

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 29 September 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Warwick	
Subject of Report	Belgravia Court, 33 Ebury Street, London, SW1W 0NY		
Proposal	Erection of single storey porters lodge; installation of new boundary railings and gates; landscaping works; and associated alterations to entrances of main buildings.		
Agent	Eleven 10 Architecture		
On behalf of	Belgravia Court 2017 Limited		
Registered Number	20/02713/FULL	Date amended/ completed	9 September 2020
Date Application Received	24 April 2020		
Historic Building Grade	Unlisted		
Conservation Area	Outside conservation area		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

Belgravia Court comprises two linked 8 storey residential blocks and a forecourt fronting Ebury Street. The site falls just outside the boundary of the Belgravia Conservation Area.

In July 2019, planning permission was granted for the erection of a two-storey porter's lodge including basement and plant machinery, new boundary railings and gates and associated landscaping works and the installation of new stairs and platforms lifts to the front entrances of the existing buildings.

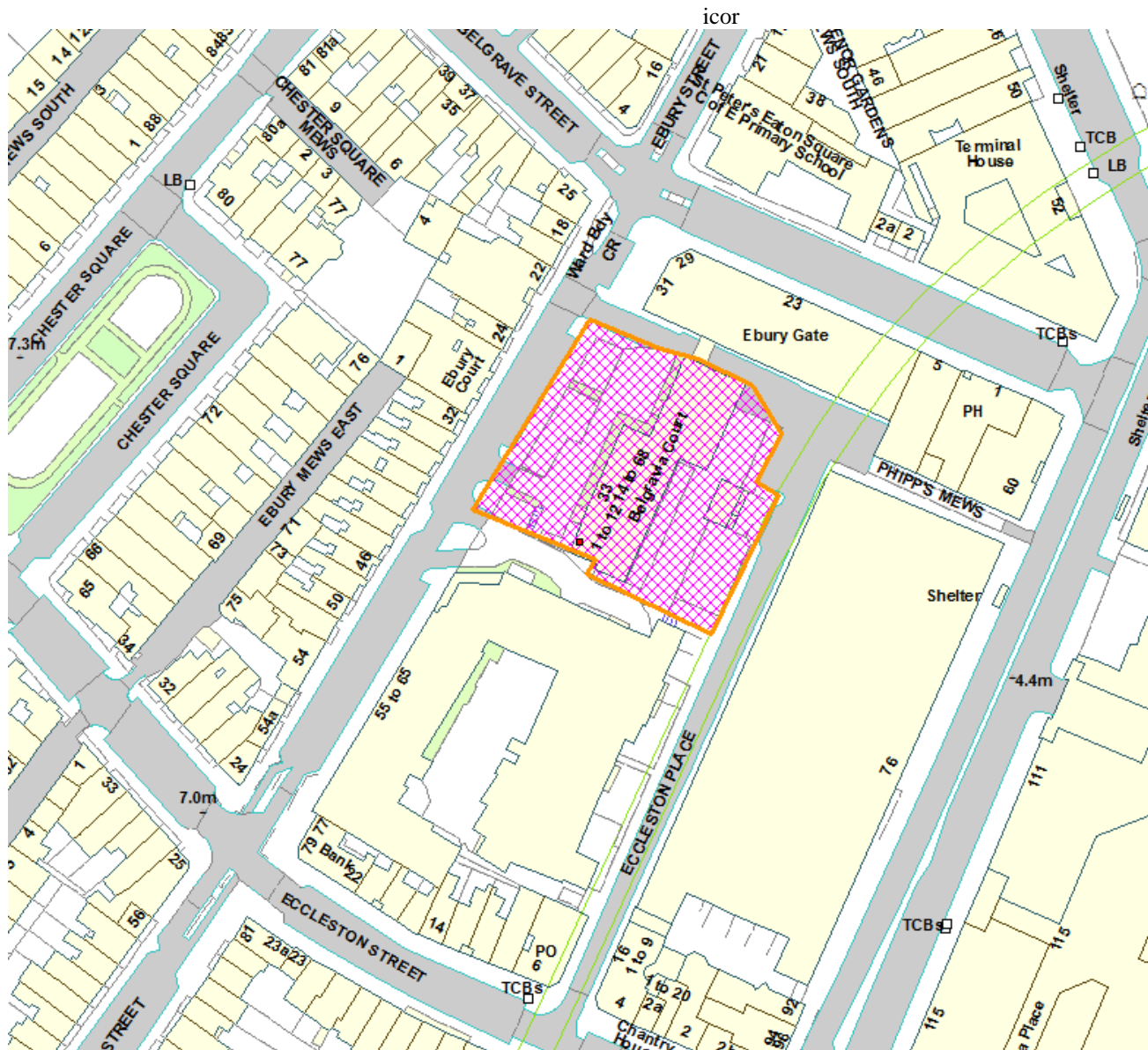
Due to complications associated with the existing UKPN station on site, the July 2019 approved scheme cannot be implemented. The current application is for the erection of a single storey porter's lodge in a revised location near the centre of the forecourt. As with the previously approved scheme, the current proposals include the installation of new boundary railings and gates, the installation of new stairs and platform lifts to the front entrances of the existing buildings and associated landscaping works.

The key issues are:

- The impact of the setting of the Belgravia Conservation Area;
- The impact on amenity of neighbouring residents;

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (November 2016). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Photo of site taken from Ebury Street

5. CONSULTATIONS

HISTORIC ENGLAND (ARCHAEOLOGY)

- The proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

BELGRAVIA SOCIETY

- Any response received to be reported verbally by officers.

BELGRAVIA NEIGHBOURHOOD FORUM

- Any response received to be reported verbally by officers.

BELGRAVIA RESIDENTS ASSOCIATION

- Any response received to be reported verbally by officers.

TREE SECTION

- No objection, conditions recommended to secure details of tree protection measures and landscaping.

HIGHWAYS PLANNING MANAGER

- No objection subject to a condition to ensure that all doors or gates do not open over or across the road or pavement.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 190

Total No. of replies: 22

No. of objections: 6

No. in support: 16

Six letters of objection have been received on the following grounds:

AMENITY

- The porter's door and window, people accessing the lodge and vehicles stopping outside the lodge will lead to overlooking a loss of privacy
- The lodge will cause loss of light to the flats at Belgravia Court.
- The increased footfall and vehicle presence associated with the lodge, directly outside the windows of Belgravia court, will cause extra noise nuisance, particularly in the morning and at night.
- Extending the canopy of the main entrance will lead to loss of light to the ground floor flats.
- The proposed lift access to the main building will allow visual intrusion into an adjacent bedroom window on activation, as well as noise when in operation.

DESIGN

- The lodge would be better placed in a discrete location at one or other end of the

- plot rather than in the middle.
- The lodge will lead to the partial loss of an attractive green space and the view from the ground floor flats will be destroyed
- The current design of the lodge is not good enough and more effort could be made to integrate the lodge with the wildlife and aesthetics of the area.
- The metal gates will affect the historical and transparent look of the area which will bring an industrial and unfriendly look to the area.

LAND USE

- Residents will lose an area of garden/greenspace.

OTHER

- The proposed porter's lodge would have a negative effect on the ecology of the area.
- The applicant has not consulted with the residents of the building
- The location of the lodge could lead to the felling of another tree.
- The applicant has submitted the application without consulting with the owner of the parking spaces on the forecourt or their permission.
- The proposals will remove freedom of access to the property.

Sixteen letters of support have been received from residents making the following points:

AMENITY

- The proposed lodge would not have a negative impact on the amenity of the street or surrounding area.

DESIGN

- The design of the proposed lodge is attractive and would not have a negative impact on the appearance of the street or surrounding area.

OTHER

- Taking all the green areas into account, there will be virtually no loss of greenery.
- The proposals would improve the working conditions of the porter.
- The lodge will improve the level of service and security that can be provided at the site
- The proposals will improve the security of residents in an area with a history of antisocial behaviour.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application relates to the forecourt area of Belgravia Court, two eight storey residential blocks located on the east side of Ebury Street close to its junction with Lower Belgrave Street. The forecourt is landscaped and accommodates car parking and the entrance stairs to a UKPN sub-station.

6.2 Recent Relevant History

In September 2002, conditional permission was granted for the installation of railings and gate to the rear of the building.

In July 2019, planning permission (19/00352/FULL) was granted for the erection of a two storey porter's lodge including basement and plant machinery, the installation of new boundary railings and gates and associated landscaping works and the installation of new stairs and platforms lifts to the front entrances of the existing buildings.

7. THE PROPOSAL

Due to complications associated with the existing UKPN station on site, the July 2019 approved scheme cannot be implemented. The current application therefore proposes a new location for the lodge near the centre of the forecourt. The proposed single storey porter's lodge would comprise of a reception area, shower/bathroom and kitchenette.

As previously approved, new boundary railings with electronic gates will be installed around the forecourt on the existing boundary; new stairs and platform lifts will be installed to the front entrances of the existing buildings and landscaping works will be carried out to the forecourt.

The new lodge will replace the existing sub-standard porter's accommodation in the existing building and provide for a full-time porter service, which along with the proposed railings, is intended to help address incidents of anti-social behaviour in the forecourt.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The erection of a porter's lodge (38sqm), ancillary to the existing residential flats, is considered acceptable and in accordance with Policy S14 of the City Plan. A condition is recommended to ensure that the porters lodge is not occupied other than for purposes ancillary to the residential use of the main building.

Objections have been received on the grounds that the porter's lodge will result in the loss of an area of garden/greenspace. The forecourt is an area of private land providing car parking and a setting for the residential flats. The proposed lodge is a small single storey building which will mean the porter is easily accessible on entry to the site and will improve site management. The area around the proposed lodge will be re-landscaped. The overall benefits of improved security and site management for residents, is considered sufficient to outweigh any harm caused by the loss of a small area of the existing soft landscaping.

8.2 Townscape and Design

The site contains no listed buildings and falls just outside the boundary of the Belgravia Conservation Area, the setting of which it affects. Opposite the northern end of the site is the Grade II listed 22 Ebury Street, which is set within a wider terrace typical of Belgravia

and as such interacts with the site as a part of that wider townscape, rather than individually.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the same Act requires that “In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy DES 9 (F) in the UDP requires that where development will have a visibly adverse effect upon a conservation area’s recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted. Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting.

The application site has a close visual relationship with the adjacent conservation area and listed building, however it is architecturally and spatially defined from them by its very different built form, scale and position set back from the main street building line behind a boundary wall enclosing mature planting, trees and parking. The impact of the proposals upon the appearance of this side of Ebury Street are therefore predominant in terms of design considerations.

The proposed structure is single storey, with a shallow hipped roof and presenting itself in front elevation as roughly square in plan. It would sit quietly but prominently to the front-centre of the site, behind railings. Objections have been received suggesting that the lodge would be better placed in a discrete location at either end of the forecourt, rather than being positioned in the middle as proposed. A similar structure was approved in July 2019 in the south-western corner of the site, however owing to complications with an adjacent UKPN station it is not possible to construct the lodge in the approved location. Although a corner location may be considered slightly preferable in terms of the structure’s relationship with the existing main building, the proposed more central location is not considered sufficiently discordant in design terms to merit a refusal on these grounds.

Objections have also been received on the grounds that the current design of the lodge is not good enough and that more effort could be made to integrate the lodge with the aesthetics of the area. As previously approved, the proposed lodge comprises brick/render elevations along with a zinc roof. It is considered that the proposed porter’s lodge has been designed to echo the original architecture and palette of materials found upon the main building and will thereby be in keeping with the appearance of the main building. By virtue of its modest size and restrained design, the proposed lodge would respect the existing open character of the front parking and landscaped area and in turn preserve the manner in which the site contributes to the setting of the Belgravia

Conservation Area and would have no effect on the setting of the nearby listed building at 22 Ebury Street. The proposed railings are considered in keeping with the prevailing street scene.

To achieve the stated architectural quality of the proposals, a condition is recommended to ensure that the materials used on the porter's lodge match those on the main building.

As such, the proposals are considered acceptable, mindful of Unitary Development Plan (UDP) policies DES 1, DES 5, DES 9 and DES 10 and City Plan Policies S25 and S28 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Objectors have raised concern that the porter's lodge could impact on the light received by the residential flats at Belgravia Court. The scale and massing of the porter's lodge is comparable to that previously approved and it would be positioned slightly further away from the building (approx. 10.1m from closest point). Accordingly, it is considered that the porter's lodge would not lead to an unacceptable loss of light. Whilst the lodge and fencing would be visible from the existing windows at Belgravia Court, it is not considered that the proposals would lead to an unacceptable sense of enclosure.

Objections have also been received on the grounds that the porter's lodge will increase footfall and vehicle presence, causing noise nuisance and overlooking. However, the proposals would not result in an increase in residential units or parking and the lodge is for residents only, so it is unlikely that the development would lead to an increase in traffic or footfall. Given the distance between the lodge and the residential blocks and difference in levels, it is not considered that the proposals would result in an unacceptable degree of overlooking.

Regarding comments about the works proposed to the main buildings, it is not proposed to extend the canopies and the platform lifts as previously approved.

Subject to conditions, the proposals are considered to be in accordance with policies S29 and ENV13.

8.4 Transportation/Parking

The electronic gates proposed at the front of the property would be set back to ensure that any waiting vehicles would not obstruct the footway or vehicle carriageway and a condition is recommended to ensure that the new gates do not open over the highway. The proposals do not involve an increase in residential units or loss of car parking and for these reasons are considered to be in accordance with policies TRANS 20 and TRANS 23.

The proposals are considered to be acceptable in highways terms and the Highways Planning Manager has no objection subject to a condition to ensure the new gates do not open out across the highway.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The site will have a pedestrian gate and electrical gate to the front (Ebury Street) and north side of the forecourt. Access to the main building will be improved by the installation of new stairs and platform lifts.

An objector has raised concern that the proposals will remove freedom of access to the forecourt. The applicant has confirmed that the freeholder requires the gates to remain open and that there will be access at all times for residents. The porter is on duty 24 hours.

The porters lodge will have a removable ramp for front step (140mm).

8.7 Other UDP/Westminster Policy Considerations

Trees and Landscaping

Objections have been received on the grounds that the erection of the porter's lodge could lead to the felling of one of the nearby street trees and could also have a negative effect on the ecology of the area.

A substantial landscaped area is retained in front of the building, providing an attractive setting for the residential block and maintaining the existing ecology. The proposed scheme has been revised so that the lodge will sit on specially designed foundations on a gravel layer which will extend around the lodge to allow for drainage and for air to reach the soil below. Subject to conditions requiring full details of the landscaping scheme and measures to protect the adjacent street tree, the Council's Tree Officer is satisfied with the proposals.

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 Neighbourhood Plans

Not applicable.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

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

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

During the consideration of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure a method statement explaining the measures the applicant will take to protect trees on or close to the site (Condition 7). The applicant has agreed to the imposition of the condition.

8.12 Planning Obligations

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

The application is not CIL liable.

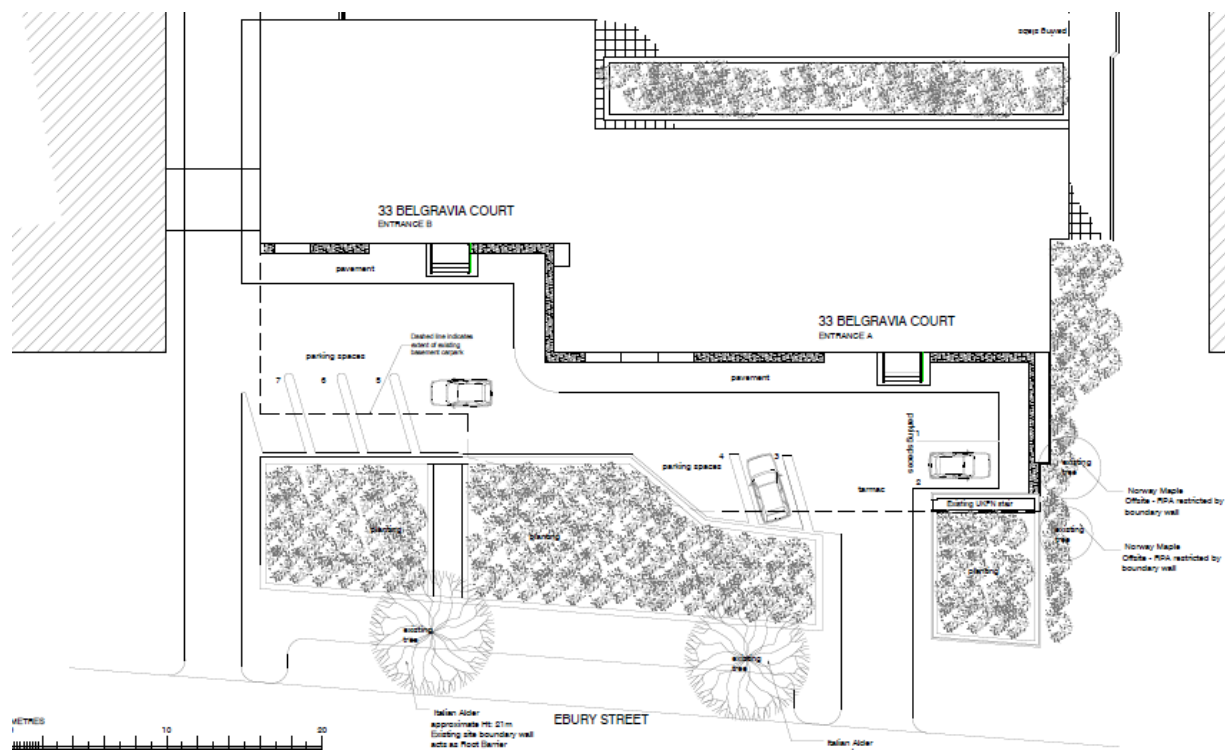
8.13 Environmental Impact Assessment

The application is of insufficient scale to trigger the requirement of an EIA.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: AMANDA JACKSON BY EMAIL AT ajackson@westminster.gov.uk

Existing Site Plan



The site plan for 33 Belgravia Court illustrates the proposed and existing layout of the property. Key features include:

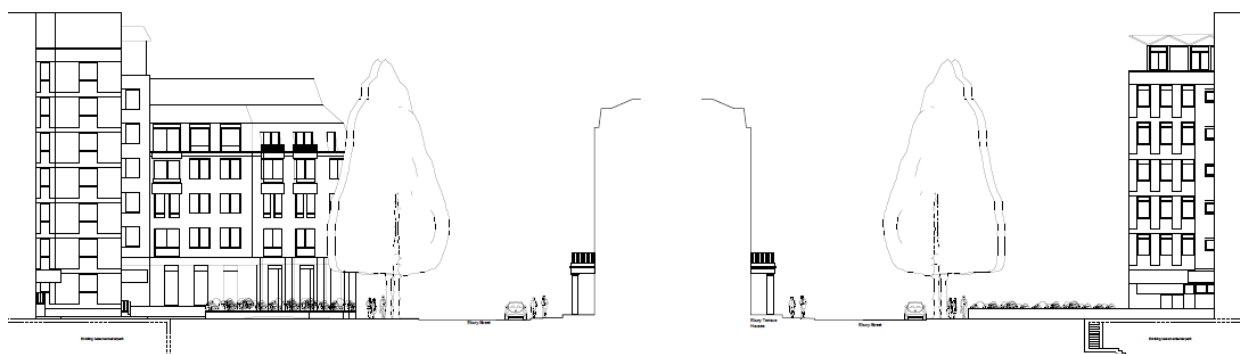
- Proposed Features:**
 - Parking:** Three new parking spaces (labeled 5, 6, 7) and a proposed 1.45M high railing with 400mm low level wall.
 - Landscaping:** New Italian Alder trees (approximate Ht. 21m) and existing site boundary walls as Root Barriers.
 - Structures:** A new entrance with a staircase and a proposed 1.45M high railing with 400mm low level wall.
 - Other:** A proposed 1.45M high railing with 400mm low level wall and a proposed 1.45M high railing with 400mm low level wall.
- Existing Features:**
 - Parking:** Existing parking spaces and a proposed 1.45M high railing with 400mm low level wall.
 - Landscaping:** Existing trees and a proposed 1.45M high railing with 400mm low level wall.
 - Structures:** Existing entrance with a staircase and a proposed 1.45M high railing with 400mm low level wall.
 - Other:** Existing site boundary walls as Root Barriers and a proposed 1.45M high railing with 400mm low level wall.

The plan also shows the location of 33 Belgravia Court, Ebury Street, and the proposed 1.45M high railing with 400mm low level wall.

Existing Elevations



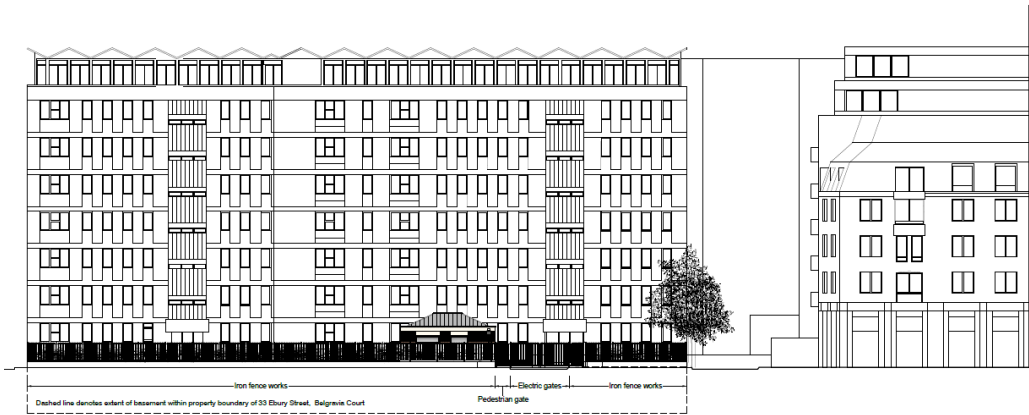
WEST ELEVATION
1:200



NORTH ELEVATION
1:200

SOUTH ELEVATION
1:200

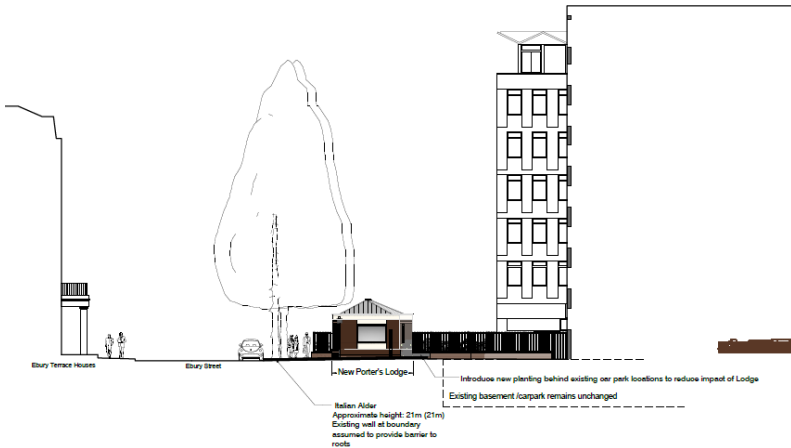
Proposed West Elevation

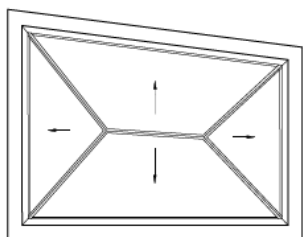


Proposed North Elevation

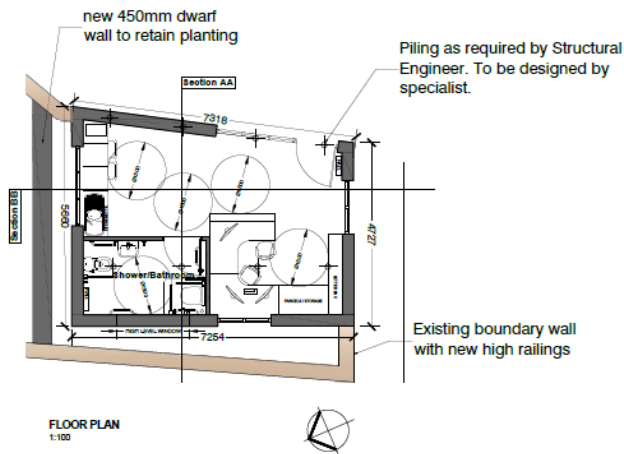


Proposed South Elevation

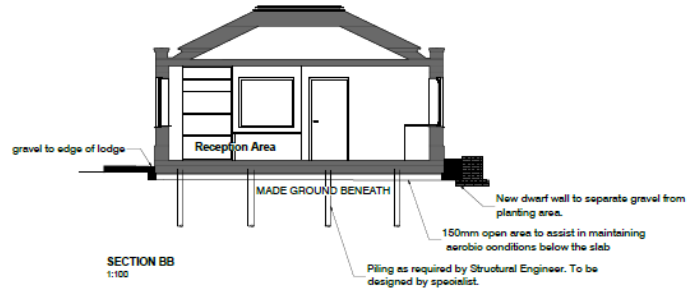
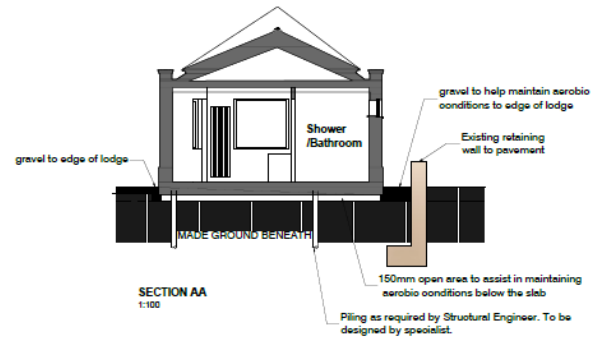


Porters Lodge Proposed Elevations and Roof PlanNORTH ELEVATION
1:100EAST ELEVATION
1:100ROOF PLAN
1:100SOUTH ELEVATION
1:100

ROOF PLAN & PROPOSED ELEVATIONS

Porters Lodge Proposed Floor Plan and Sections

FLOOR PLAN & PROPOSED SECTIONS



DRAFT DECISION LETTER

Address: Belgravia Court , 33 Ebury Street, London, SW1W 0NY

Proposal: Erection of single storey porters lodge; installation of new boundary railings and gates; landscaping works; and associated alterations to entrances of the main buildings.

Reference: 20/02713/FULL

Plan Nos: 186-01 Rev. C; 186_D_08_D Rev. D; 186_D_09_D Rev. D; 186 - 10 Rev Q; 186_D_15_C Rev. C; 186_D_16_C Rev. C; 186_D_260_F Rev. F; 186_D_261_D Rev. D; 186_D_262_D Rev. D; 186_D_263_E Rev. E; 186_D_264_F Rev. F; 186_D_350_D Rev. D; 186_D_351_C Rev. C.

For Information:

Tree Schedule & Arboricultural Impact Assessment dated 25 June 2020; Tree Root Investigation Report Findings dated 25 June 2020; R2623-TCP-Elev Rev.0; R2623-TCP Rev. 1.

Case Officer: Ian Corrie

Direct Tel. No. 07866038370

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

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

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 You must 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 (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 5 The porters lodge permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the building known as Belgravia Court, 33 Ebury Street.

Reason:

To ensure that the impacts of using the porters lodge as a separate unit of accommodation can be properly assessed by the City Council as set out in S15, S29, S30, S41 and S42 of Westminster's City Plan (November 2016) and H5, TRANS 20, TRANS 23 and ENV13 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing). If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development and its contribution to biodiversity and

the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

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

Reason:

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

- 8 The excavation to reduce the soil level in the shrub bed must be carried out by hand or handheld tools only. The excavation must not exceed 0.5m or the height of the pavement surface, whichever is the higher and it must not extend beyond the area shown on the Floor Plan and Proposed Sections drawing 186_D_350_D Rev. D. If you need to excavate beyond this depth you must agree this with us in advance.

The excavation must be carried out in accordance with the tree protection method statement, including ground protection, approved pursuant to Condition 7 of this decision.

Reason:

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

- 9 You must apply to us for approval of detailed drawings of the foundations and rainwater drainage including a specialist system to direct air and rainwater run-off to the underside of the foundations. You must not start any 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 approved details. (C26DB)

Reason:

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

- 10 You must apply to us for approval of detailed drawings of the piling rig to be used to install the piles, including the size of the rig and the location where it will operate from.

The pile diameter must be as small as possible. You must not start any 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 approved details. (C26DB)

Reason:

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

- 11 (1) Where noise emitted from the proposed platform lifts and electric gates will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the platform lifts and electric gates (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 specific noise level should be expressed as LAeqTm, and shall be representative of the platform lifts and electric gates operating at their maximum.
- (2) Where noise emitted from the proposed platform lifts and electric gates will contain tones or will be intermittent, the 'A' weighted sound pressure level from the platform lifts and electric gates (including non-emergency auxiliary plant and generators) hereby permitted, when operating at their 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 specific noise level should be expressed as LAeqTm, and shall be representative of the platform lifts and electric gates operating at their maximum.
- (3) Following installation of the platform lifts and electric gates, 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 platform lifts and electric gates, 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 equipment that formed part of this application;
 - (b) Locations of the platform lifts and electric gates 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 platform lifts and electric gates 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 platform lifts and electric gates comply with the planning condition;
 (i) The proposed maximum noise level to be emitted by the platform lifts and electric gates

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

12 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

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 HIGHWAYS LICENSING: 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 visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS: 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.

BUILDING REGULATIONS: You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

- 3 In relation to condition 7, you must include a methodology for undertaking exploratory hand excavations to determine the locations of the piles, under arboricultural supervision.
- 4 In relation to condition 9, the water and air exchange element of the foundations should include a more 'active' design than the gravel bed alone, such as rainwater downpipes delivering water to the gravel bed and perforated ventilation shafts or tubes running underneath the foundation slab.

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.