draft decision letter appended to this report, the proposals are considered to comply with the relevant design, conservation and amenity policies in Westminster's City Plan adopted in November 2016 (the City Plan) and the Unitary Development Plan adopted in January 2007 (UDP). As such, the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Rear elevation (Westbourne Gardens)

## 5. CONSULTATIONS

### ORIGINAL CONSULTATION

#### COUNCILLOR CARMAN:

Objection raised on the following points

- Impact from the basement excavation on the sycamore within 33 Westbourne Gardens and the smaller trees growing up the party wall.
- Construction close to the party wall could result in the wall collapsing.
- Conservatory & Trellis would overlook 1 Durham Terrace and 33 Westbourne Park Road resulting in loss of privacy and possible noise pollution, the height is out of character for the area and spoil the line of the rear of Durham Terrace.
- The proposed French doors and new steps would be out of proportion and not in keeping with the rest of the street.
- Narrow access from Westbourne Park Road to Westbourne Gardens and any hold up would result in blocking of access to further streets. The only space for parking, unloading, skips etc is roughly 9 foot away from the application site which does not seem sufficient.

#### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION:

- Supports the neighbour's objections especially in regards to the margin of excavation on north boundary of proposed basement

#### BUILDING CONTROL OFFICER:

Acceptable.

#### HIGHWAYS OFFICER:

No objection subject to conditions and informative.

#### WASTE PROJECT OFFICER:

Not acceptable however can be overcome by condition.

#### ARBORICULTURAL OFFICER:

Following revised details, the tree protection is acceptable subject to conditions and informatives.

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

No. Consulted: 32; Total No. of replies: 8

Seven objections raised on all or some of the following grounds:

#### Amenity:

- The proposed conservatory and increase window space on the north side will result in loss of privacy to the adjoining houses.
- The proposed garden trellis would disturb the vista looking west down the rear of the Durham Terrace properties.
- The proposed conservatory would cause light pollution.

#### Design:

- The proposed French doors opening onto Durham Terrace elevation do not fit in with the other front doors on the street – look incongruous in the conservation area
- The proposed steps on the Durham Terrace elevation would appear incongruous compared to the surrounding street scene
- The party wall adjacent to 33 Westbourne Park Road is an original feature of the conservation area and is likely to collapse with a basement excavated up to its edge.

Other:

- The submitted Arboricultural Report does not indicate that the trees on the north side of the party wall would likely be damaged by the proposed work.
- The submitted Arboricultural Report omits any consideration of the large sycamore tree within 33 Westbourne Park Road.
- If construction structures, skips and lorries etc are allowed in Westbourne Gardens this will result in traffic problems in the street and in the local area.
- The Construction Traffic Management Plan is poorly developed and fails to address key issues regarding access.
- Concerns over the location of the parked delivery lorries and excavation skips
- Standing traffic will cause an increase in air pollution in the residential area
- No consultation or communication with No. 1 Durham Terrace or No. 36 Westbourne Gardens has taken place in regards to the party wall or boundary wall works.
- No plan submitted recognising the potential for an impact on the acoustic environment despite a day care centre and nurse school being within a short radius
- The applicant has failed to address how the potential impact on air quality around the site will be mitigated.
- The submitted plans lack adequate provision for the storage of waste on the site as outlined in the Council's waste storage guide.
- The removal of the garden area will have a detrimental effect on the character of the local area.
- Concerns with the structural stability to the adjoining properties
- Note previous applications were refused for similar works to the application site.

One letter of support was received, requesting a partition is installed between properties to mitigate dirt and dust.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

RE-CONSULTATION (following design amendments and a revised Arboricultural Report)

COUNCILLOR CARMAN:

- Supports the neighbours request for a site visit by the committee members.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION:

Supports Councillor Carman's request for the item to be deferred for a site visit to take place.

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

No. Consulted: 32; Total No. of replies: 5

Five objections received from 3 addresses raised on all or some of the following grounds:

Design:

- Concerns the works are not in keeping with the local area

Amenity:

- The proposed conservatory would cause light pollution.

Other:

- No undeveloped margin around the proposed basement
- The submitted Arboricultural Report omits any consideration of the large sycamore tree within 33 Westbourne Park Road.
- Concerns with the structural stability to the party wall
- If construction structures, skips and lorries etc are allowed in Westbourne Gardens this will result in traffic problems in the street and in the local area.
- Requests a site visit by the committee members
- Concerns over the correct certificate served
- The submitted plans lack adequate provision for the storage of waste on the site as outlined in the Council's waste storage guide.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises lower ground, ground floor and four upper storeys that are subdivided into three residential flats. The host building is a mid-19th century stucco building, which occupies a prominent corner site with elevations on Westbourne Gardens and Durham Terrace. It is not listed but is situated within the Westbourne Conservation Area. This application relates to Flat A which is located on the ground and lower ground floor levels.

### 6.2 Recent Relevant History

16/06035/FULL

Excavation of a single storey basement to Flat 1 and creation of lightwell.  
Application Refused 14 September 2016

16/02161/FULL

Excavation to extend basement of Flat 1 under driveway on the north side of the property and creation of lightwell.  
Application Refused 25 May 2016

03/04006/FULL

Erection of rear lower ground and ground floor extension to increase living floorspace to Flat 1.

Application Refused                      4 August 2003

## 7.            **THE PROPOSAL**

The application proposes to excavate underneath the existing driveway and hardstanding to the rear to extend the existing lower ground floor, the erection of a small lightweight conservatory to Westbourne Gardens elevation and the installation of an opaque glazed panel at ground floor level.

The proposal has been revised during the course of the application, the alterations to Durham Terrace elevation have been omitted, further information has been sought in relation to tree protection and a revised ownership certificate has been provided.

## 8.            **DETAILED CONSIDERATIONS**

### 8.1        **Land Use**

The addition of an increased amount of residential floorspace is considered acceptable in principle under housing Policy H3 of the UDP, adopted in January 2007.

### 8.2        **Townscape and Design**

With respect to conservation areas, the City Council shall pay special attention to the desirability to preserve or enhance the character or appearance of a conservation area, as set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The planning policies relevant in relation to design are policies DES 1, DES 5 and DES 9 of the UDP and CM28.1, S25 and S28 of the City Plan.

In considering the basement extension in terms of design Part B(6) of City Plan Policy CM28.1 is of particular relevance. The policy states basement development should protect the character and appearance of the existing building and gardens setting, ensuring skylights and means of escape are sensitively designed and discreetly located. Furthermore, the City Council's SPG 'Basement Development in Westminster' provides advice and guidance on the siting and detailed design of the necessary manifestations.

The principle of excavating a basement beneath the driveway is not contentious in design terms, subject to the external manifestations being appropriate. A skylight is proposed adjacent to the boundary wall with No 1 Durham Terrace. Whilst this is not immediately adjacent to the rear elevation, as the SPG advises, this site is uncharacteristic in that there is no rear garden. Furthermore, the area is highly screened and the skylight is small in scale and as such, the visibility of the skylight will be limited. In this context the proposals are considered to accord with the aims of CM28.1.

On the side elevation it is proposed to erect a white, timber framed conservatory. During the course of the application, the conservatory has been set back to sit behind the



elevation of the adjoining closet wing. Small scale conservatory structures are found within the immediate setting, including on the building opposite. Given its location, scale and detailed design the conservatory is not considered to visually detract from the architectural quality of the building or the terrace it forms part of. Furthermore, it will have a limited impact on the character and appearance of the conservation area.

Alterations are proposed to the fenestration at lower ground floor level. Due to the limited visibility of this level the alterations are considered to have a limited impact on the appearance of the building. Furthermore, they have been designed to be in keeping with the fenestration of the upper levels and therefore are appropriate. The proposed minor infilling of the front side lightwell with a glazed rooflight above will have limited visibility from the street level and in this instance although normally resisted within DES 5 is considered to be acceptable due to the existing arrangement.

The proposals are considered to accord with the identified UDP and City Plan policies and will have a limited impact on the character and appearance of the Westbourne Conservation Area.

### **8.3 Residential Amenity**

Given the subterranean nature of the proposed basement extension and the limited extent of its external manifestations, a walk on glazed rooflight covering half of the existing lightwell, the development would not result in a significant impact on the amenity of neighbouring residents. The smaller lightwell will continue to provide natural light and ventilation to both bedrooms at basement level.

The proposed conservatory to the rear (Westbourne Gardens elevation) will be set back from the closet wing projection and is set in from the boundary by 1m and is approximately 5m<sup>2</sup>. Therefore, it is not considered that the extension will result in a loss of light or sense of enclosure to the adjacent property, No 1 Durham Terrace. Whilst the conservatory is predominantly glazed, it is considered that due to the distance to neighbouring properties and the existing mutual overlooking from the existing windows in the rear elevation the proposed conservatory would not result in any significant loss of privacy to No. 33 Westbourne Park Road or 1 Durham Terrace. Furthermore, there is only one window in the side elevation of No. 33 Westbourne Park Road and it is located within the upper floors. It is considered that due to the size and pitched roof, that although the conservatory is glazed No significant light pollution would result and the objections raised on this ground is not supported.

Objectors have raised concerns with regard to a proposed trellis on the shared boundary with No 1 Durham Terrace. This was shown on some but not all of the drawings and was considered to be unacceptable. As such on officer advice, this was omitted from the proposal.

For the reasons set out above, the proposal is considered to comply with Policy ENV13 of the UDP and Policy S29 of Westminster's City Plan.

### **8.4 Transportation/Parking**

The proposal raises no transportation or parking issues.

## 8.5 Economic Considerations

No economic considerations are applicable for a development of this size

## 8.6 Access

Not applicable.

## 8.7 Other UDP/Westminster Policy Considerations

### Basement Excavation

The proposals are considered to be in accordance with policy CM28.1 of the City Plan (July 2016) for the reasons set out as follows:

#### *Part A. 1-4*

The applicant has provided an assessment of ground conditions for this site and this has informed the structural methodology proposed, which has also been submitted with the application within a structural statement prepared by an appropriately qualified structural engineer. These documents have been reviewed by Building Control who advise that the structural methodology proposed is appropriate for the ground conditions found on this site. Objections on structural matters have been received, however these cannot be sustained.

In terms of construction impact, the applicant has provided a signed proforma Appendix A confirming that they agree to comply with the City Council's Code of Construction Practice (CoCP). A condition is recommended to ensure that the applicant complies with the COCP and that the construction works are monitored for compliance by the Environmental Inspectorate at the applicant's expense.

The flooding risk has been investigated within the Basement Impact Assessment and this indicates the property lies within a flood risk Zone 1 and therefore no flood risk assessment needs to be provided as part of the application.

#### *Part A. 5-6*

Objections have been received from neighbouring residents regarding the impact of construction work associated with the proposed basement and general disturbance associated with construction activity. The proposed hours of working condition states that no piling, excavation and demolition work is undertaken on Saturdays. This condition is consistent with environmental protection legislation and will help to alleviate disturbance to neighbours outside of the prescribed hours.

The City Council adopted its Code of Construction Practice (CoCP) at the end of July 2016 and if permission is granted, the applicants will be required to comply with the CoCP. This is a fundamental shift in the way the construction impacts of developments are dealt with relative to the position prior to July 2016.

Previously conditions were attached to planning permissions requiring Construction Management Plans to help protect the amenity of neighbours during construction. The

new CoCP expressly seeks to move away from enforcement via the planning system. It recognises that there is a range of regulatory measures available to deal with construction impacts, and that planning is the least effective and most cumbersome of these. The Environmental Inspectorate has been resourced in both numbers and expertise to take complete control over the monitoring of construction impacts.

The CoCP strongly encourages early discussions between developers and those neighbouring the development site. It notes that this should be carried out after planning permission is granted and throughout the construction process. By providing neighbours with information about the progress of a project, telling them in good time about when works with the potential to cause disruption will take place and being approachable and responsive to those with comments or complaints will often help soothe the development process.

While the comments from the neighbours are noted, it is considered that the CoCP will adequately ensure that the development is undertaken in such a manner as to ensure that the impact is mitigated as far as possible.

A condition is recommended requiring evidence to be submitted of compliance with the CoCP. This must be submitted before work starts on site, subject to which the proposals are considered acceptable.

The site is not in an archaeological priority area and therefore part 6 does of the policy does not apply.

#### *Part B. 1 & 2*

Following a revised Arboricultural Report and Tree Protection Plan dated 9 October 2019, subject to tree protection conditions, the proposal is considered acceptable. Trial pits were carried out along the boundary wall revealing a foundation depth of approximately 600mm and a large root. The pit is close to tree T2 (Cotoneaster), and the tree report considers that the root probably emanates from tree T2, but it seems unlikely that the Cotoneaster would produce such a large root below the foundation. On balance it is considered that the root is more likely to emanate from the much larger Sycamore at 33 Westbourne Park Road (not included in the tree report). It is likely the Sycamore could tolerate the severance of this root given the distance from the tree and the limited rooting volume within the curtilage of 36 Westbourne Gardens, particularly if the tree has the opportunity to exploit the soil depth above the proposed basement in the future. To this end, the Structural Methodology Statement has been revised to provided 300mm diameter apertures at 1m centres in the footing to the boundary wall. Therefore it is considered that the root severance is unlikely to cause significant harm to the sycamore.

The canopy of the Cotoneaster (T2) overhangs into 26 Westbourne Gardens. The applicant intends to put a hoarding on top of the wall to prevent damage to overhanging branches which is acceptable.

#### *Part B. 3*

The proposals include natural lighting and ventilation by the rear lightwell accessed by doors and a window, which serve two bedrooms. Therefore this is considered acceptable.

*Part B. 4 & 7*

The only external manifestations of the basement to the rear would be the lightwell adjacent the neighbouring property which is not considered to have a significant impact in terms of sustainable urban drainage. Furthermore a water permeable hardstanding surface will be provided to the rear to provide drainage.

*Part B. 5 & 6*

The proposal to excavate the basement and the lightwell are considered to be discreet and will not negatively impact on the conservation area (see also Section 8.2 of this report).

*Part C. 1*

The proposal is to extend the lower ground floor beneath the driveway to the rear with a small lightwell. It does not extend under more than 50% of this garden area and is therefore compliant in this regard. The garden to the front and side of the application site will be unaffected from the proposed excavation. The proposals do not include an area of undeveloped garden land. Given that the rear 'garden' is already developed as hardstanding and not a garden per se, whilst a margin could be incorporated into the design of the basement, in this instance this would result in a significantly reduced size of basement excavation, in an already very small rear 'yard/garden'. It is therefore not considered reasonable in this instance to require this margin and whilst this is a departure from policy, the proposals are considered acceptable.

*Part C. 2*

One metre of soil depth and 200mm drainage layer is provided over the proposed basement which is compliant with this part of the policy.

*Part C. 3*

Only a single basement is proposed which is considered acceptable and in accordance with this part of the policy.

*Part D*

The basement does not extend under the highway, therefore this part of the policy does not apply in this case.

## **8.8 Westminster City Plan**

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set

out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

### **8.9 London Plan**

This application raises no strategic issues.

### **8.10 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

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

During the course of this application a notice was served relating to the proposed imposition of pre-commencement conditions to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development and tree protection methods. The applicant has agreed to the imposition of the condition.

### **8.11 Planning Obligations**

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

The existing property has a floorspace of 120m<sup>2</sup>. The proposed basement scheme provides an uplift of 25m<sup>2</sup>. This is below the 100m<sup>2</sup> of new floorspace above which the requirement to pay CIL is triggered.

### **8.12 Environmental Impact Assessment**

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

### **8.13 Other Issues**

#### **Waste**

The details submitted are not in line with the council waste storage requirements and therefore a condition will be attached to ensure further details are provided.

It is noted we have received an objection on these grounds however it is considered it does not warrant a reason for refusal in this instance.

#### **Noise**

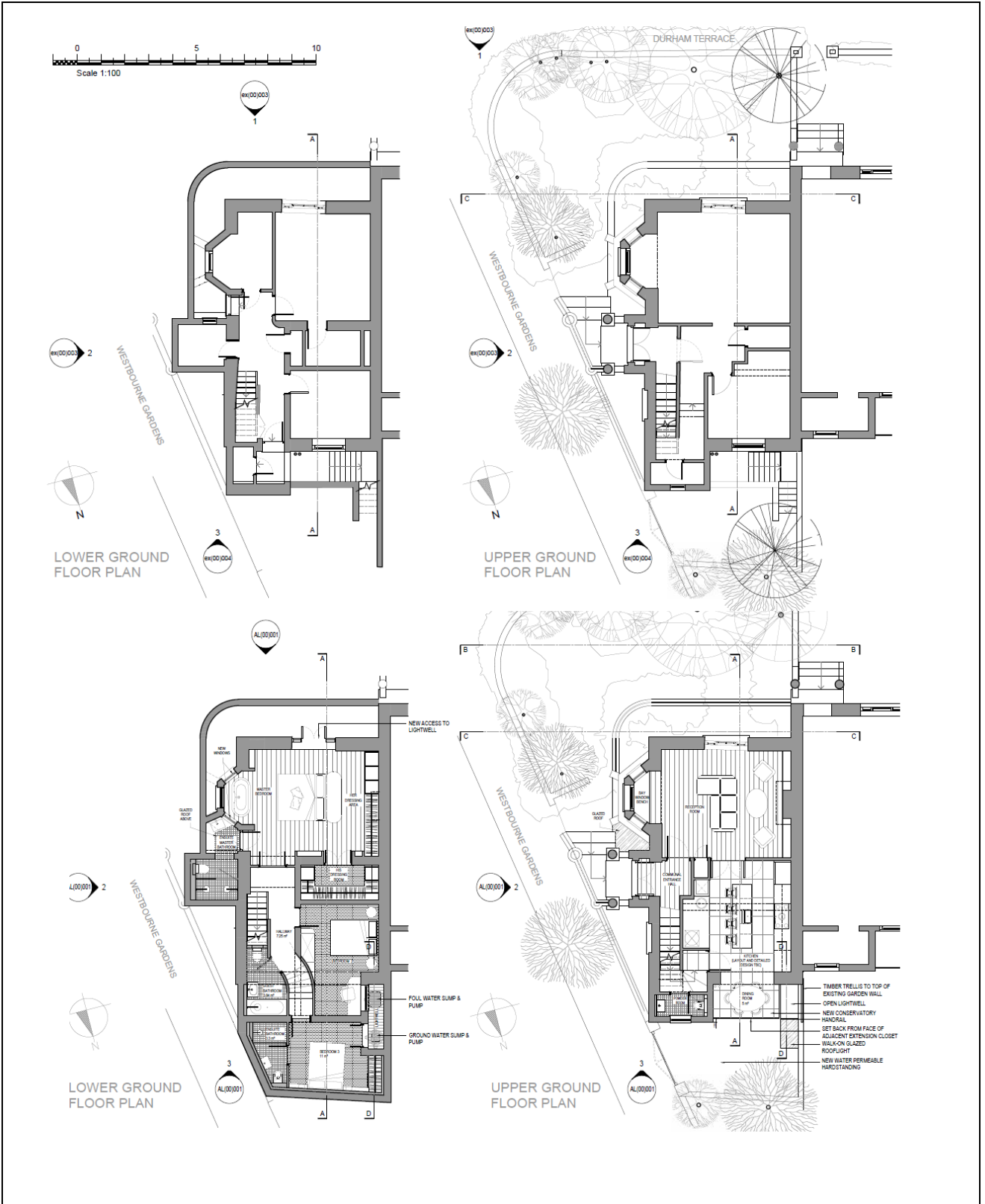
Objections have been received on the grounds that no report or plan has been submitted recognising the potential for any impact on the acoustic environment despite a day care

centre and nurse school being within close proximity. It is considered that due to no acoustic equipment being proposed within the basement excavation that an acoustic report is not required.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

9. KEY DRAWINGS





REAR GARDEN EXISTING ELEVATION



REAR GARDEN PROPOSED ELEVATION



**DRAFT DECISION LETTER**

- Address:** Basement And Ground Floor Flat A , 36 Westbourne Gardens, London, W2 5PU
- Proposal:** Basement excavation beneath the existing driveway, erection of a conservatory at upper ground floor level, installation of an opaque glazed panel at ground floor level, provision of garden steps with associated fenestration alterations to the side elevation at 36 Westbourne Gardens.
- Reference:** 19/03090/FULL
- Plan Nos:** Site Location Plan, ex(00)001, ex(00)002, ex(00)003, ex(00)004, ex(00)005, ex(00)007, AL(00)001 B, AL(00)002 A, AL(00)004 A, AL(00)005 A, AL(00)006 A, AL(00)007 A and Planning Statement.

For info: Structural Methodology Statement dated 29 March 2018, Construction Traffic Management Plan dated 11 April 2019, Tree Survey dated October 2019 and Trial Pits drawing.

**Case Officer:** Frederica Cooney

**Direct Tel. No.** 020 7641 7802

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

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

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

You must carry out piling, excavation and demolition work only:

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

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of residents and the area generally as set out in S29 of

Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

3 **Pre Commencement Condition.** Prior to the commencement of any:

- (a) Demolition, and/or
- (b) Earthworks/piling and/or
- (c) Construction

On site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

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

Reason:

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

- 6 You must carry out the arboricultural pre-commencement visit and site monitoring as set out in your Arboricultural Report (Advanced Tree Services Tree Report dated October 2019). The monitoring must be carried out by an arboricultural consultant who is registered with the Arboricultural Association, or who has the level of qualifications and experience needed to be registered. Monitoring visits must be carried out no less frequently than every 28 days. You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included. You must send copies of each written site supervision record to us within five days of the site visit.

Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 3 Trees on and adjacent to this site are protected by virtue of being within a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer 020 7641 2922
- 4 Some of the trees adjacent to this site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 2922

5

You must protect the trees according to the details, proposals and recommendations set out in your Arboricultural Report (Advanced Tree Services Tree Report dated October 2019) and tree protection plan dated 09 October 2019.

- 6 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
  
- 7 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.