

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 September 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	20 - 21 Montpelier Mews, London, SW7 1HB,		
Proposal	Part demolition of front and rear facades and removal of existing third floor, alteration and refurbishment of front and rear facades including rear extensions at lower ground floor level, erection of new third floor level, erection of additional storey to create a new 4th floor level with roof terrace and mechanical plant, and use of extended building as 10 flats (Class C3). Provision of cycle storage and bin store.		
Agent	Charlotte Goodrum, Daniel Watney LLP		
On behalf of	Cheval Property Holdings Ltd		
Registered Number	19/00810/FULL	Date amended/ completed	4 February 2019
Date Application Received	4 February 2019		
Historic Building Grade	Unlisted		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application relates to 20-21 Montpelier Mews which lies within the Knightsbridge Conservation Area. The site currently comprises a five storey building (over lower ground, ground and three upper floors), arranged as nine two-bedroom apartments and one two bedroom townhouse. Permission is sought for extensive alterations including the demolition and reconstruction of the third floor; a fourth floor roof extension, remodelling of the facades and various other alterations in connection with the provision of 10 residential units comprising 1 x 1 bed; 5 x 2 bed and 4 x 3 bed

The key issues for consideration are:

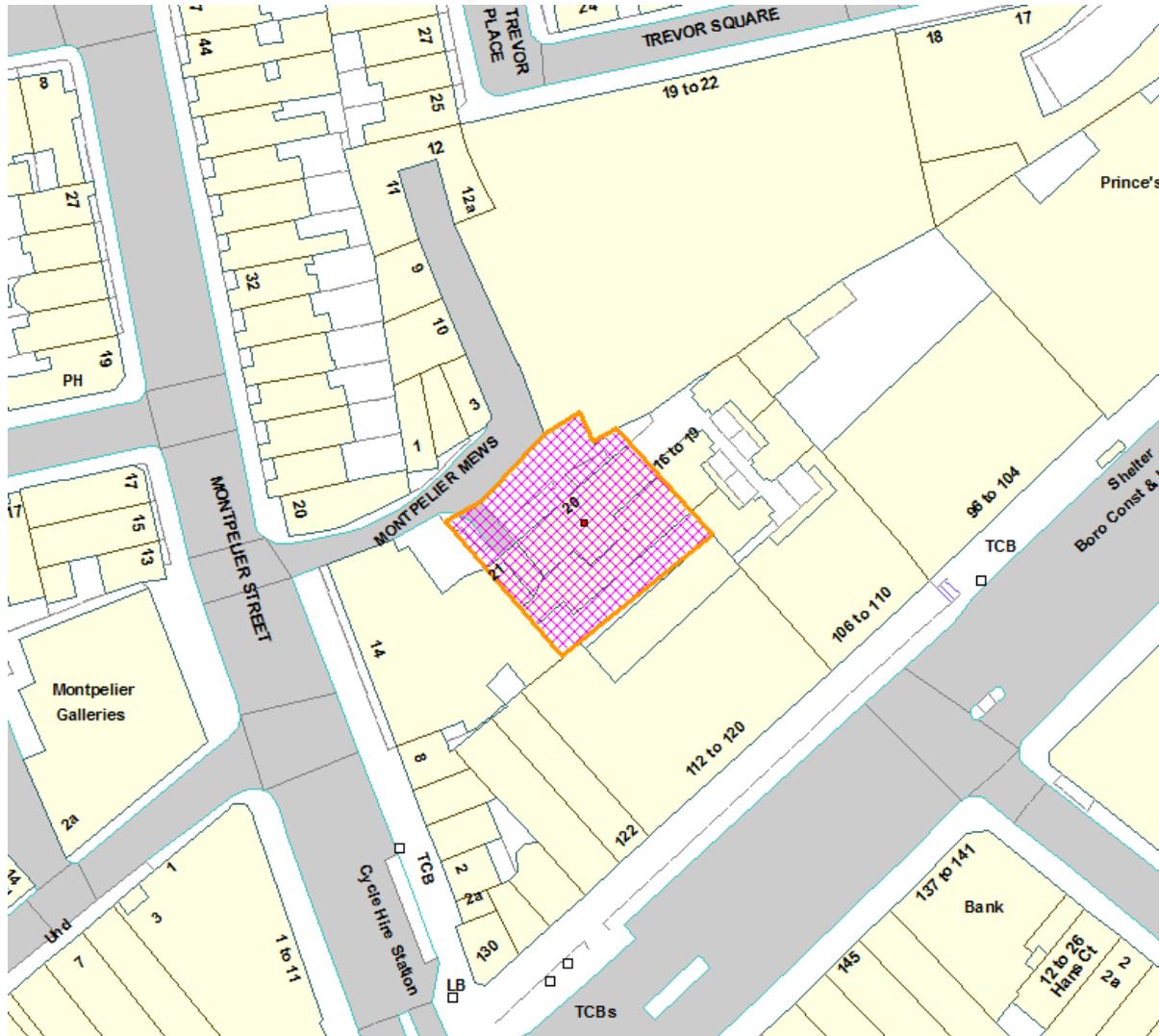
- The impact on the amenity of neighbouring properties;
- The impact on the character and appearance of the Conservation Area.
- The impact of the proposals on the surrounding highway network.

Item No.

3

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

3. LOCATION PLAN



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4. PHOTOGRAPHS



20-21 Montpelier Mews (above)



Photograph showing 1, 2 and 3 Montpelier Mews to the left and the application site to the right

5. CONSULTATIONS

KNIGHTSBRIDGE NEIGHBOURHOOD FORUM

The Forum comments neutrally on the proposal. Consider that it may be a major development and the KNF's guidance on construction standards and procedures should apply. Concern over air quality implications and renewable energy provision.

KNIGHTSBRIDGE ASSOCIATION

Concern that proposals would have an adverse effect on the daylight and sunlight to 1,2, and 3 Montpelier Mews. The Large balconies would result in loss of privacy and overlooking. The initial application does not recognise the Knightsbridge Neighbourhood Plan. A Construction management plan should be provided that addresses the effects of the proposals at 16-19 Montpelier Mews and 20-21 Montpelier Mews

WASTE PROJECT OFFICER

No objection, subject to condition to secure a revised plan indicating proposals for the storage of residual waste and recyclable materials.

HIGHWAYS PLANNING MANAGER

No objection.

ENVIRONMENTAL HEALTH

No objection, subject to standard conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 59

Total No. of replies: 3

No. of objections: 4

Three letters of objection from residents on Montpelier Mews and one letter from Right of light surveyors who are acting on behalf of 5 apartments in 14 Montpelier Street raising concerns on the following grounds:

Amenity

- Loss of privacy and overlooking from the balconies and enlarged windows
- Loss of daylight and sunlight from the roof extension.
- Noise and nuisance.

Highways

- The proposed manoeuvring area for taxis is opposite the parking bays for 2 and 3 Montpelier mews.
- The volume of traffic is high.
- Noise from cars and revving of engines.

Other

- The construction will be disruptive

- Impact of construction vehicle movements on the mews, particularly with such restricted access.
- Properties are currently used for Short term lettings which causes excessive traffic.
- The land ownership is potentially disputed and there could be legal issues with construction traffic having to cross privately owned land.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site currently comprises a five storey (across lower ground, ground and three upper floors) building, arranged as nine two-bedroom apartments and one two bedroom townhouse. This site is located in the Core Central Activities Zone (CAZ), the Knightsbridge Conservation Area and in the Knightsbridge Neighbourhood Forum Area.

6.2 Recent Relevant History

Planning permission was granted in October 2011 (RN:11/02800/FULL) for the construction of lift plant room in basement car park. Alterations to front basement fenestration and installation of ladder.

There is an extant permission for the redevelopment of 16-19 Montpelier Mews which is adjacent to this application site. Permission was granted in December 2018 (18/05866/FULL) for a 4 storey building comprising 8 flats. Both this and the application site are in the same ownership.

7. THE PROPOSAL

The proposals involve the part demolition of the front and rear facades and removal of existing third floor. The facades are to be re-clad, with new fenestration and a new third floor built out to match the building footprint below. A new fourth floor extension is created which also accommodates a roof terrace and mechanical plant. The existing 10 x 2 bedroom residential units are reconfigured to create a different mix of unit sizes, comprising 1 x 1 bed; 5 x 2 bed and 4 x 3 bed. A separate cycle and bin store are provided to the rear lower ground floor, accessed via the existing vehicular ramp. Two car parking spaces are relocated from the front of the site to the rear, also accessed by the ramp. The front area is re-landscaped and the existing lightwell partially filled in to facilitate this. A small vehicle manoeuvring area is provided in front of the building.

The proposals would result in an increase in residential (Class C3) floorspace at the site as set out below:

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Residential (Class C3)	1108 sqm	1349 sqm	+241sqm

8. DETAILED CONSIDERATIONS

8.1 Land Use

Residential use

Policy S14 states that the council will work to achieve and exceed its borough housing target set out in the London Plan. Residential use is the priority across Westminster except where specifically stated. The additional residential floorspace is therefore welcomed in policy terms.

The existing and proposed units and percentage of family-sized units are set out below.

	No. of bedrooms			Total no. of units	% Family-sized
	1 Bed	2 Bed	3 Bed		
Existing units		10		10	
Proposed units	1	5	4	10	33%

Unitary Development Plan policy H5 seeks to ensure that an appropriate mix of unit sizes is achieved in all housing developments. At 33% the proposed mix of residential units meets the policy requirement for a third to be family sized (3 or more beds), it is recognised that the proposed mix would be an improvement on the existing situation.

The flats are consistent with the minimum residential space standards for new development as set out in the Technical Housing Standards - Nationally Described Space Standard (2015). Each unit benefits from private amenity space in the form of a balcony. The quality of accommodation proposed is considered acceptable.

8.2 Townscape and Design

The application site is a modern unlisted apartment block of no real architectural merit within the Knightsbridge Conservation Area, and is therefore subject to the design and conservation policies of the UDP and City Plan, and to the guidance given by the Knightsbridge CA Audit. It falls within the Knightsbridge Neighbourhood Planning Area, and is therefore subject to the policies of the Knightsbridge Neighbourhood Plan (KNP).

The application proposes to completely remodel the exterior of the building, whilst also adding an additional fourth floor, and to enlarge the existing third floor out to meet the main building line below. Alterations are also proposed to the outdoor space to the front of the block including new railings, and to remove front balconies and remodel rear balconies.

The proposals would overall produce a notable improvement in the design quality of the building, introducing higher quality materials and details whilst restraining the increase in vertical scale and bulk to an acceptable degree, which would respond well to the scale and relationship of surrounding buildings. The design is admittedly not specific to the area and uses materials and details typical of many recent London developments, but in this location this works successfully and responds to the character and textures of

historic buildings locally, and also to some of the more high quality recent developments in the area.

Subject to the recommended conditions, the proposal should become a positive new feature to the area. It would comply with relevant national and local policies and guidance, including DES 1, DES 5 and DES 9 of the UDP and KBR1 of the KNP.

8.3 Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing, stating that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use. Policy ENV 6 seeks to protect noise sensitive properties from noise disturbance. Objectors are very concerned that the extension will result in loss of daylight, and will be overbearing, as well as allowing more overlooking.

Sunlight and Daylight

The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultant, eb7, has carried out the necessary tests using the methodology set out in the BRE guidelines on residential properties surrounding the site. The assessment considers the impact of the development on the vertical sky component (VSC) and daylight distribution (no sky line) available to windows in these properties. VSC is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the BRE guidelines state that the window will have the potential to provide good levels of daylight. The BRE guidelines state that reductions of over 20% of existing daylight levels are likely to be noticeable.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidelines recommend that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant.

Objections have been received on the grounds that the proposed increase in height will result in a loss of daylight and sunlight for the neighbouring properties to the front of the site, namely Montpelier Mews and Montpelier Street. The applicant has undertaken a

daylight and sunlight assessment in accordance with the BRE guidelines. The properties included in the assessment are

- 17-22 Trevor Square
- 20 Montpelier Street
- 22 Montpelier Street
- 1 Montpelier Mews
- 2 Montpelier Mews
- 3 Montpelier Mews
- 16-19 Montpelier Mews
- Montpelier Hall (14 Montpelier Street)

17-22 Trevor Square

This is a large development of flats to the north east of the application site. One window at first floor level experiences a reduction in VSC of 30%. It is however one of four windows serving a living/kitchen/dining area with the remaining windows fully compliant. The overall effect on daylighting to that room therefore is not considered material.

20 Montpelier Street

A single lower ground floor bedroom experiences a 50% reduction in 'no sky line' beyond the BRE target however this room is served by a small window at lower ground floor and already has a low level of daylight – any absolute reduction appears large in percentage terms.

22 Montpelier Street

There is no material impact to VSC, NSL or sunlight levels within room facing the site. A letter of objection was received from this property raising concerns of loss of light to the rear garden, assessments show that there is no change in shading to the garden of 22 Montpelier Street as a result of the proposals and the scheme fully meets the BRE guide in this respect.

1, 2 and 3 Montpelier Mews

1, 2 and 3 Montpelier Mews are 3 storey mews houses located immediately opposite the site.

There is no material impact to VSC levels which are retained at levels between 16 to 22% in bedrooms. However, in each of the properties, bedrooms experience a 30% reduction in the NSL – at No. 1, the second floor is affected, and at No 2, the first floor bedroom is affected. At No. 3, both the bedrooms at first and second floor are affected. There is also a material reduction in the amount of winter sunlight received by the ground floor living areas of Nos. 2 and 3.

Overall daylight levels to these rooms remains reasonable therefore it is not considered there will be a significant impact on the amenity of this property given the compliance with the primary VSC target and the bedroom use of the spaces.

16- 19 Montpelier Mews

There is no material impact on windows to this property.

Montpelier Hall (14 Montpelier Street)

This block of flats is situated to the west of the application site. The primary windows of these units look north, across Montpelier Mews, or south, although there are some kitchen windows within terraces that look along the mews. The results show no material impact to either VSC or NSL to any windows. None of the windows of the property facing the scheme are within 90 degrees of due south. Therefore no windows are relevant for the APSH assessment. The effects of the proposal are therefore considered to be unnoticeable and fully comply with the BRE targets.

Summary

In terms of the overall impact, whilst any transgressions of the BRE guidance are unfortunate, the level of daylight, sunlight and garden sunlight retained is considered reasonable for an urban location. The degree of impact to sunlight is considered to be within reasonable limits given the density of development in the area. In terms of winter sunlight in particular, given the low angle of the sun in the sky, it is very difficult to develop in an urban context without some degree of impact to winter sunlight. Overall therefore, it is not considered the scheme could reasonably be refused on daylight/sunlight grounds.

Subject to conditions, the proposals are considered to be in line with policies S29 of the City Plan, ENV13 of the UDP and KBR9 of the Knightsbridge Neighbourhood plan.

Overlooking/ Privacy

In terms of privacy, objections have been received on the grounds that there will be increased overlooking and a loss of privacy from the enlarged windows on the front elevation and the balcony at fourth floor level.

The application site is surrounded by buildings in office and residential use. The relationship with the immediate townscape and neighbouring properties is well established. The residential properties are principally to the front (south elevation) onto Montpelier Mews which is approximately 16m away from the application site, with the north elevation facing onto the rear of Moreau House which is in commercial use.

The rebuilding of the third floor would result in the building line sitting further forward than existing, this will result in the residential floorspace closer to those properties sitting directly opposite (nos. 20, 1, 2 and 3 Montpelier Mews), there is an existing balcony along this edge at third floor level which allows neighbouring views, and bringing the building line out would only replicate the existing relationship to the floors below.

The proposal involves facade alterations. This includes the enlargement of a number of existing windows on the front and rear elevation. Given the windows already exist in the front and rear elevation of the building, albeit smaller, and as this is a dense urban location where overlooking is not uncommon it is not considered that the proposals would lead to an unacceptable loss of privacy or increase in noise to neighbouring residential occupiers.

In respect of the proposed fourth floor extension, there is a 1.5m set back on the northern elevation. This helps to reduce the overall perception of 'bulk' when viewed from both public and private vantage points. Objections raise concerns with regards to

the proposed terrace at this level. It is solely for use by the occupants in the top floor 3 bedroom unit. The applicants have proposed fixed planters to narrow the usable area of the terrace to limit views to the mews houses. Furthermore, given the existing terrace at third floor level, and the difference in height between the upper most floor of nos. 1, 2 and 3 Montpelier Mews compared to the proposed height of application site, the views are largely oblique, thereby reducing the risk of any direct overlooking. The proposed planters will be secured by condition.

8.4 Transportation/Parking

Objectors state that the proposals would lead to increased traffic in the area and the proposed manoeuvring area for taxis is opposite the parking bays for 2 and 3 Montpelier mews will create issues for the mews properties.

Policy KBR29 states that proposals that are likely to generate significant transport movements should demonstrate no significant adverse impacts on:

- a. air quality
- b. road safety
- c. the pedestrian environment and movement
- d. cycling infrastructure;
- e. disabled access; and
- f. the street network

Policy TRANS 23 states that where the on street parking threshold in an area is over 80% then this will result in an unacceptable level of deficiency and increase parking stress in the area. The day time parking occupancy of residential parking bays within a 200m radius of the site is 73%. The night time parking occupancy of residential parking bays within a 200m radius of the site is 60%.

Parking pressure in this area is therefore below the stress level and the development is consistent with the aims of the City Council's policy TRANS 23 (B) and (D).

Fourteen cycle parking spaces are proposed in a dedicated bike store, which meets the requirements of the London Plan in this regard. A condition is recommended to secure the cycle store.

The two existing car parking spaces at ground level are being relocated to the rear of the property which is accessed via the existing vehicular ramp. The area of the existing car parking spaces is to be reused as a drop off and turning area, which although comprises private land, would be to the benefit of users of the Mews. Concerns have been raised in respect of the noise generated by vehicles entering and exiting the mews. There is no uplift in the number of residential units and as such it is not anticipated that there would be any material change in movements and thus noise generated. The planning application is supported by a transport assessment which includes tracking associated with the proposed turning area and demonstrates that sufficient space for turning is available.

The proposed development is accessible to a number of local facilities and transport connections. Montpelier Mews is a private road and not a public highway. Given that the development would not result in the creation of additional units, the proposals are not

considered to detrimentally impact on the operation of the local road network or highway safety during operation or result in a material increase in trips to result in a harmful impact upon amenity sufficient to refuse planning permission.

8.5 Economic Considerations

Any economic benefits generated are welcome.

8.6 Access

The development has been designed to conform with Part M of the Building Regulations and would be DDA compliant.

8.7 Other UDP/Westminster Policy Considerations

Mechanical plant is proposed at fourth floor level with associated acoustic screening. Environmental Health officers raise no objection subject to conditions to ensure compliance with the Council's standard noise conditions.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, the draft plan has been revised and formal consultation is now being 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. In the case of a draft local plan that has been published for consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, including a second revision Regulation 19 plan, it remains at a pre-submission stage (i.e. has yet to be submitted to the Secretary of State for Examination in Public) and therefore, 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

The Knightsbridge Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment. It has been through independent examination and supported at referendum on 18 October 2018, and therefore now forms part of Westminster's statutory development plan. It will be used alongside the council's own planning documents and the Mayor's London Plan in determining planning applications in the Knightsbridge Neighbourhood Area. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed elsewhere in this report.

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 course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development. 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 Council's own Community Infrastructure Levy was introduced on 1 May 2016. The total CIL payable will be approximately £187,000. This figure is provisional and may be subject to any relief or exceptions which may apply in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

8.13 Environmental Impact Assessment

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

The applicant has agreed to the addition of a biodiverse roof incorporating solar panels at main roof level. As well as enabling some of the energy used by the development to be renewable and benefits to local biodiversity it will also mitigate surface water run-off. It is recommended that details of the roof treatment and maintenance be secured by condition.

8.14 Other Issues

Objections have been raised on the grounds of noise, disturbance and issues of access created by the construction impact.

Policy KBR22 of the Knightsbridge Neighbourhood Plan states that proposals should be designed in a way that minimises their impacts on amenity, public health and the environment through dust and emissions, light pollution, noise and vibration during deconstruction and construction.

It is a longstanding principle that planning permission cannot be refused due to the impact on construction. This is due to its temporary nature and the ability to control it by condition. Accordingly, conditions are recommended that limit the hours of construction and require the adherence to the City Council's Code of Construction Practice (CoCP). The City Council's Code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites. Whilst the Code of Construction Practice is generally applicable to major schemes, this site is considered to be a sensitive location in terms of construction impact in terms of the narrow surrounding streets and close proximity of residential properties as well as the extent of demolition proposed. As such, given the potential issues involved in construction management, it

is considered appropriate to attach the standard pre-commencement condition requiring evidence of adherence to the CoCP.

A condition is recommended to protect the amenity of the surrounding area by ensuring that core working hours are kept to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturday. The condition states that noisy work must not take place outside these hours except as may be exceptionally agreed by other regulatory regimes such as the police, by the highways authority or by the local authority under the Control of Pollution Act 1974.

Accordingly, the proposals are considered to be in accordance with KBR22 of the KNP.

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

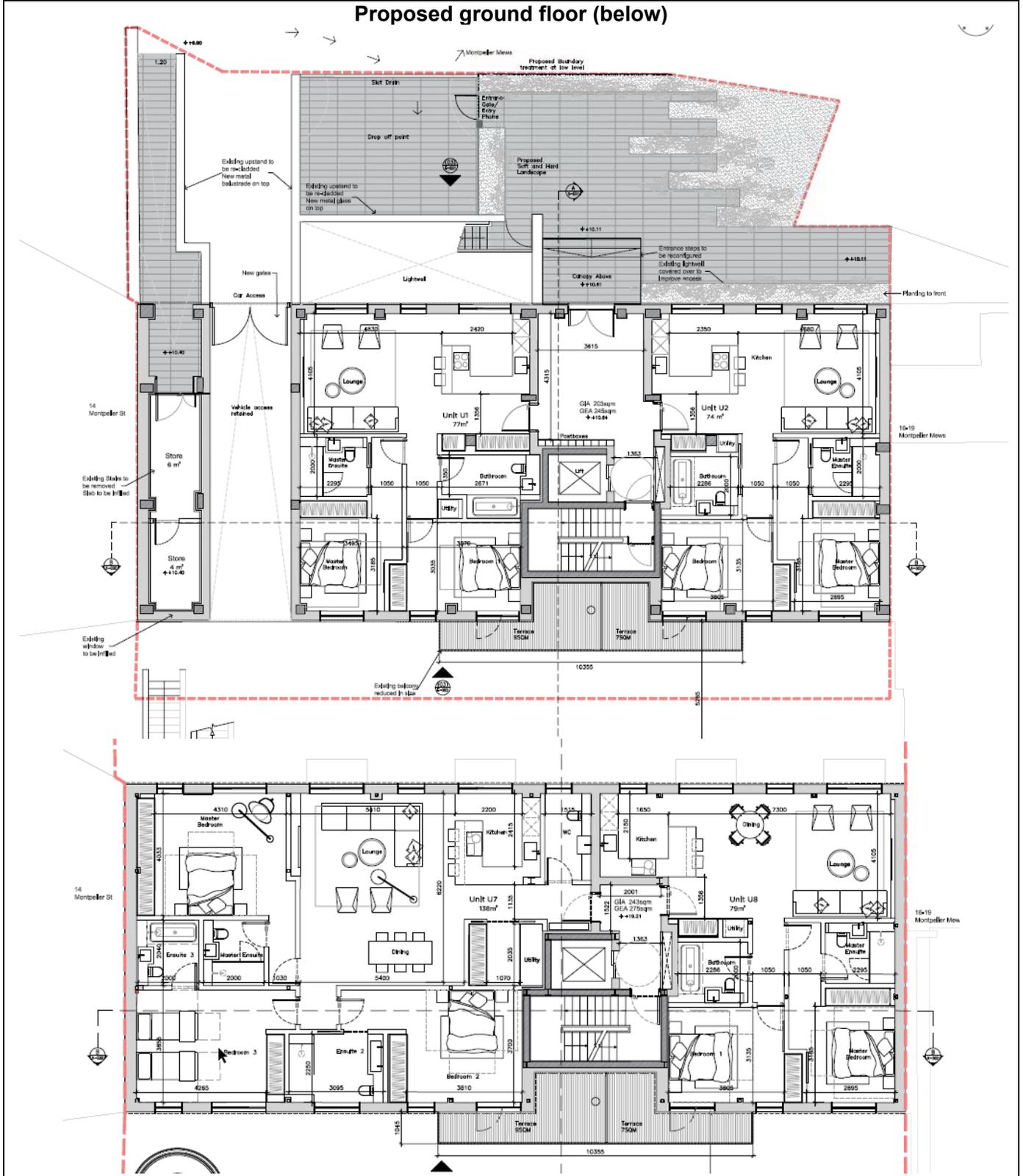
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT LFRANCIS@WESTMINSTER.GOV.UK



Proposed images of front (above) and rear (below)



Proposed ground floor (below)



Proposed third floor (above)

DRAFT DECISION LETTER

Address: 20 - 21 Montpelier Mews, London, SW7 1HB,

Proposal: Part demolition of front and rear facades and removal of existing third floor, alteration and refurbishment of front and rear facades including rear extensions at lower ground floor level, erection of new third floor level, erection of additional storey to create a new 4th floor level with roof terrace and mechanical plant, and use of extended building as 10 flats (Class C3). Provision of cycle storage and bin store.

Reference: 19/00810/FULL

Plan Nos: (01)-P-00S Rev. PL; (01)-P-S01 Rev. PL; (01)-P-0B0 Rev. PL; (01)-P-0G0 Rev. PL; (01)-P-001 Rev. PL; (01)-P-002 Rev. PL; (01)-P-003 Rev. PL; (01)-P-004 Rev. PL; (01)-X-001 Rev. PL; (01)-X-002 Rev. PL; (01)-X-003 Rev. PL; (01)-X-004 Rev. PL; (01)-E-001 Rev. PL; (01)-E-002 Rev. PL; (02)-E-001 Rev. PL; (02)-E-002 Rev. PL; (02)-E-003 Rev. PL; (02)-P-0B0 Rev. PL; (02)-P-0G0 Rev. PL; (02)-P-001 Rev. PL; (02)-P-002 Rev. PL; (02)-P-003 Rev. PL; (02)-P-004 Rev. PL; (02)-X-001 Rev. PL; (03)-E-001 Rev. PL; (03)-E-002 Rev. PL; (03)-E-003 Rev. PL; (03)-P-0B0 Rev. PL; (03)-P-0G0 Rev. PL; (03)-P-001 Rev. PL; (03)-P-002 Rev. PL; (03)-P-003 Rev. PL; (03)-P-004 Rev. PL; (03)-P-005 Rev. PL; (03)-P-S01 Rev. PL; (03)-X-001 Rev. PL; (03)-X-002 Rev. PL; Environmental Noise Survey Report No. 280172/01-C dated 2 December 2018, prepared by Noico Limited.

For information only: Daylight & Sunlight Report dated 22 March 2019, prepared by eb7, planning statement, design and access statement (Darling Associates dated January 2019); highways report (Royal HaskoningDSV January 2019).

Case Officer: Seana McCaffrey

Direct Tel. No. 020 7641 1091

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

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

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

Noisy work must not take place outside these hours 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 and KBR 22 of the Knightsbridge Neighbourhood Plan (December 2018). (R11AC),

3 **Pre Commencement Condition**

Prior to the commencement of any:

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

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

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007 and KBR 22 of the Knightsbridge Neighbourhood Plan (December 2018). (R11AC)

- 4 You must apply to us for approval of details of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start 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 Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007 and KBR1 of the Knightsbridge Neighbourhood Plan (December 2018). (R26BE)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007 and KBR1 of the Knightsbridge Neighbourhood Plan (December 2018). (R26BE)

- 6 You must apply to us for approval of drawings of the following parts of the development: -
- (a) Typical bay study at 1:20 demonstrating roof edge, door and window profiles;
 - (b) Details of railings at 1:20, including finishes.

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 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 Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007 and KBR1 of the Knightsbridge Neighbourhood Plan (December 2018). (R26BE)

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

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 8 You must provide the waste store shown on drawing (03)-P-0B0 Revision PL before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the residential units. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose. (C14DC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any

residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application;, (b) Locations of the plant and machinery and associated ducting; attenuation and damping equipment;, (c) Manufacturer specifications of sound emissions in octave or third octave detail;, (d) The location of most affected noise sensitive receptor location and the most affected window of it;, (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;, (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;, (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;, (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;, (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

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

- 10 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)

- 11 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

Installation of solar panels and a biodiverse roof at main roof level of the proposed building, including sections to show construction of base, substrate depth, species list, maintenance regime and works to accommodate the supporting structure within the proposed new roof structures and associated piping/irrigation etc.

You must not occupy the development until we have approved what you have sent us. You must then carry out the work according to these details and retain the biodiverse in perpetuity and in accordance with the maintenance regime.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of

Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007 and KBR10 and KBR35 of the Knightsbridge Neighbourhood Plan (December 2018). (R43AB)

- 12 The planters shown on the approved fourth floor terrace shall be installed prior to first use of the terrace, and maintained in that position for the time that the terrace remains in place.

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, 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 Conditions 8 and 9 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 4 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.
- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 6 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and

all relevant accompanying documents outlined in Checklist A or B must be submitted to the City Council's Environmental Sciences team (environmentalsciences2@westminster.gov.uk) and the checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition. The full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements) must be submitted at least 40 days prior to commencement of works (which may include some pre-commencement works and demolition).

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.

Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Sciences team must be paid on submission of the details relating to the relevant phase. Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

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.