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| CITY OF WESTMINSTER                                      |   |                                       |            |
| PLANNING APPLICATIONS SUB COMMITTEE                      | Date<br>22 <sup>nd</sup> June 2021  | Classification<br>For General Release |            |
| Report of<br>Director of Place Shaping and Town Planning |   | Ward(s) involved<br>Lancaster Gate    |            |
| Subject of Report  | Development Site At Olympia Mews And 28 To 34, Queensway, London,   |                                       |            |
| Proposal   | Demolition of existing buildings at Nos.28-34 Queensway and redevelopment of site by erection of a six storey, plus basement level, building comprising to provide Class A1 retail floorspace at basement and ground levels and 35 residential flats (Class C3) to the rear at ground level and on the upper floors. Demolition of existing buildings in Olympia Mews and redevelopment of site by erection of a replacement two storey building for use as Class B1 office floorspace ('Application 3'). |                                       |            |
| Agent  | Montague Evans  |                                       |            |
| On behalf of   | Greenfour Ltd and Rapport Ltd   |                                       |            |
| Registered Number  | 18/09727/FULL   | Date amended/<br>completed            | 19.11.2021 |
| Date Application Received                                | 14 November 2018  |                                       |            |
| Historic Building Grade                                  | Unlisted  |                                       |            |
| Conservation Area  | Queensway   |                                       |            |

## 1. RECOMMENDATION

1. Grant conditional permission, subject to a S106 legal agreement to link Applications 1,2,3 & 4 together and to secure the following obligations related to this application 3:

- a) In the event that Application 3 or 4 is implemented, the provision of 8 flats as Intermediate (London Living Rent) Affordable Housing units prior to the occupation of the market flats.
- b) Early and Late Stage Affordable Housing Reviews in order to secure further affordable housing contributions, should the development become viable in the future.
- c) Lifetime (25 years) Car Club Membership for each of the 35 residential units
- d) Car and Cycle parking within Q Park Queensway Car Parking on an unallocated basis
- e) Highways works associated with and required to facilitate the development including reinstatement of redundant vehicle accesses, modification to existing vehicle access where required and adjoining footway and associated work (legal, administrative and physical).
- f) Employment and skills contribution of £TBC index linked and payable on commencement of development.
- g) Carbon Offset Payment of £126,207 index linked and payable on commencement of 1st of the four

linked applications.

h) Monitoring costs

2. If the legal agreement has not been completed within 6 weeks from the date of the Committee's resolution then:

a) the Director of Place Shaping and Town Planning shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Director of Place Shaping and Town Planning authorise to determine and issue such a decision under Delegated Powers; however, if not:-

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

3. That Sub-Committee authorises the making of a draft order pursuant to s247 of the Town and Country Planning Act 1990 for the stopping up of parts of the public highway to enable this development to take place.

That Director of City Highways be authorised to take all necessary procedural steps in conjunction with the making of the order and to make the order as proposed if there are no unresolved objections to the draft order. The applicant will be required to cover all costs of the Council in progressing the stopping up order.

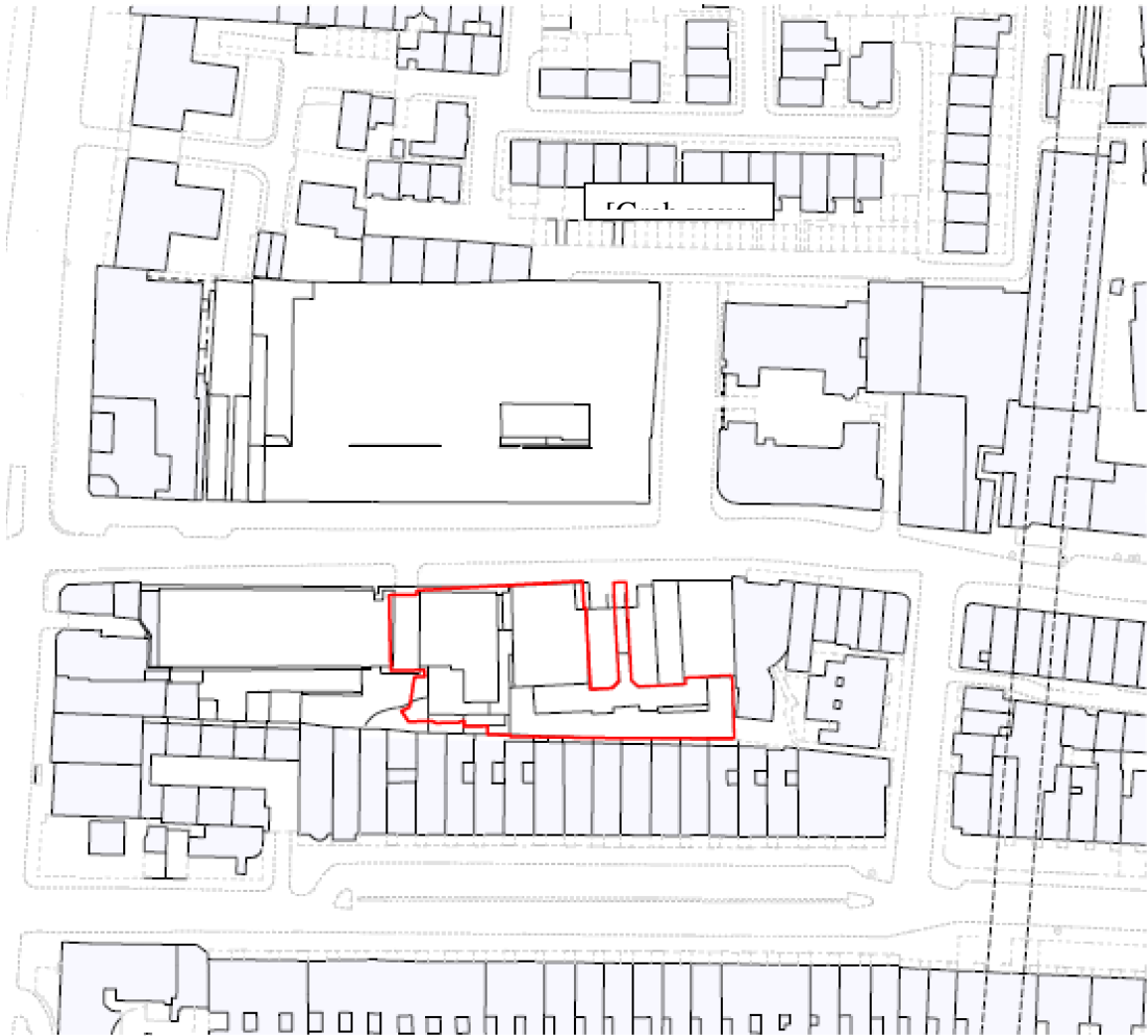
## 2. SUMMARY

This is one of four applications for four separate sites with respect to development proposals relating to properties at the southern end of Queensway. The proposals are part of a masterplan for the entire estate which seek to regenerate Queensway. Representations of objections have been received from 6 addresses from surrounding properties on a number of grounds including the design and amenity, 1 representation of support has also been received.

The provision of 32 new flats is supported in principle in land use terms to optimise the provision of housing to help meet the demand for housing and affordable housing in the City. The retained mix of retail and office uses are also appropriate in this shopping area. The proposed development is also considered to be appropriate in design and townscape terms and the impact on the amenities of existing residents is not considered to be so material to warrant withholding permission.

Notwithstanding the objections, it is considered that the proposed development is acceptable with appropriate conditions and meets with the relevant City Plan policies. As such a favourable recommendation is given.

## 3. LOCATION PLAN



#### 4. PHOTOGRAPHS



32-34 Queensway -rendered building  
28-30 Queensway -low brick building

NB/Both proposed for Demolition



Entrance to Olympia Mews and 38 and 36 (including Rosa's) Queensway either side  
32-34 Queensway (including Holland and Barrett)

NB/ 32-34 Proposed for demolition





Olympia Mews behind Queensway  
NB/Proposed for demolition

5. **CONSULTATIONS** (Including Re-consultation on revisions including clarification of ground and basement retail (Class A1 uses), reconfiguration of affordable housing units including access and landscaping, clarification of land use floor areas, plant relocated from roof to ground floor lightwell, design changes, cycle and waste stores and access details, clarification of footprint, viability report)

**WARD COUNCILLORS FOR LANCASTER GATE**

Any response to be reported verbally.

**HISTORIC ENGLAND (LISTED BUILDS/CON AREAS)**

No necessary to be consulted.

**THE ROYAL PARKS**

No objection.

**TRANSPORT FOR LONDON**

Comment. Lack of off-street servicing, too much car parking, lack of short stay parking, and not enough cycle parking. Internal shared space area of public realm should be demarked. Delivery and Servicing Plan and Construction Logistics Plan should be required and agreed in consultation with TFL to ensure the public transport network is not adversely affected by the proposals.

**LONDON UNDERGROUND LIMITED**

No objection, subject to condition.

**THAMES WATER**

No objection, informative recommended.

**ROYAL BOROUGH OF KENSINGTON & CHELSEA**

No objection.

**WASTE PROJECT OFFICER**

Objection, revised details required.

**HIGHWAYS PLANNING TEAM**

The linked applications overall do not provide any tangible improvements to the wider pedestrian or highway environment. Specific objection to this application relates to the loss of off street servicing (by small vehicles) to Olympia Mews and lack of re-provision of off-street servicing. Conditions recommended.

**ENVIRONMENTAL HEALTH**

No objection, subject to conditions and comments

**DESIGNING OUT CRIME**

Any response to be reported verbally.

**BUILDING CONTROL**

Any response to be reported verbally.

**AFFORDABLE HOUSING SUPPLY MANAGER**

Verbal no objection

**SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION**

Any response to be reported verbally.

**BAYSWATER RESIDENTS ASSOCIATION**

Any response to be reported verbally.

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

No. Consulted: 647

Total No. of replies: 11

No. of objections: 7

No. in support: 1

**OBJECTIONS**

Including 1 from the Diocese of Westminster, the owners of Our Lady Queen of Heaven, RC Church (4a Inverness Terrace).

Design

- Lack of detail and clarity of the units to the Church and basement levels
- Massing, height & depth needs to be addressed.
- Unacceptable and sweeping changes made to the area and in particular this part of Queensway.
- The proposed building ignores the current streetscape of both Consort House as well as the neighbouring development.
- Consort House is unique as a brutalist building in the Bayswater area
- Development also ignores the tiered design of Consort House and recessed building line of the neighbouring building, raising the elevations on part of the development from one floor to six in the most extreme case (above current Holland & Barrett shop.
- Developer should consider a more sensitive approach taking into account the already high density of development at this part of Queensway.

Amenity

- Impact on daylight and sunlight to Church and Presbytery (Home of the Parish Priest)
- Loss of daylight to Queens Court
- Olympia Mews has existing windows overlooking the garden of the Presbytery and these should be removed in the new development.
- Number of units and balconies is an issue for the amenity of other properties.
- Missing daylight and sunlight assessment

Transport/Waste

- Little detail on waste
- Reduction in public space



Construction Impact

- Another demolition and large construction project whilst Park Modern Development (Bayswater Road is going on)
- Residents of Consort House will be surrounded by construction works
- Noise, pollution and disruption during construction.

Other

- Structural; impact on other properties including heat and damp
- Insufficient detail in application
- Misleading drawings
- Consultation not transparent.
- Applicant's consultation biased and not transparent and concerns not taken into account.
- Visuals and drawings do not match

**SUPPORT**

- Support these proposals in helping to create a more uniform and attractive frontage on Queensway.
- The developers have made a decent effort to tie together the vastly different architectural styles of Consort House and it's neighbouring buildings.
- Unsure whether the proposed structure needs to be 6 storeys however, perhaps if it were 5 storeys it would have a better chance of gaining approval from residents in the area

**PRESS ADVERTISEMENT / SITE NOTICE:**

Yes

**6. BACKGROUND INFORMATION****6.1 The Application Site**

The application relates to three building groups within the Queensway Conservation Area:

- 28-30 Queensway, which forms the northern portion of 'Consort House', a 1970's brutalist design.
- 32 to 34 Queensway, a short row traditional detailed modern buildings
- Olympia Mews, a small 1980's-1990's modern mews

To the rear (east), are the backs of the Grade II listed terraced houses which line Inverness Terrace. Opposite on the west side of Queensway is Queens Court Mansion block. Abutting to the site to the north is 36-44 Queensway. The Grade II listed Church of Our Lady of Heaven lies further north of the site and adjoins 44 Queensway and the northern most part of Olympia Mews. To the south of the site is Consort House tower.

The site lies within the Queensway Conservation Area and adjacent to the Bayswater Conservation Area. It also forms part of the Queensway/Westbourne Grove Major Shopping Centre.

## 6.2 Recent Relevant History

### Wider Application Site

Four applications for four separate sites have been submitted collectively on behalf of Happy Badge Limited, Rapport Properties Limited, and Greenfour Properties Limited with respect to development proposals relating to properties at the southern end of Queensway

These four applications, submitted separately for four sites, are covered by a single set of documents which assess the proposals holistically together with a single viability report for the four applications. The proposals are part of a masterplan for the entire estate which seek to regenerate Queensway, the first phase commenced through the rebranding and refurbishment of Queens Ice and Bowl and revisions to other shopfronts.

The four applications collectively encompass the following sites located on both the eastern and western side of Queensway.

#### Eastern side of Queensway:

- 8-26 Queensway (Consort House- southern)
- 28-34 Queensway (Consort House- northern)
- 36-44 Queensway
- 1-6 Olympia Mews (located to the rear of 32-44 Queensway)

#### Western side of Queensway

- Queens Court 7-45 Queensway (including Queensway Market) and rear area between wings.
- Queens Court Ground floor rear (part- fronting Princes Court Public car park)
- Queens Court Roof level
- Princes Court Public Car Park 23-43 Queensway

#### Application 1 8-26 Consort House and 36-44 Queensway- (18/09557/FULL)

*Installation of new shopfronts to Nos.8-26 Queensway and Nos.36-44 Queensway, use of ground and mezzanine level shop unit at No.10 for Class A3 use and use of ground and mezzanine level shop unit at No.22 Queensway for Class A1 use*

#### Application 2 Queens Court & Princess Court Open Street Level Car park (18/09765/FULL)

*Change of use of rear part of Queensway Market to dual/ alternative A1/ A2/ B1/ D1/ D2 use and 5 residential units facing Princes Court, reconfiguration of retail units along Queensway including introduction of Class A1 uses at Nos.23 and 33 (current entrances to Queensway Market) and use of Nos.25 and 41-43 Queensway as Class A3 uses, installation of new shopfronts to Nos.23 to 43 Queensway, erection of infill extension to rear at ground floor level, erection of two new pavilion structures for Class A1 use and associated new hard and soft landscaping on land between Queens Court and Princes Court, installation of green roofs, rooflights and mechanical plant within enclosures to first floor level roofs between projecting rear wings of Queens Court installation of kitchen extract ducts to rear elevations, and associated cycle parking, waste storage, plant and other ancillary alterations*

Application 3 28 – 34 Queensway & 1-6 Olympia Mews (18/09727/FULL)

*Demolition of existing buildings at Nos.28-34 Queensway and redevelopment of site by erection of a six storey, plus basement level, building comprising to provide Class A1 retail floorspace at basement and ground levels and 35 residential flats (Class C3) to the rear at ground level and on the upper floors. Demolition of existing buildings in Olympia Mews and redevelopment of site by erection of a replacement two storey building for use as Class B1 office floorspace*

Application 4 Queens Court (Reference: 18/09766/FULL)

*Erection of two storey roof extension to Queens Court to provide 26 residential units (Class C3) with associated waste and recycling storage ('Application 4').*

## 7. THE PROPOSAL

The proposal comprises of the following:

- Demolition of existing buildings at Nos.28-34 Queensway & 6 storey, plus basement level building.
- Retail at basement & ground levels.
- 35 residential flats.
- Demolition of existing buildings in Olympia Mews & 2-storey building for use as office floorspace.

| Residential Mix | Quantity | External Amenity |
|-----------------|----------|------------------|
| 1 bed           | 14 (44%) | Not all          |
| 2 bed           | 7 (22%)  | Not all          |
| 3 bed           | 10 (31%) | Not all          |
| 4 bed           | 1(1%)    | Not all          |
| Total           | 32       |                  |

| Use    | Existing m2 | Proposed m2 | Change |
|--------|-------------|-------------|--------|
| Retail | 553         | 830         | +277   |
| Office | 1538        | 444         | -386   |

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

#### Residential use

This proposal seeks to provide 35 new flats within Queensway within a new building. The provision of 35 residential units is welcomed in land use terms in accordance with policies 8 and 9 of our City Plan, to optimise the provision of housing to help meet the demand for housing and affordable housing in the City.

#### Affordable housing

This is one of four applications for four separate sites with respect to development proposals relating to properties at the southern end of Queensway. A single viability

report has been provided by Montague Evans in relation to the collective viability of the proposals of all four applications. This has been independently assessed by Turley's on behalf of the City Council. The conclusion is clear in that the development (all 4 applications) cannot viably provide any affordable housing.

Notwithstanding the agreed findings of the viability assessment, the applicant is proposing ex gratia, to provide 8 affordable housing units as part of the collective development. Without prejudice, 3 affordable housing units are proposed within 28-34 Queensway (as part of Application 3 ) and 5 affordable housing units are proposed at rear ground floor level to Queens Court (As part of Application 2). Originally offered as shared ownership and affordable rent respectively, during the course of the application it was considered that all 8 affordable housing would better meet the City Council's need, if provided as London Living Rent affordable housing units and this is now proposed.

The provision of 8 London Living Rents affordable units, 3 of which are provided within this application (Application 3) is welcomed in land use terms in accordance with policies 8 and 9 of our City Plan, to optimise the provision of housing to help meet the demand for housing and affordable housing in the City.

The provision of on-site affordable housing is proposed to be secured by way of a S106 legal agreement which links all four applications together. The legal agreement will also be the subject of early and late stage Affordable Housing Reviews in order to secure further affordable housing contributions, should the development become viable in the future.

#### Quality of accommodation & Mix of unit sizes

The provision of 35 flats would comprise 14x1bedroom, 7x2bedroom and 10x3 bedroom and 1x4bedroom flats. The residential units range exceed the required minimum internal floor area standards and remain less than 200m<sup>2</sup>. The mix of unit sizes is acceptable and meets with policy 10 (Housing for specific groups) to ensure at least 25% family sized units and no more than 10% studio flats.

Overall, the quality of the flats is disappointing, a number of the flats are single aspect, a number are not provided with external amenity space and the outlook and aspect of some is poor. It is therefore disappointing that a better design and arrangement for the flats has not been forthcoming. Notwithstanding this, it is not considered that their quality would justify withholding permission.

The City Council's Environmental Health officer has advised that the internal environment to the flats would meet noise standards when windows are closed, but this may cause overheating to the flats. A scheme of openable windows together with mechanical ventilation is required to strike a balance between the two requirements. Details are to be secured by condition. Furthermore, to ensure that the occupiers of new flats do not suffer from noise transfer from within the existing building, a condition is recommended to require the provision of a supplementary acoustic report to ensure that our noise standards are met.

#### **Commercial Use**

##### Change in legislation

Class E (Commercial, Business and Service) of the Use Classes Order 1987 (as

amended) was introduced on 1<sup>st</sup> September 2020. It amalgamates a number of uses that previously fell within Classes A1, A2, A3, B1, D1 and D2; shops, restaurants, financial and professional services, indoor sport, recreation or fitness, health, or medical services, creche, nursery or day centre principally to visiting members of the public, an office, research and development, or any industrial process that can be carried out in any residential area without detriment to amenity. Under Class E, the use of a building can flip flop back and forth between any of these uses without the need for planning permission, on the basis that it is not development and does not therefore require planning permission.

### Retail

The shop units are located at ground and lower ground floor level within the Queensway/Westbourne Grove Major Shopping Centre, which is the only Major centre in Westminster and designated due to its mix of convenience and comparison retail activity and complimentary town centre uses, Consequently Policy 14 (Town centres, high streets, and the CAZ) of our City Plan applies.

The retention and increase in retail floorspace is acceptable in the shopping frontage. The proposed retail use remains appropriate town centre use which provide active frontages and serve visiting members of the public and is of an appropriate scale, type and format that reflects its designation as a Major centre in accordance with policy 14. In addition, other aspects of the proposal, including new shopfronts is likely to have a positive impact on the shopping frontage. The applicants proposed hours of operation (07.00-midnight) are considered to be appropriate.

The other uses within Class E may have different and potentially more harmful amenity, transportation and or air quality impacts than the proposed uses. For example, creche, leisure, gym, and some sport uses (or a combination of these uses) could cause significant harm to the amenity of these nearby residents, in environment, residential amenity and transport and highways terms.

The applicant has not provided any information to demonstrate that the impact of these other uses within Class E would be adequately mitigated in the event of a change of use. Accordingly, a condition is recommended to prevent changes of use within Class E without planning permission.

### Office

The proposal seeks to replace the existing office space within Olympia Mews within a new mews building, resulting in an overall reduction in office floorspace within the site as a whole. However overall, the proposed mix of uses is acceptable within this town centre location.

## **8.2 Townscape and Design**

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant listed building consent for any works the local planning authority or 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 66 of 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 39 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. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

### **The Site and its Significance**

The application relates to three building groups within the Queensway Conservation Area: 28-30, which forms the northern portion of 'Consort House', a brutalist design of the 1970s by Owen Luder, 32 to 34, a short row of more traditional appearance buildings of modern date, and Olympia Mews, a small modern mews dating from the 1980s / 1990s. Whilst Consort House as a whole is considered to be of some architectural value, despite having a very dominant impact on the traditional character of the area, this northern portion is the much lesser part. 32 and 34 are a traditionally designed, moderately successful modern replacement which sit comfortably with the character of the area, but are limited in architectural value and are of no historic value. Olympia Mews is of no architectural merit, although occupies the location of a previous, historic mews. The demolition and replacement of the buildings is considered to be acceptable in principle subject to the comparative merits of the replacement proposals.

None of the buildings are listed or considered to be listable, with only 32-34 considered to contribute in any real positive way to the conservation area. To the rear (east), are the backs of the Grade II listed terraced houses which line Inverness Terrace. The Grade II listed Church of Our Lady of Heaven lies further north of the site and adjoins 44 Queensway and the northern most part of Olympia Mews.

The application proposes to replace all three affected building groups, carefully retaining the buildings which abut them. The main part of the proposed replacement development would front onto Queensway with a new, fine-grained brick-built building consisting of



ground to fourth floor, with a recessed fifth floor set well back from the principle building line as a clear roof component. Attached to this would be a singular width replacement for no.34 which would step down to the scale of the adjacent retained buildings at 36 to 40 with the top two floors handled as a double-mansard and a stucco-fronted elevation up to second floor.

This group would be unified at ground floor by a new set of shopfronts with a distinctly modern character but following traditional principles of vertical subdivision, stallrisers and fascias. These shopfronts would be similar in character to those proposed nearby by the applicant's other current applications. Associated with this main Queensway fronting building would be works to the accessway through to the rear of the retained section of Consort House, where a new individual dwelling would front Consort Mews. The works in this area would enliven what is a currently untidy area best by antisocial behaviour and poor maintenance issues.

Olympia Mews is proposed to be replaced by a new, distinctly modern mews development. This would occupy a slightly larger part of the site than existing which does restrict some of the spatial character of the mews. The modern glazed façade is bold, but given the low value of the existing building this is not considered to be harmful to the character of the area when compared to the existing.

The rears of all three buildings are appropriately much simpler than their frontages, in places being undeniably functional. This is however entirely respectful to the pattern of architecture in the area, and are nevertheless considered to be of sufficiently high quality to add value to the character and appearance of the area, particularly with respect to the setting of the listed buildings to the rear.

Due to the orientation, nature and scale of the proposals, the proposals would not harm the setting of the Inverness Terrace listed buildings neither would it harm the setting of the listed Church. S such the objection raised on this ground by the Diocese of Westminster is not supported by officers.

The success of all parts of the development are critical to the quality of detailing and materials used in the construction, and as such the conditions are recommended to be imposed.

Subject to these conditions, and being cognisant of relevant local and national policies (namely policies 38,39 and 40 of our City Plan), the proposals are considered to represent an excellent new design in a sensitive area, and would preserve and in many respects enhance the character and appearance of the conservation area. The design merits of the proposals carry significant weight, and offset any minor areas of harm such as the loss of space within Olympia Mews.

In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, notably Sections 66 and 72 and the requirements set out in Chapters 12 and 16 of the NPPF.

### **8.3 Residential Amenity**

The proposed development must be assessed in terms of its physical impact on the amenities of surrounding residential properties and in relation to daylight and sunlight, sense of enclosure and privacy. Furthermore, the proposed external balconies fall to be considered with respect to the potential for overlooking and noise disturbance.

Objections have been raised to the proposed on grounds of loss of daylight to the Church which lies north of and abuts Olympia Mews part of the development and with respect to loss of daylight to Queens Court, the residential mansion block opposite. The Church has also requested that the existing Olympia Mews windows be removed in any new development.

### **Daylight & Sunlight**

A daylight and sunlight assessment has been submitted in support of the proposed development of all 4 linked applications. This assesses the potential impact of the development on the daylight and sunlight (where 90 degrees south) currently received by a number of residential properties.

The BRE guidelines state that if the VSC value (Centre of the window assessment) is both less than 27%, and results in a reduction of more 20% then daylight may be adversely affected and noticeable to its occupants. With respect to the NSL assessment (distribution of daylight within a room assessment). A reduction in more than 20% would be material and noticeable to occupants.

The BRE guide suggests that if a window point can receive more than 25% of Annual Probable Sunlight Hours (APSH) including at least 5% in the winter months then the room should still receive enough sunlight. A reduction in 20% of APSH of either annual or winter sunlight and a total loss of value of 4% would be noticeable to the occupants.

#### **1-9, 11-25 and 33 Inverness Terrace**

Two first floor windows in 1-9 Inverness Terrace would see a reduction in daylight of their formal values of 0.75-0.78 and a window at third and fourth floor would see a reduction of their annual probable sunlight of their former values of 0.77 and 0.78 respectively. This property is in hotel use and the values are just shy of the 0.8 guideline.

Nine windows (5 at ground and 4 at first floor level) in 11-13 Inverness Terrace would see a reduction in daylight of their formal values of between 0.64-0.79, 5 windows at ground to third would see a reduction in annual probable sunlight hours of their formal values of between 0.28-0.77).

Three windows at ground and first floor level in 15 Inverness Terrace would see a reduction in daylight of their formal values of between 0.72-0.79) But no loss of sunlight.

Four windows and first and second floor level in 17 Inverness Terrace would see a reduction in daylight of their formal values of between 0.74-0.79 and 2 windows at ground and first floor levels would see a reduction in annual probable sunlight hours of their former values of between 0.50-0.75.

19 and 21 Inverness Terrace would see no loss of daylight or sunlight.

Three windows in 23 Inverness Terrace would see a reduction in winter sunlight hours of their former value of between 0.5-0.66 but no loss of daylight. This property is understood to be a hotel/hotel use.

One window in 25 Inverness Terrace would see a reduction in daylight of their former values (0.79) but no loss of sunlight.

Three windows (at lower ground level) in 27 Inverness Terrace would see a reduction in daylight of their former values of between 0.57 and 0.736, but no loss of sunlight. However, these windows have very low levels of existing daylight, which is why the percentage loss is high.

One lower ground floor window in 29 Inverness Terrace would see a reduction in daylight of their former values of 0.39 and three windows at lower ground floor would see a reduction in annual probable sunlight hours of their former value of between 0.50-0.66

31 Inverness Terrace would not see any reduction in daylight, but four windows at lower ground and ground would see a reduction in annual probable sunlight hours of their former value of between 0.60-0.78.

33 Inverness Terrace would see no loss of daylight or sunlight.

Whilst treated as residential for the purpose of the daylight and sunlight assessment, it is considered that many of these properties are in hotel/short term let use, which are not afforded the same protection as residential uses. Given this, the location of some windows at lower ground floor level, existing low levels and floor and the values involved (reduction of just below the 0.8 guideline), the impact is considered acceptable.

2 Fosbury Mews would see no significant loss of daylight or sunlight.

The proposed development would have no material impact on daylight and sunlight received by Queens Court or Princess Court, due to the height and scale of the development and its distance to and relationship with these mansion blocks.

Concern has been raised by Our Lady Queen of Heaven, RC Church (4a Inverness Terrace), with respect to the potential impact on daylight and sunlight to the Church and Presbytery (Home of the Parish Priest). The only part of the development which abuts the brick blank walls of the Church and grounds is part of Olympia Mews. The existing building already abuts in this way and the proposed development is not considered to significantly impact on this relationship. As such it is not considered that the proposed redevelopment of Olympia Mews would significantly impact on daylight and sunlight to the Church and its grounds. The other part of the redevelopment lies further south of the Church at some distance and is therefore not considered to impact the Church. For these reasons the objection is not supported by officers.

### **Sense of Enclosure/Privacy**

Given the scale of the development, its set back and distance to neighbouring properties, it is not considered to result in any significant increase in sense of enclosure or loss of privacy to existing surrounding residents. This includes to Queens Court which remains at a distance on the opposite side of Queensway, the distance between the two

buildings remains sufficient and acceptable so as not to cause any significant increase in sense of enclosure.

### **Balconies**

The balconies are proposed to the rear of the building. Due to their size, location, domestic use and distance to surrounding properties, they are not considered to result in any significant overlooking or noise disturbance.

### **Mechanical Plant**

A noise assessment has been submitted in support of the proposal by CSG Acoustics. The plant specified is 1 air handling unit and 2 air conditioning on the ground floor plant space and lower ground floor stairwell at Olympia Mews. The City Council's Environmental Health (EH) Officer has confirmed that the plant is expected to meet out standard noise and vibration requirements. As such the plant is considered to be acceptable, subject to conditions to ensure future compliance in accordance with policy 33.

## **8.4 Transportation/Parking**

The site's Public Transport Accessibility Level is PTAL 6. This indicates that the site is very well located to benefit from frequent public transport services.

As set out in the land use section of this report, the range of Class E uses within the development are proposed to be restricted for a number of reasons including lack of transport details and this will address Highways Planning concerns with respect to the potential transportation impact of some Class E uses. Furthermore, a condition is recommended to prevent deliveries and retail supermarket to minimise impact on the highway network.

### Servicing of site

The proposal relies on on-street servicing provision, in a similar fashion to what is occurring. However, the main difference is that Olympia Mews benefits from some off street servicing (by small vehicles through the arch on Queensway) and this will be lost and not re-provided under these proposals. This has brought about an objection from Highways Planning. Whilst this is acknowledged as regrettable, given the minimal increase in on-street servicing as a result on this, the benefits of the land use of the development and to pedestrians from the closure of this vehicular access, this aspect of the proposal is considered overall to be acceptable.

The Queensway street improvement works will include the provision of five new loading bays within the immediate vicinity of the site, which will be available for use between 07.00 and 12noon and 08.00-13.00. A draft servicing management plan has been submitted which sets out the proposed servicing strategy for all 4 linked planning applications. A final detailed Servicing Management Plan is proposed to be secured by condition.

### Car parking for residential units

The 4 linked planning applications which collectively propose 66 flats (32 of which are proposed as part of this application) propose to utilise 31 car parking spaces within Q-Park Queensway, which is in close proximity. This equates to 0.5 spaces per flat over

the 4 applications offered on an unallocated basis. This is considered acceptable. Whilst objections have been raised with respect to the impact of the lack of car parking on demand for on street car parking and residents parking permits. The provision of car parking is accepted as striking a balance between encouraging sustainable modes of travel and taking account of existing resident's concerns. As such the provision is considered to be acceptable and objections on this ground are not supported by officers. These are to be secured through a s106 legal agreement along with car club membership and EV charging points.

#### Cycle Parking

The 4 linked planning application proposed to utilise/provide long stay cycle parking in two locations. An area in front of Princess Court (32 spaces) and within Q car park Queensway (104 spaces). Short stay cycle parking is proposed to utilise the 68 public cycle stands within the footway public realm. Details are to be secured through conditions and a S106 legal agreement.

#### Waste and Recycling

A waste collection strategy has been submitted. It is disappointing that full and acceptable details have not been provided to date. As such, further details are to be required by condition.

#### Pedestrian Access

Most of the 32 new flats are proposed to be accessed from Queensway at ground floor level leading to an independent staircase and lift core. The other flats are proposed to be accessed from the rear, via the access road that leads from Queensway to the Q Car Park and rear of Consort House.

Whilst Transport for London have made comment with respect to over provision of car parking, but lack of short stay parking and lack of cycle parking. The proposed provision is collectively across the four applications considered to be acceptable. For the reasons as set out above the proposal is considered to be generally acceptable in transportation terms with satisfactory car parking, cycle parking, and access arrangements in accordance with policies 25 (walking and cycling), 27 (parking) and 29 (Freight and servicing).

#### Stopping Up

Areas of highway will need to be stopped up to allow the proposed development to be implemented.

### **8.5 Economic Considerations**

Refer to viability section of report.

### **8.6 Access**

See transport section of report.

## 8.7 Other UDP/Westminster Policy Considerations

### Energy

The applicant has submitted a single energy statement covering the 4 linked planning applications for a mix of redevelopment, new extensions and structures and refurbishment for mixed use, in accordance with the energy hierarchy, Lean (use less energy), Clean (supply energy efficiently) and Green (use renewable energy).

Whilst collectively the proposed development is not Net Zero Carbon, it provides a regulated carbon dioxide saving of 40% site wide through the following key measures:

- Optimisation of Building Fabric
- Gas fired combined heat and power plant
- Photovoltaics
- Air Source Heat Pumps

The 1,366.89 tonnes of carbon shortfall (from the non-domestic part of the development) is proposed to be met through a financial contribution.

### Air Quality

The air quality neutral assessment concludes the development is air quality neutral for both building and transport emissions which satisfies policy 32 (Air Quality).

### Biodiversity

It is regrettable that greening is not proposed.

### Fire safety

The applicant will need to ensure that the fire escape strategy meets with Building Control regulations.

## 8.8 Westminster City Plan

The City Plan 2019 - 2040 was adopted at Full Council on 21 April 2021. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

## 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 2019 - 2040 (April 2021) policies referred to in the consideration of this application are considered to be consistent with the NPPF 2019 unless stated otherwise.

## 8.12 Planning Obligations

The draft 'Heads' of agreement are proposed to cover the following issues:  
To link Applications 1,2,3 & 4 together and to secure the following obligations related to this application 3:

- a) In the event that Application 3 or 4 is implemented, the provision of 8 flats as Intermediate (London Living Rent) Affordable Housing units prior to the occupation of the market flats.
- b) Early and Late Stage Affordable Housing Reviews in order to secure further affordable housing contributions, should the development become viable in the future.
- c) Lifetime (25 years) Car Club Membership for each of the 35 residential units
- d) Car and Cycle parking within Q Park Queensway Car Parking on an unallocated basis
- e) Highways works associated with and required to facilitate the development including reinstatement of redundant vehicle accesses, modification to existing vehicle access where required and adjoining footway and associated work (legal, administrative and physical).
- f) Employment and skills contribution of £TBC index linked and payable on commencement of development.
- g) Carbon Offset Payment of £126,207 index linked and payable on commencement of 1st of the four linked applications.
- h) Monitoring costs

The estimated CIL payment is :  
Westminster CIL : - £958,740  
Mayoral CIL :- £154,136

## 8.13 Environmental Impact Assessment

Not relevant to application of this scale

## 8.14 Other Issues

### Construction impact

Significant concerns are raised with respect to the potential impact of the construction/building works on residents within the locality due to a number of other developments currently being under construction in and around Queensway and Bayswater Road. This is not a matter that is relevant to the consideration of this application. However, a condition is recommended to require the applicant to comply with our Code of Construction Practice and this is expected to go some way to minimising the impact on existing residents.

(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 <a href="mailto:swhitnall@westminster.gov.uk">swhitnall@westminster.gov.uk</a> . |
|--|

**81 Existing - Ground Floor**  
SCALE 1:125

**81 Proposed - Ground Floor**  
SCALE 1:125

**81 Proposed - Ground Floor**  
SCALE 1:125





0 5 10  
SCALE BAR 1:125

CLIENT  
Bourne Capital  
PROJECT TITLE  
PA03 - 28-44 Queensway Residential  
and Olympia Mews  
Proposed - Lower Ground Floor Plan  
Planning  
DRAWING NO.  
051E\_PA03\_GA(LG)01\_XX  
SCALE@A1 DATE ORIGINATOR CHECKED

ANYO

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www.abulocal.com | +44(0)20 8133 8166

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DO NOT SCALE FROM THIS DRAWING  
The contractor shall check and verify all dimensions on site and report any discrepancies to the architect.













opposed Elevation - West Side Queensway



opposed Elevation - West Side Queensway (28-44 Residential + Olympia Mews)

**DRAFT DECISION LETTER**

**Address:** Development Site At Olympia Mews And 28 To 34, Queensway, London,

**Proposal:** Demolition of existing buildings at Nos.28-34 Queensway and redevelopment of site by erection of a six storey, plus basement level, building comprising to provide Class A1 retail floorspace at basement and ground levels and 35 residential flats (Class C3) to the rear at ground level and on the upper floors. Demolition of existing buildings in Olympia Mews and redevelopment of site by erection of a replacement two storey building for use as Class B1 office floorspace ('Application 3').

**Reference:** 18/09727/FULL

**Plan Nos:** 0516\_PA03\_DE(00)01\_EX Rev B; 0516\_PA03\_DE(BA)01\_EX RevA; 0516\_PA03\_DE(LG)01\_EX Rev B; 0516\_PA03\_DE(EA)01\_EX Rev A; 0516\_PA03\_DE(WE)01\_EXRev B; 0516\_PA03\_GA(00)01\_EX RevA; 0516\_PA03\_GA(LG)01\_EXRev A; 0516\_PA03\_GA(BA)01\_EX Rev A; 0516\_PA03\_GA(01)01\_EX; 0516\_PA03\_GE(EA)01\_EX Rev A; 0516\_PA03\_GE(WE)02\_EX RevA; 0516\_PA03\_GS(CC)01\_EX., , 0516\_PA03\_GA(BA)01\_XXRev B; 0516\_PA03\_GA(00)01\_XX Rev I; 0516\_PA03\_GA(00)03\_XXRevA; 0516\_PA03\_GA(00)04\_XX Rev A; 0516\_PA03\_GA(01)01\_XXRev G; 0516\_PA03\_GA(02)01\_XX Rev G; 0516\_PA03\_GA(03)01\_XX Rev F; 0516\_PA03\_GA(04)01\_XXRev F; 0516\_PA03\_GA(05)01\_XX Rev F; 0516\_PA03\_GA(LG)01\_XX Rev C; 0516\_PA03\_GA(BA)01\_XX Rev C; 0516\_PA03\_GA(RF)01\_XX Rev G., , 0516\_PA03\_GE(EA)01\_XX Rev F; 0516\_PA03\_GE(WE)02\_XX Rev G; 0516\_PA03\_GE(WE)03\_XX; 0516\_PA03\_GE(SO)01\_XX Rev A., , 0516\_PA03\_GS(AA)01\_XX Rev B; 0516\_PA03\_GS(BB)01\_XX Rev C; 0516\_PA03\_GS(CC)01\_XX Rev E; 0516\_PA03\_GS(DD)01\_XX Rev F. Linked Reports:, WSP Air Quality Assessment , Studio Anyo Existing and proposed Area Schedules, Ventilation and Extract Statement , Waldrums Daylight and Sunlight Report, Chapman BDSP Sustainable Drainage Strategy and Energy Statement , Steven Levrant Heritage, Townscape and Visual Impact Assessment, CSG Acoustics Residential Noise Assessment, Plant Noise Report, Affordable Housing Noise Assessment., Montague Evans Planning Statement and Red line plans and viability Statement, , Four Communications Statement of Community Involvement , WSP Transport Statement and Addendum Note and waste Management Strategy.

**Case Officer:** Sarah Whitnall

**Direct Tel. No.** 020 7641  
07866036375

**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 , onot 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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 No development shall take place, including any works of demolition, until the following plan has been submitted to and approved in writing by the City Council as local planning authority in liaison with Transport for London:- , a)Construction Logistics Plan, , No use shall take place until the following plan has been submitted to and approved in writing:-, by the City Council as local planning authority in liaison with Transport for London:-, b) Delivery and Service Plan, , These documents should detail the traffic impact resulting from construction vehicles and ongoing delivery and servicing vehicles on Bayswater Road (part of the Strategic Road Network)., , You must then carry out the development in accordance with the approved details.

Reason:

In order to appropriately manage any potential adverse effects on the strategic road

network as requested by Transport for London.

- 5 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which: , o provide details on all works, o accommodate the location of the existing London Underground structures and tunnels, o accommodate ground movement arising from the construction thereof, o provide details on the use of tall plant and scaffolding, , 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:

o ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021 Table 6.1, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

- 6 (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 in writing 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 in writing 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 written 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 LA90, 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. (C46AC)

**Reason:**

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 7 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 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

**Reason:**

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019). (R48AB)

- 8 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. (C49AA)

**Reason:**

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 as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019). (R49AB)

- 9 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. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. (C49BB)

**Reason:**

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, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019). (R49BB)

- 10 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 8 and 9 of this permission. You must not start work on this part of the development until we have approved in writing 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. (C51BB)

**Reason:**

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 11 You must apply to us for approval of a detailed written and photographic specification of the facing materials and external fixtures and fittings you will use, including reference to trial panels prepared on-site for our inspection, supported by annotated versions of the approved elevations and plans to show where each of the materials would be used. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

**Reason:**

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 12 You must apply to us for approval of further information (as set out below) about the following parts of the development:; (a). Typical bay studies of each elevation type (detailed elevations and sections at 1:20);; (b). Windows and doors (detailed elevations and sections at 1:10, plus written / photographic specification / product specification);; (c). Shopfronts (detailed elevations and sections at 1:20, plus written / photographic specification / product specification);; 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 approved details. (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 Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 13 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA)

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 Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 14 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 Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 15 You must not paint any outside walls of the building without our written permission. This is despite the fact that this work would normally be 'permitted development' under Class C of Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (as amended) (or any order that may replace it). (C26WC)

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 Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 16 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Queensway Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 17 You must only use the office and retail floorspace for those uses. You must not use them for any other purpose, including for any other use within Class E, Part A, Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) (or any equivalent class in any order that may replace it) unless agreed by us in writing.

**Reason:**

To protect neighbouring residents from noise nuisance, avoid blocking surrounding streets, to ensure that sustainable transport modes are used, to prevent sensitive air quality receptors from occupying the site or uses that would have a significant adverse effect on air quality, as set out in S24, S29, S31, S32, S41 and S42 of Westminster's City Plan (November 2016) and TRANS 1, TRANS 2, TRANS 3, TRANS 15, ENV 5, ENV 6 and TACE 10 of our Unitary Development Plan that we adopted in January 2007.

- 18 Customers of the ground and lower ground floor Retail use shall not be permitted within the premises before 07.00 or after 23.00 daily.

**Reason:**

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 19 No deliveries or supermarket shall operate from the retail shop unit/s.

**Reason:**

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

**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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to . (I55AA)
- 3 LONDON UNDERGROUND LIMITED, The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; and construction methods;.

- 4 THAMES WATER, Waste Comments, There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. , As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. , Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent reflecting technological advances) to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions. Fitting only a non-return valve could result in flooding to the property should there be prolonged surcharge in the public sewer. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality), 'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:"A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [wwqriskmanagement@thameswater.co.uk](mailto:wwqriskmanagement@thameswater.co.uk). Application forms should be completed on line via [www.thameswater.co.uk/wastewaterquality](http://www.thameswater.co.uk/wastewaterquality).", The proposed development is located within 15m of our underground waste water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court,

Vastern Road, Reading, Berkshire RG1 8DB , Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses., Water Comments, On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development., ., Supplementary Comments, Thames Water is happy that the Developer is following the Mayor's London drainage hierarchy and expects for maximum effectiveness for surface water drainage. Info can be found in SUSTAINABLE DRAINAGE STRATEGY, - PROJECT NAME Queensway AUTHOR D. Honey, - PROJECT NO 54820 REVISION 01, - DATE 16/10/18, The hierarchy lists the preference for surface water disposal as follows; Store Rainwater for later use > Use infiltration techniques, such as porous surfaces in non-clay areas > Attenuate rainwater in ponds or open water features for gradual release > Discharge rainwater direct to a watercourse > Discharge rainwater direct to a surface water sewer/drain > Discharge rainwater to the combined sewer., Any other proposal to connect surface water into the sewer will need to demonstrate how the surface water disposal hierarchy has been implemented for the site to determine that the disposal route is acceptable.

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.