





Your Reference: sample 2 Original Report Date: 11/10/2017

Order Number: DLN DA PT 0109 Our Reference: DLN0109

Property: Sample in LONDON

Risk of Development Taking Place within 75m

Negligible	Low	Low / Medium	Medium	Medium / High	High
888	828	888	300		

**SUMMARY** Comment

Impact

New Build Risk: YES Significant

Live Planning Consent: YES Significant

Extension Risk: IDENTIFIED Significant

Basement Risk: IDENTIFIED Significant

View Risk: YES Significant

Lender Risk: NO

There are a number of high risk development sites in the vicinity of the property address given. Sites 2-4, and 6-8 are subject to live planing consents. Sites 5 and 9 are subject to undetermined planning applications. Please see attached plan for location of the sites.



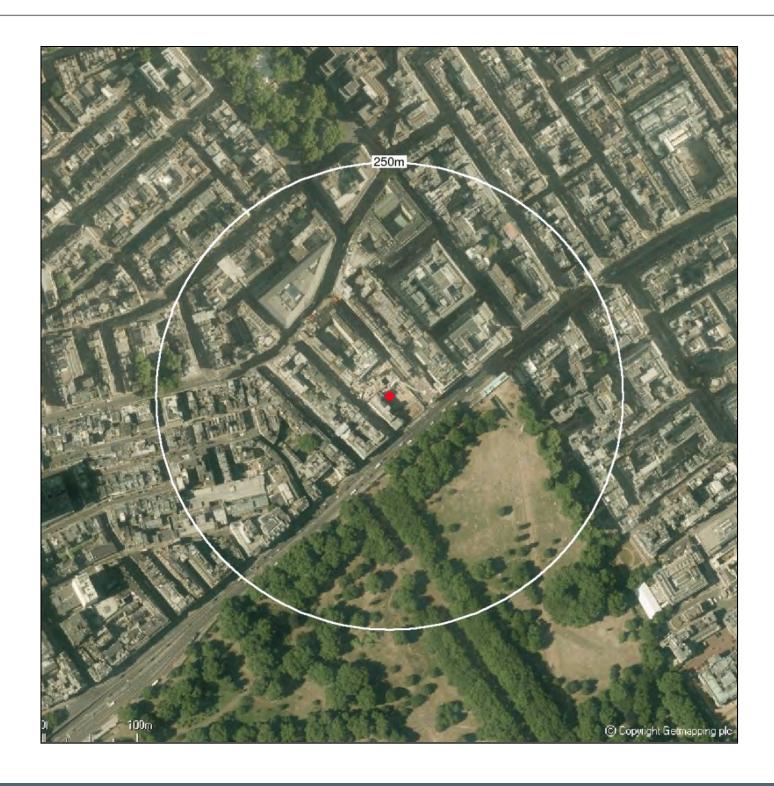
DevCity will identify any potential development sites that may impact the subject property. It is a two staged report. The first stage is a detailed analysis of the area that surrounds a property. This will reveal any unbuilt nuisance planning consents as well as identifying land that could support development. The second stage is just before exchange where we update the report with any response from the council under the Freedom of Information Act and update on any other planning applications.











Sample in LONDON



Site	Size (acres)	Capacity (houses)	Capacity (Flats)	Floor Space (sqft)	Likely Number of Storeys	Development Potential	
1	1.14	major	mixed			Subject Property	7

#### Recent Planning History

The subject property has an extensive planning history. This is attached for your consideration.



Local Planning Policy

#### 5 Year Housing Suppply

The Local Planning Authority are currently able to demonstrate the required 5 year supply of housing land. This means that the council will be able to defend the area against hostile planning applications that are contrary to the Local Plan.

### Development Potential of the Subject Property

In 2013 planning permission was granted for the demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use).



# **Development Potential of Subject Property**

Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street under reference number 13/04041/FULL.

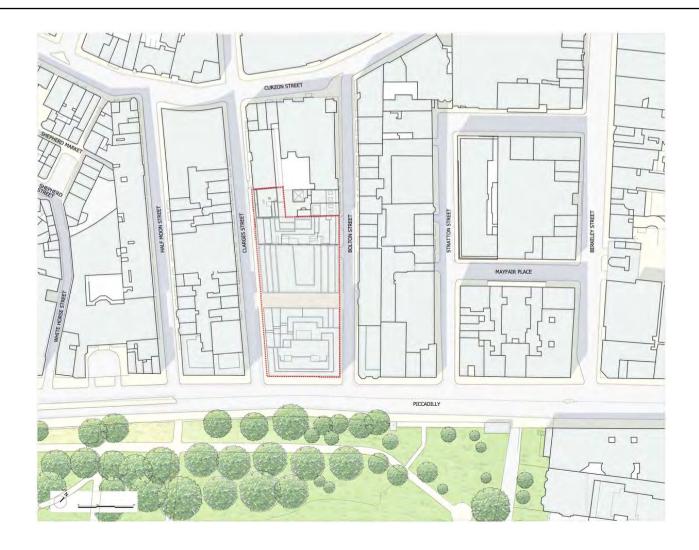
The latest amendments to this planning consent were permitted in 2017 under reference 16/03433/NMA namely for alterations to ground floor layout including amendments to entrance doors and screen to residential entrance, design of mews gates and location of bollards, position of entrance canopies, and alteration to layout of 9th floor flat. Relevant plans of the consented development and amendment are attached for your consideration.

With the advent of lightweight structures in recent years, the some of the existing buildings show some potential to support additional storeys.











## **Subject Property**



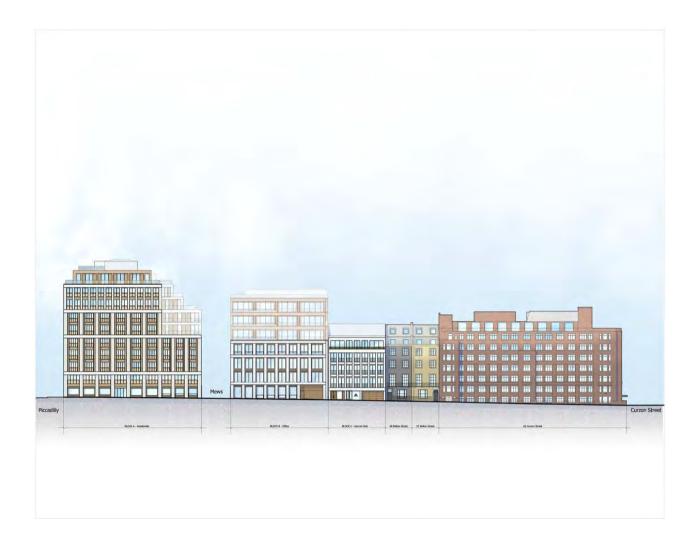




### **Subject Property**

















Westminster City Council

Westminster City Hall 64 Victoria Street London SW1E 6QP

020 7641 2513 westminster.gov.uk



City of Westminster

Your ref:

THE BRITISH LAND COMPANY

Please reply to:

Josephine Palmer

My ref:

13/04041/FULL

Tel No:

020 7641 2723

Email:

centralplanningteam@westminster.gov.uk

Mr Jonathan Marginson

DP9

100 Pall Mall

London SW1Y 5NQ

CERTIFIED TRUE RECORDS OF

COUNCIL'S DECISION OF CA

Development Planning

Westminster City Hall

London SW1E 6QP

64 Victoria Street

150 November 2013

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990** PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE

Application No:

13/04041/FULL

Application Date:

19.04.2013

Date Received:

22.04.2013

Date Amended:

08.05.2013

Plan Nos:

JA12\_XP\_AL\_001, XP\_B1\_001, XP\_00\_001, XP\_01\_001, XP\_02\_001, XP\_03\_001, XP\_04\_001, XP\_05\_001, XP\_06\_001, XP\_07\_001, XP\_08\_001, XP\_09\_001, XP\_RF\_001, XE\_SE\_001, XE\_SE\_002, XE\_SW\_001, XE\_NE\_001, XS\_AA\_001, XS\_BB\_001, XS\_CC\_001;

JC20\_XP\_B1\_001; JA12\_XP\_00\_001, XP\_01\_001, XP\_02\_001, XP\_03\_001,XP\_04\_001, XP\_05\_001, XP\_06\_001, XP\_07\_001, XP\_08\_001, XP\_08\_001, XP\_RF\_001, XE\_SE\_001, XE\_SE\_002, XE\_SW\_001, XE\_NE\_001, XS\_AA\_001,XS\_BB\_001, XS\_CC\_001 S;

P\_02\_001-A, P\_03\_001-A, P\_04\_001-A, P\_05\_001-A, P\_06\_001, P\_07\_001, P\_08\_001, P\_09\_001, P\_10\_001, P\_RF\_001, E\_SE\_001, E\_SE\_100, E\_SW\_001, E\_NE\_001, BA\_E\_NW\_100, G100\_P\_00\_001; G200\_P\_B3\_001, P\_B2\_001, P\_B1\_001-A

BB\_E\_SE\_100, BD\_E\_NE\_001-A, BA\_BS\_TY\_001, BB\_BS\_TY\_001, G720\_E\_SW\_001, E\_NE\_001; S\_AA\_001, S\_BB\_001, S\_CC\_001, S\_DD\_002 G200\_BC\_BS\_TY\_001, BD\_BS\_TY\_001; G7 002 , S\_KK\_002, G710\_P\_00\_001;

Design and Access Statement prepared by Squire and Partners, dated April 2013; Design and Access Statement prepared by Squire and Partners, -8.0 Appendix - Addendum, dated July 2013; Planning Statement prepared by DP9, dated April 2013; Daylight and Sunlight letter prepared by GIA, dated 16th April 2013; Internal Daylight and Sunlight Report prepared by GIA, dated April 2013; Internal Daylight - Clarges Street letter prepared by GIA, dated 15th July 2013; Environmental Performance Statement prepared by Waterman, dated April 2013; Energy Strategy prepared by Waterman Energy prepared b prepared by Waterman, dated April 2013; Energy Strategy prepared by Waterman, dated April 2013; Sustainability Statement prepared by Waterman

Energy Strategy prepared by Waterman, dated April 2013;

Sustainability Statement prepared by Waterman, dated April 2013; Transport Statement prepared by Waterman, dated April 2013; Operational Waste Strategy prepared by Waterman, dated April 2013; Consultation Statement prepared by Four Communications, dated April 2013; and Construction Management Plan prepared by Second London Wall, dated April 2013.

Address:

Reed House, 82-84 Piccadilly, London, W1J 8JB

-2-

Proposal:

Demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use). Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street.

See next page for conditions/reasons.

Yours faithfully

RX MacChoon-70

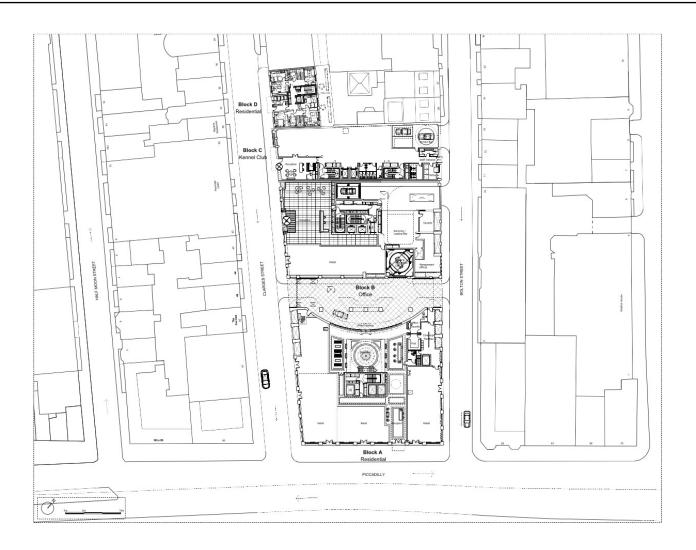
Rosemarie MacQueen Strategic Director Built Environment

Note - As the requirements of the Building Regulations may impact on the design of the proposed development. our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this free service please contact 020 7641 7230 to arrange a preliminary discussion.

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#### 1.0 Description of Minor Amendments

#### 1.1 Design development post planning consent.

Following planning approval in November 2013, British Land and the design team have been developing the details and layouts.

The following minor changes to the consented drawings at ground floor, 9th / 10th and roof level only are presented for consideration within this document.

#### 1.2 Changes - Plans

#### 1.2.2 Block A

#### **Ground Floor Layout:**

The setting out of the Ground Floor, Porte Cochere glazed screen has been amended through detail design development of the entrance screen

Mews Gates amended on plan- Final design subject to public art submission

#### Penthouse Levels - 9th and 10th Floors

#### 9th Floor Layout

-Kitchen Layout improved with the under utilised recess between the 9th Floor Kitchen and the 9th Floor plant room being removed.

- Increased floor Area - GIA increases by 12.sq.m

#### 10th Floor Layout

- Layout reflects changes to 9th floor below.

#### Roof Plan

- Layout amended to reflect changes to 9th and 10th floor

#### 1.2.3 Block C

#### **Ground Floor Layout:**

Clarges Street - Following detailed design development the entrance door and the revolving door arrangement, as viewed on plan and elevation, has been mirrored.

Bolton Street - Entrance screen door changed from inward opening double door to large single leaf inward opening door.





Westminster City Council

Westminster City Hall 64 Victoria Street London SW1E 6QP

www.westminster.gov.uk



Your ref: THE BRITISH LAND COMPANY

My ref: 16/03433/NMA Please reply to: Tel No:

Josephine Palmer

020 7641 2723

Mr Jonathan Marginson DP9

100 Pall Mall London SW1Y 5NQ

Development Planning Westminster City Hall PO Box 732

Redhill, RH1 9FL

21 April 2017

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 : SECTION 96A (AS AMENDED BY SECTION 190 OF THE PLANNING ACT 2008)

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) (AMENDMENT No. 3) (ENGLAND) ORDER 2009

NOTICE OF DECISION TO ACCEPT AMENDMENT(S) AS NON MATERIAL FOLLOWING A **GRANT OF PLANNING PERMISSION** 

The City Council HEREBY AGREES that the amendment(s) described in the schedule below is (are) non-material.

SCHEDULE

Amendment

16/03433/NMA

15.04.2016

Amendment

15.04.2016

Application No:

Application Date:

Date Received:

Date Amended:

24.03.2017

Plan Nos:

G200\_P\_00\_001 Rev C, G200\_P\_01\_001 Rev C, G200\_P\_02\_001 Rev C, G200\_P\_03\_001 Rev C, G200 P 04\_001 Rev C, G200 P 05\_001 Rev C, G200 P 06\_001 Rev B, G200 P 07\_001 Rev B, G200 P 08\_001 Rev B, G200 P 09\_001 Rev D, G200 P 10\_001

Rev E, G200\_P\_RF\_001 Rev E; G710\_P\_00\_001; G200\_E\_SE\_001 Rev C, G200\_E\_NE\_001 Rev C, G200 E SW 001 Rev C; G200 S CC 001 Rev A; G200 BB

BS TY 001 Rev A,

Address:

Reed House, 82-84 Piccadilly, London, W1J 8JB

Proposal:

Amendments to planning permission dated 15 November 2013 (RN: 13/04041) for demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use). Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street NAMELY: alterations to ground floor layout including amendments to entrance doors and screen to residential entrance, design of mews gates and location of bollards, position of entrance canopies, and alteration to layout of 9th floor flat.



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Yours faithfully

John Walker **Director of Planning** 

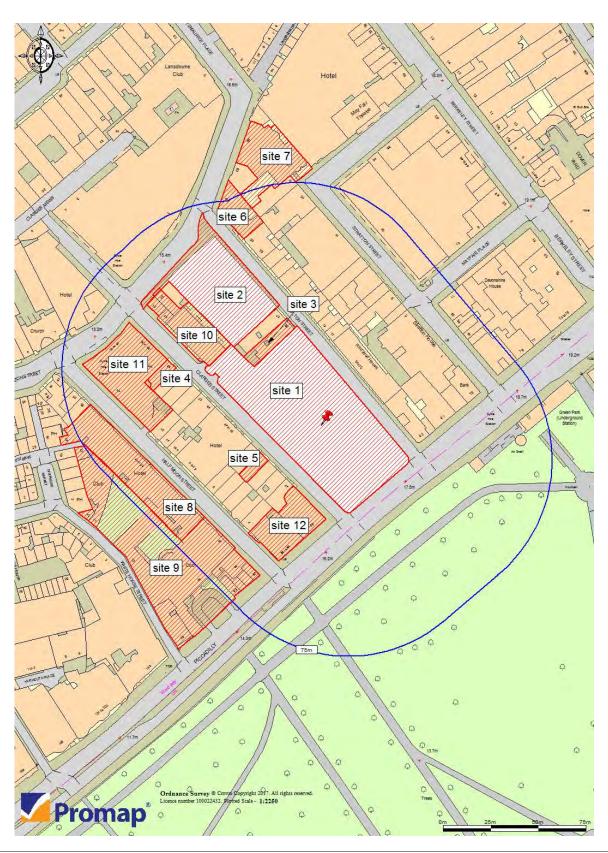
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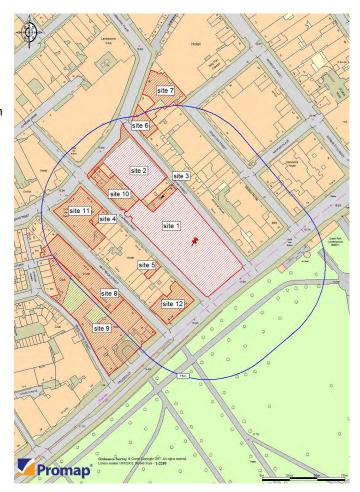




#### Immediate Area

The public park to the south east of the property is designated as Metropolitan Open Land, and a Site of Importance for Nature Conservation (SINC) within the Local Plan and will be protected from development under current policy.

The immediate area is developed to a high density, is zoned within a conservation area and has a large number of listed buildings. However in such a high value location development will always be present in some form. Basement and rooftop extensions utilising lightweight structures are common in such areas. You should expect some change.



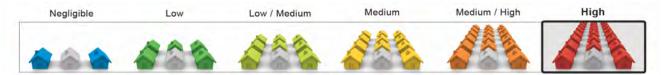
### Summary of Identified Development Risks

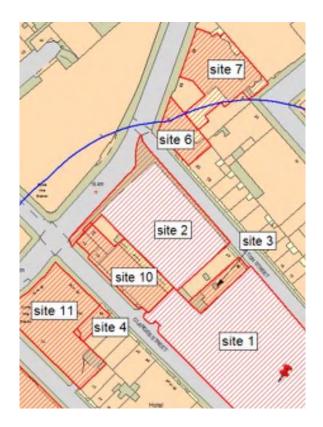
Site	Size (acres)	Capacity (houses)	Capacity (Flats)	Floor Space (Office sqft)	Development Risk	Impact if Developed
1	1.14	major	mixed		Subject Property	
2	0.47	mixed +	31		High	Significant
3	0.05	extension	4		High	Minor
4	0.02	basement			High	None
5	0.02	extensions			High	Minor
6	0.08	office +	retail		High	Slight
7	0.22	mixed	32		High	Minor
8	0.36	basement +	extensions		High	Minor
9	0.93	major	extensions		High	Slight
10	0.18		36		Low / Medium	Significant
11	0.30		60		Low / Medium	Some
12	0.18		36		Low / Medium	Significant



#### Site Address: 56 Curzon Street London W1J 8PB

#### Development Risk





#### Capacity

Site	Proximity (m)	Size (acres)	Capacity (houses)	Capacity (Flats)	Office Floor Space (sqft)	Development Risk	Impact if Developed	
			mixed +	31		High	Significant	

### Site Summary

Site 2 is a live site. In 2013 planning permission was granted for the demolition of 56 Curzon Street and redevelopment to provide a single building of four basement levels, garden level, raised garden level (all below street level), ground and part six, part eight upper storeys to include a restaurant (Class A3), 31 residential apartments (Class C3), associated residential facilities including basement parking accessed via car lifts on Bolton Street and landscaped garden, together with public realm improvements and highway works (including extending the building line forward on Curzon Street) and public art to be located in the public realm on corner of Curzon Street and Bolton Street under reference number 12/11740/FULL. Construction has begun. In our view the site can be considered a high risk of development. When developed the site will have a significant impact on the subject property. Relevant plans of the consented development are attached for your consideration. If you were not supportive we would recommend you request more detailed reports on the application site title from your solicitor. Whilst this would reasonably incur an extra legal fee it may uncover a covenant that may control the development potential of any site.





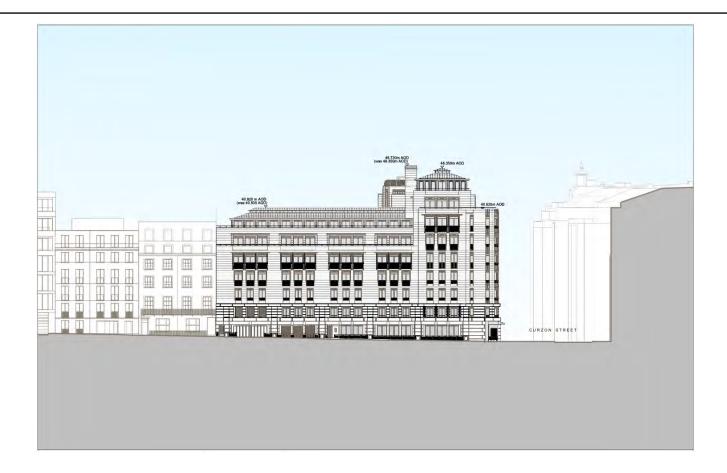




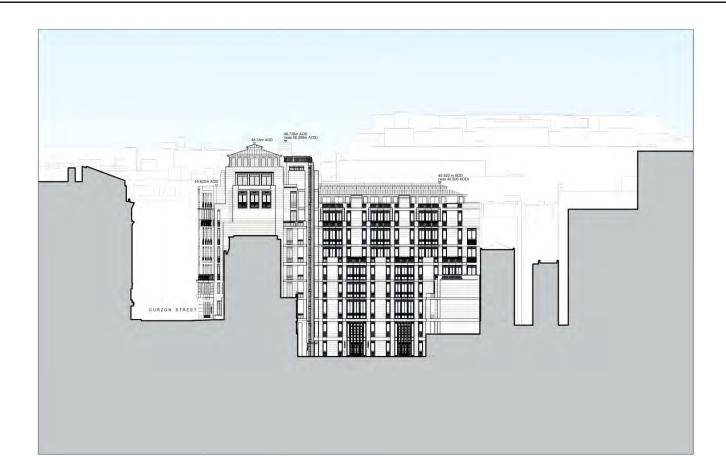














Westminster City Council

Westminster City Hall 64 Victoria Street London SW1E 6QP

020 7641 2513 westminster.gov.uk



City of Westminster

Your ref:

**BROCKTON CAPITAL (56 CURZON ST)** 

My ref:

12/11740/FULL

Please reply to:

Paul Quayle

Tel No:

020 7641 2547

Email:

centralplanningteam@westminster.gov.uk

Nick Delaney

**GVA** 

10 Stratton Street

London W1J 8JR **Development Planning** Westminster City Hall 64 Victoria Street

London SW1E 6QP

Dear Sir/Madam

CERTIFIED TRUE RECORDS OF COUNCIL'S DECISION OF LOT

18th Odrsker 2013

**TOWN AND COUNTRY PLANNING ACT 1990** PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

#### SCHEDULE

**Application No:** 

12/11740/FULL

Application Date:

13.11.2012

**Date Received:** 

21.11.2012

Date Amended:

17.12.2012

Plan Nos:

A-001A, A-020A, A-021B, A-022A, A-023B, A-094D, A-095E, A-096D, A-097E, A-098E, A-099E, A-100D, A-101D, A-102C, A-103B, A-104B, A-105C, A-106C, A-107C, A-108C, A-109C, A-202B, A-203C, A-204B, A-205B, A-206B, A-301B, A-302B, A-303B, A-307B, A-401B, A-402B, A-403B, A-404B, A-405A, A-410A, A-411A, A-400.1B, A-400.2B, A-400.3B, A-400.4B;

Planning Statement November 2012, Planning Revisions Cover Letter and Appendices June 2013, Design and Access Statement November 2012 (as amended by Addendum and Addendum Drawings April 2013, Design and Access Further Submission April 2013 and Design and Access Statement Planning Revisions June 2013), Townscape, Heritage and Visual Impact Assessment November 2012,

Transport Assessment November 2012, Environmental, Performance Statement November 2012, Daylight and Sunlight Report November 2012, Environmental Noise Survey November 2012, Energy and Sustainability Strategy November 2012, Basement Impact and Structural Information Report November 2012, Statement of Community Involvement November 2012, and Response to Consultation April 2013.

Address:

56 Curzon Street, London, W1J 8PB,

Proposal:

Demolition of 56 Curzon Street and redevelopment to provide a single building of four basement levels, garden level, raised garden level (all below street level), ground and part six, part eight upper storeys to include a restaurant (Class A3), 31 residential apartments (Class C3), associated residential facilities including basement parking accessed via car lifts on Bolton Street and landscaped garden, together with public realm improvements and highway works (including extending the building line forward on Curzon Street) and public art to be located in the public realm on corner of Curzon Street and Bolton Street.



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See next page for conditions/reasons.

Yours faithfully

& X Macanon Rosemarie MacQueen Strategic Director Built Environment

Note - As the requirements of the Building Regulations may impact on the design of the proposed development, our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this free service please contact **020 7641 7230** to arrange a preliminary discussion.

- Note:

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- development.
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12/11740/FULL

#### Condition(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.

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

You must carry out basement excavation work only:

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

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

#### Reason:

To protect the environment of neighbouring residents. This is as set out in CS29 and CS32 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

#### Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in CS25 and CS28 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

4 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:

Because these would harm the appearance of the building, and would not meet CS25 or CS28, or both, of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and DES 1 and DES 5 of our Unitary Development Plan that

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we adopted in January 2007. (R26HC)

- You must apply to us for approval of detailed drawings (at scales 1:20 and 1:5) of the following parts of the development
  - a) typical details of all new facades at all levels;
  - b) the public art;
  - c) the main street entrances to the restaurant, flats and Curzon Street Townhouse (including any canopies);
  - d) the doors to the car lifts (street elevation);
  - e) the railings to the lightwells on Curzon Street and Bolton Street;
  - f) the extract discharge flue (for the restaurant kitchen) at roof level (with indicative drawings showing the route of the duct from the restaurant kitchen to roof level).

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings. (C26DB)

#### Reason

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in CS25 and CS28 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must only use that part of the property shown on the drawings as a 'restaurant' as a sitdown restaurant with waiter service. You must not use this area for any other purposes, including any other use within Class A3 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). If you provide a bar and bar seating, it must not take up more than 15% of the floor area of the restaurant unit. You must use the bar to serve restaurant customers only, before, during or after their meals.

### Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

You must not allow more than 136 customers (including any customers in the bar area) into the restaurant at any one time.

#### Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R05AB)

8 Customers shall not be permitted within the restaurant premises before 07.00 or after 00.30 hours the following morning on Monday to Saturday and before 09.00 or after 00.00 hours (midnight) on Sundays.

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Reason:

To protect the environment of people in neighbouring properties as set out in CS24, CS29 and CS32 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and ENV 6, ENV 7 and TACE 10 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

The three and four bedroom residential units shown on the approved drawings must be 9 provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in CS15 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

The design and structure of the development shall be of such a standard that it will protect 10 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 6 hrs in bedrooms at night.

Reason:

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

The design and structure of the development shall be of such a standard that it will protect 11 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.

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

- (1) Where noise emitted from the proposed plant and machinery will not contain tones or will 12 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

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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 CS32 of our Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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

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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.

You must apply to us for approval of details of a supplementary acoustic report demonstrating 14 that the plant will comply with the Council's noise criteria as set out in Condition 12 of this permission. You must not start work on this part of the development nor occupy any of the flats approved as part of this development until we have approved what you have sent us.

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 CS32 of our Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum hoise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

You must provide the waste stores shown on drawings A-095 Rev E, A-098 Rev E and A-100 15 Rev D. before anyone moves into the property. You must clearly mark them and make them available at all times to everyone using the flats and restaurant. You must store waste inside the property and only put it outside just before it is going to be collected, with all waste storage and collection to be carried out in accordance with the Waste Management Plan submitted by Transport Planning Practice dated June 2013 (Ref. 30222/D/21! - Appendix A of the GVA 'Planning Revisions Cover Letter and Appendices' June 2013) . You must not use the waste store for any other purpose.

Reason:

To protect the environment of people in neighbouring properties as set out in CS29 and CS32 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

Before the restaurant use commences you must install the ventilation system to get rid of 16 cooking smells from the restaurant kitchen. In particular, the discharge point of the kitchen extract ventilation must be at least 1m above the roof level of the building, vertically upwards, and shall be free from any obstruction (such as a plate, cowl or cap).

To protect the environment of people in neighbouring properties as set out in CS29 and CS32 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

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You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated November 2012 before you use the building. (C20AB)

#### Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in CS28 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. With the exception of the two designated double 'garage' spaces for both the Curzon Street Penthouse and the Curzon Street Townhouse, the remaining spaces shall be allocated to the other flats (noting the shortfall of two parking spaces), with a maximum of one car parking space for each residential flats within the development. The parking spaces reserved for residents must be clearly identified.

#### Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

You must provide each cycle parking space shown on the approved drawings prior to occupation, with a minimum of 1 cycle parking space to be allocated and made available to each residential units prior to occupation and a minimum of 2 cycle parking spaces to be allocated and made available to the restaurant use prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

### Reason:

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

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

#### Reason

In the interests of public safety and to avoid blocking the road as set out in CS41 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

You must apply to us for approval of a detailed drawing of the following parts of the development - the provision of electric vehicle charging points for 50% of the car parking spaces in the basement. You must not commence occupation of any of the flats until we have approved what you have sent us, and the charging points have been fully installed and made

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operational. These recharging points shall not be removed unless authorised by the City Council, as the local planning authority.

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To make sure that the development provides the environmental sustainability features included in your application as set out in CS28 or CS40, or both, of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013. (R44AC)

You must provide the following environmental sustainability features (environmentally friendly 22 features) before you start to use any part of the development, as set out in your application: the Combined Heat and Power system, the closed loop Ground Source Heat Pump and the other measures outlined in the Energy and Sustainability Strategy dated November 2012 for the construction of the new building. You must not remove any of these features.

### Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in CS28 or CS40, or both, of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013. (R44AC)

Each of the new dwellings shall achieve a Code for Sustainable Homes (2011 edition) rating 23 of no less than 'Level 4' (or any such national measure of sustainability for house design that replaces that scheme of the same standard).

A post construction certificate issued by the Building Research Establishment or other independent certification body confirming this standard has been achieved must be submitted for approval by the Local Planning Authority within 6 months of completion on site. In the event that the development fails to achieve the agreed rating, a full schedule and costing of remedial works required to achieve this rating shall be submitted to and approved by the City Council within 2 months of the submission to the City Council of the Post Construction Review. Thereafter the schedule of remedial works must be implemented on site within 3 months of our approval of the schedule or the full costs and management fees given to the Council for offsite remedial actions.

To make sure that the development affects the environment as little as possible, as set out in CS28 or CS40, or both, of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013. (R44BC)

The restaurant part of the development, shall achieve BREEAM New Construction (2011 24 edition) with an 'Very Good' rating (or any such national measure of sustainability for office design that replaces that scheme of the same standard).

A post construction certificate confirming this standard under this BREEAM has been achieved must be issued by the Building Research Establishment, and submitted to for approval by the Local Planning Authority within 3 months of completion on site. In the event that the development fails to achieve the agreed rating, a full schedule and costing of remedial works required to achieve this rating shall be submitted to and approved by the City Council within 2 months of the submission to the City Council of the Post Construction Review. Thereafter the schedule of remedial works must be implemented on site within 3

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- 10 -

months of our approval of the schedule or the full costs and management fees given to the Council for offsite remedial actions.

To make sure that the development affects the environment as little as possible, as set out in CS28 or CS40, or both, of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013. (R44BC)

The Spa and Shared Residents' Amenity Space at basement level shall be used only by the 25 residents of 56 Curzon Street and their guests and shall not be used by or made available to members of the general public or any other non-residents of the building.

### Reason:

To make sure that this accommodation remains ancillary to the residential use of this building and that the development is completed and used as agreed, thereby protecting the environment of the people in the residential part of the development, and the privacy and environment of people in neighbouring properties. This is as set out in CS29 and CS32 of Westminster's City Plan: Strategic Policies which is to be adopted by Full Council on 13 November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

You must apply to us for approval of a car parking management/operational strategy, setting 26 out how the car parking in the basement is to be managed taking account of the car stackers and the parallel parking. You must not commence occupation of any of the flats until we have approved what you have sent us. You must then manage the car parking in accordance with the approved management/operational strategy. (C26DB)

To ensure the proper provision of the car parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- You must apply to us for approval of details of the following parts of the development:-27
  - a). relocation of the existing on-street parking;
  - b). a car lift management and maintenance plan;
  - c). detailed design of internal car lift systems;
  - e). a vehicle signalling system for the car lift, or alternative system for efficient operation of the car lift.

You must not occupy any part of the development nor until we have approved what you have sent us. You must then carry out the work according to these details and thereafter maintain them (b), c), and d).) in working order for the life of the development.

#### Reason:

To ensure the proper provision of the car parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

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### Informative(s):

In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the Core Strategy/ Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 11 -

- 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: an offer of £5,000,000 towards the Council's affordable housing fund, £150,000 towards local public realm improvements (not directly part of the development of the site), a scheme of public art to a minimum value of £100,000 (excluding any commissioning fees, maintenance costs, etc.) and future maintenance of the public art in future, parking mitigation measures and associated highways works.
- 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.
- You may need to get separate permission under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 if you want to put up an advertisement at the property. (IO3AA)
- Please contact our Environmental Health Service (020 7641 2971) to register your food 5 business and to make sure that all ventilation and other equipment will meet our standards. Under environmental health law we may ask you to carry out other work if your business causes noise, smells or other types of nuisance. (106AA)
- You need to speak to our Highways section about any work which will affect public roads. This 6 includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that. under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (109AC)
- 7 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)

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Under Section 25 of the Greater London Council (General Powers) Act 1973 you need 8 planning permission to use residential premises as temporary sleeping accommodation. To make sure that the property is used for permanent residential purposes, it must not be used as sleeping accommodation by the same person for less than 90 nights in a row. This applies to both new and existing residential accommodation.

- 12 -

Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year). (I38AB)

When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team **Environmental Health Service** Westminster City Half 64 Victoria Street London SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- Your proposals include demolition works. If the estimated cost of the whole project exceeds 10 £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.
- Please make sure that the street number and building name (if applicable) are clearly 11 displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)

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12 You are advised to refer to the Housing Health and Safety Rating System Guidance (Version 2) to obtain full details about natural lighting, to ensure that the scheme provides sufficient natural light into some of the habitable rooms at lower levels of the new building and complies with the requirements of the Housing Act 2004. For further advice, please contact:

- 13 -

Residential Environmental Health Team 4th Floor East, Westminster City Hall 64 Victoria Street London SW1E 6QP Website: www.westminster.gov.uk Email: res@westminster.gov.uk

Tel: 020 7641 3003 Fax: 020 7641 8504.

- You may need separate licensing approval for the restaurant premises. Your approved 13 licensing hours may differ from those given above but you must not have any customers on the premises outside the hours set out in this planning permission. (I61AB)
- You must make sure that any other activities taking place in the class A3 (restaurant or café) 14 premises, such as small amounts of takeaway sales or small bar areas, are so minor that they do not alter the main use as a restaurant or café. If the scale of one or more of these extra activities is more substantial than this, it is likely that a material (significant) change of use (from class A3 to a mix of uses) will have taken place, which will need a new planning permission. (I61BA)
- 15 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- Under the Construction (Design and Management) Regulations 1994, clients, planning 16 supervisors, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following controls. Risks must:
  - 1 be avoided (the preferred approach); or
  - 2 be reduced to a safe level.

If the above are not possible, you must protect workers who are exposed to any risks that remain.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. (I80BA)

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# Site Address: 28 Bolton Street London W1J 8BP

# Development Risk





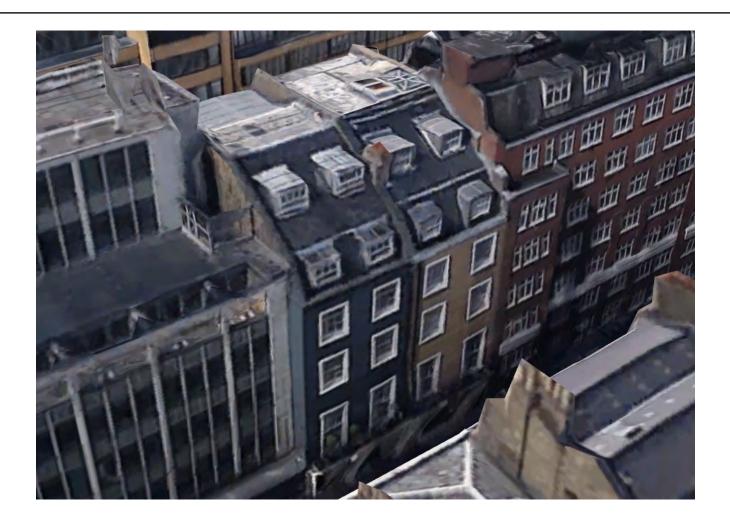
# Capacity

Site	Proximity (m)	Size (acres)	Capacity (houses)	Capacity (Flats)	Office Floor Space (sqft)	Development Risk	Impact if Developed
			extension	4		High	Minor

# **Professional Opinion**

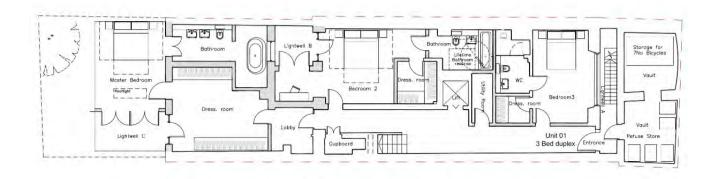
Site 3 is a live site. In 2016 planning permission was granted for the erection of an extension at rear lower ground and ground floor levels in connection with the use of the premises as 2x 3 bed, 1 x 2 bed and 1 x 1 bedroom units under reference number 16/02259/FULL. Construction has begun. In our view the site can be considered a high risk of development. When developed the site is unlikely to have a significant impact on the subject property. Relevant plans of the consented development are attached for your consideration. If you were not supportive we would recommend you request more detailed reports on the application site title from your solicitor. Whilst this would reasonably incur an extra legal fee it may uncover a covenant that may control the development potential of any site.



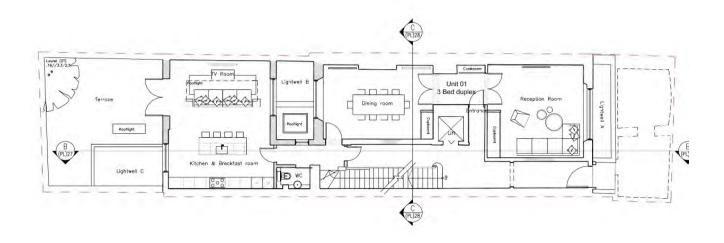




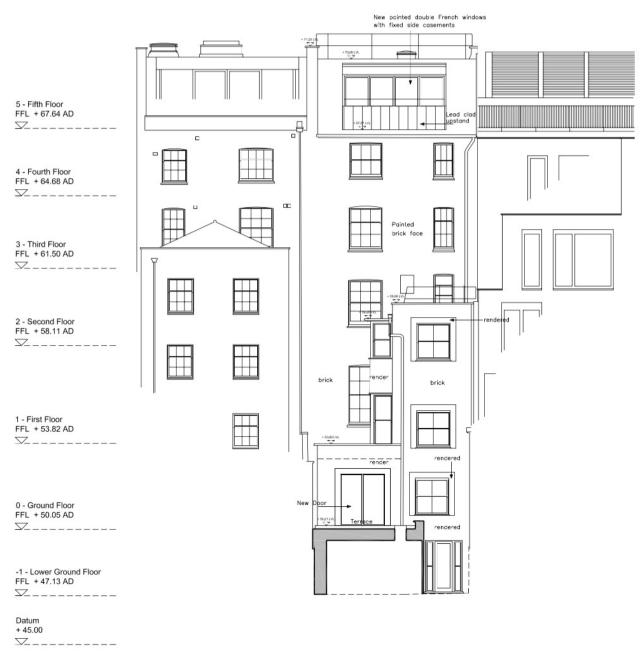






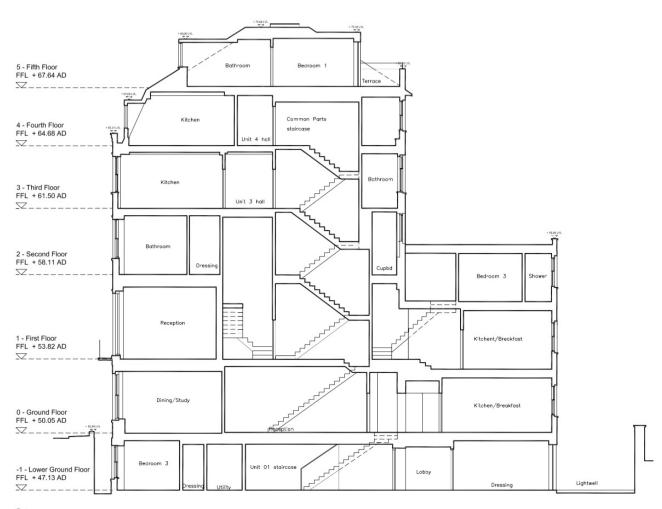






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Datum + 45.00

+ 45.00



Westminster City Council

Westminster City Hall 64 Victoria Street London SW1E 6QP

www.westminster.gov.uk



Your ref:

GROSVENOR SECURITIES LTD

Please reply to: Mike Walton

My ref:

16/02259/FULL

Tel No:

020 7641 2521

Ms Rebecca Skinner JLL 30 Warwick Street London W1B 5NH

**Development Planning** Westminster City Council PO Box 732 Redhill, RH1 9FL

16 June 2016

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

# SCHEDULE

Application No:

16/02259/FULL

Application Date:

11.03.2016

Date Received:

11.03.2016

Date Amended:

15.03.2016

Plan Nos:

1508 (PL)19 P, 1508 (PL)20 P, 1508 (PL)21 P, 1508 (PL)22 P, 1508 (PL)23 P,1508 (PL)24

P,1508 (PL)25 P,1508 (PL)26 P,1508 (PL)27 P,1508 (PL)28 P, 1508 (PL)29 P,1508 (PL)30 P,1508 (PL)31 P,1508 (PL)32 P,

Address:

28 Bolton Street, London, W1J 8BP,

Proposal:

Erection of an extension at rear lower ground and ground floor levels in connection with the use of

the premises as 2x 3 bed, 1 x 2 bed and 1 x 1 bedroom units ( Class C3).

See next page for conditions/reasons.

Yours faithfully

John Walker Director of Planning



Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email <a href="mailto:districtsurveyors@westminster.gov.uk">districtsurveyors@westminster.gov.uk</a> to arrange a preliminary discussion.

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- development.
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16/02259/FULL

# Condition(s):

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

#### Reason:

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

- You must 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.

Noisy work must not take place outside these hours. (C11AA)

#### Reason:

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

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

#### Reason:

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

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

#### Reason

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

5 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

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  development.
- . The terms 'us' and 'we' refer to the Council as local planning authority.





development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

#### Reason:

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

You must not use the first floor flat roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

### Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

7 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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

8 This permission must be commenced no later than 16 June 2017

#### Reason

Granting permission for longer than 1 year would be contrary to the aims of revised City Plan S20.

### informative(s):

- In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- Your attention is drawn to condition 8 on this decision notice which permits this development until 16 June 2017. In the light of the City Council's revised policy approach which seeks to

#### Note

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protect offices within the Core Central Activities Zone any subsequent application which would result in the building not being in commercial use is unlikely to be considered favourably.

- Note:

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  The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.





# Site Address: 33 Clarges Street London W1J 7EQ

# Development Risk





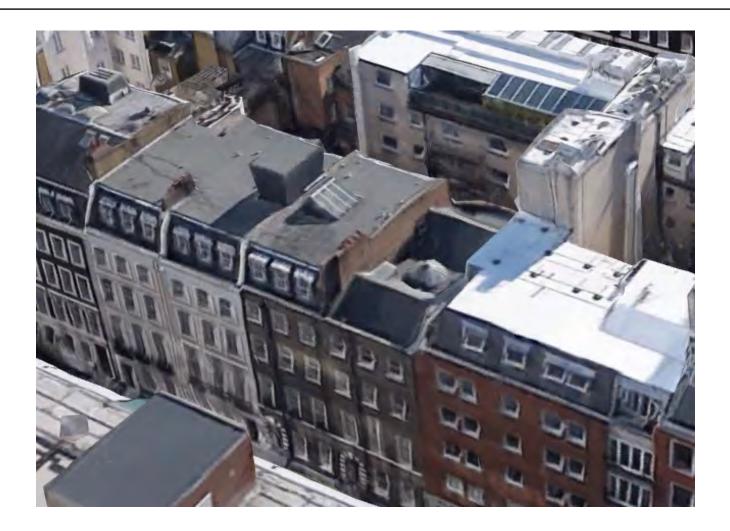
#### Capacity

Site	Proximity (m)	Size (acres)	Capacity (houses)	Capacity (Flats)	Office Floor Space (sqft)	Development Risk	Impact if Developed	
			basement			High	None	

# **Professional Opinion**

Site 4 has relevant planning history. In 2014 planning permission was granted for the use of the property as a single family dwelling (Class C3), excavation of a new basement level, excavation beneath pavement vaults, installation of plant and solar panels at main roof level, installation of replacement windows on the front and rear elevations, and installation of two internal lifts involving minor internal demolition works under reference number 14/04615/FULL. If construction has not begun then this planning will have expired. In our view the site can be considered a high risk of development. If developed the site will have no impact on the subject property. Relevant plans of the consented development are attached for your consideration. With the advent of lightweight structures in recent years, the existing building shows some potential to support additional storeys.





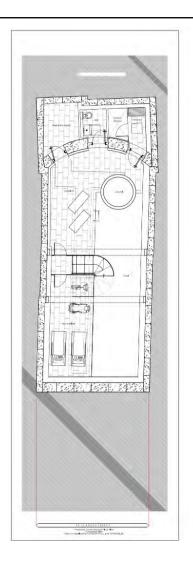


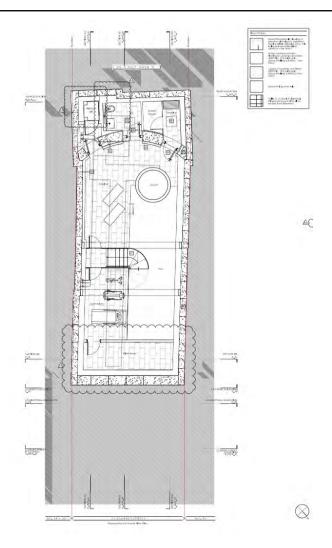


















Westminster City Council

Westminster City Hatl 64 Victoria Street London SW1E 6QP 020 7641 6500 westminster.gov.uk



City of Westminster

Your ref:

MR MAURICE LEONARD

My ref:

14/04615/FULL

Please reply to:

Robert Ayton

viy ret:

or Podmill

Miss Eleanor Redmill MW Architects 28 Margaret Street

London W1W 8RZ Tel No:

020 7641 2978

**Development Planning**Westminster City Hall
64 Victoria Street

London SW1E 6QP

18 July 2014

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE

Application No:

14/04615/FULL

**Application Date:** 

15.05.2014

CERTIFIED TRUE RECORDS

COUNCIL'S DECISION OF.

Date Received:

15.05.2014

Date Amended:

23.05.2014

Plan Nos:

P01C, P02C, P03B, P04/C, P05/C, P06/C, P07/-, P10/-, P12/A,

P13/B, P14a/B, P15A, P16B, P17a/B, P18B, P19a/B, P20A,

Address:

33 Clarges Street, London, W1J 7EQ,

Proposal:

Use of the property as a single family dwelling (Class C3), excavation of a new basement level, excavation beneath pavement vaults, installation of plant and solar panels at main roof level,

excavation beneath pavement vaults, installation of plant and solar panels at main roof level, installation of replacement windows on the front and rear elevations, and installation of two

internal lifts involving minor internal demolition works.

See next page for conditions/reasons.

Yours faithfully

Rx MacChan 70

Rosemarie MacQueen

Strategic Director Built Environment

Note - As the requirements of the Building Regulations may impact on the design of the proposed development, our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this free service please contact 020 7641 7230 to arrange a preliminary discussion.

depelulz091207



- 2 -

14/04615/FULL

#### Condition(s):

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

### Reason:

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

All new work to the outside of the building must match existing original work in terms of the 2 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 Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- Except for basement excavation work, you must carry out any building work which can be 3 heard at the boundary of the site only:
  - \* between 08.00 and 18.00 Monday to Friday;
  - \* between 08.00 and 13.00 on Saturday; and
  - \* not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:

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

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

Reason:

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

The 'staff room' at lower ground floor level is not to be used as overnight staff sleeping 4 accommodation.

Reason:

The 'staff room' is not acceptable as overnight sleeping accommodation for staff due to its small size, lack of natural light or a reasonable outlook, as required by Policy S29 of Westminster's City Plan that we adopted on 13 November 2013 and Policy ENV13 of our Unitary Development Plan that we adopted in January 2007.

Note:

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The facing brickwork must match the existing original work in terms of colour, texture, face 5 bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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# Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- You must apply to us for approval of elevation and sections at a scale of 1:10 of the following 6 parts of the development -
  - (i) The replacement windows on the front facade (including their relationship to the front
  - (ii) All other new windows.
  - (iii) The new doors at basement level.

No new windows shall feature horns.

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 drawings. (C26DB)

#### Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

Prior to the occupation of the dwellinghouse hereby approved you must apply to us for approval of a detailed acoustic report that sets out the noise attenuation measures that will have to be installed to protect residents within the building from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime (07.00 -23.00) and of more than 30 dB LAeq 8 hrs in bedrooms at night (23.00 - 07.00). These attenuation measures must be installed in full prior to the occupation of the dwellinghouse hereby approved.

#### Reason:

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

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- 4 -

Before anyone moves into the property, you must provide the separate stores for waste and 8 materials for recycling shown on drawing number P02 Rev. B. You must clearly mark them and make them available at all times to everyone using the dwellinghouse. (C14FB)

Reason:

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

No part of the basement excavation hereby approved shall commence until a detailed design 9 and method statement for all of the foundations and basement structures (including piling (temporary or permanent)) has been submitted to and approved by the City Council. This detailed design and method statement shall:

(i) Provide details on all structures.

(ii) Accommodate the location of the existing London Underground structures and tunnels.

(iii) Accommodate ground movement arising from the construction.

(iv) Mitigate the effects of noise and vibration arising from adjoining operations within the structures and tunnels.

The development hereby approved shall be carried out in all respect in accordance with the approved design and method statement, and all structures and works comprised within the development hereby permitted which are required by the approved design statement in order to procure the matters in Parts i, ii, iii, and iv of this condition shall be completed in their entirety prior to the occupation of the dwellinghouse hereby permitted.

Reason:
To ensure that the development does no impact on existing London Underground transport infrastructure, in accordance within Table 6.1 of the London Plan (2011) and 'Land for Industry and Transport' supplementary planning guidance (2012).

- (1) Where noise emitted from the proposed plant and machinery will not contain tones or will 10 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

Note:

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during the proposed hours of operation. The plant-specific noise level should be expressed as LAegTm, 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
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

# Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

No vibration shall be transmitted to adjoining or other premises and structures through the 11 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.

12 Notwithstanding the annotation on the drawings hereby approved, you must apply to us for approval of a schedule of window replacement on the rear façade.

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- 6 -

No windows shall be removed from the rear facade until we have approved the submitted schedule of window replacement.

You must then carry out the work according to the approved schedule.

# Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

The timber acoustic enclosure hereby approved at roof level shall be installed in its entirety 13 prior to the installation of the condenser units at roof level hereby approved. This timber acoustic enclosure shall be retained for as long as the condenser units are in situ.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- Pre Commencement Condition. No development shall take place, including any works of 14 demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan must include the following details (where appropriate):
  - a construction programme including a 24 hour emergency contact number;
  - parking of vehicles of site operatives and visitors (including measures taken to (ii) ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction):
  - locations for loading/unloading and storage of plant and materials used in constructing (iii) the development:
  - erection and maintenance of security hoardings (including decorative displays and (iv) facilities for public viewing, where appropriate);
  - wheel washing facilities and measures to control the emission of dust and dirt during construction; and
  - a scheme for recycling/disposing of waste resulting from demolition and construction (vi) works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

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

#### Note:

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-7-

# Informative(s):

In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which
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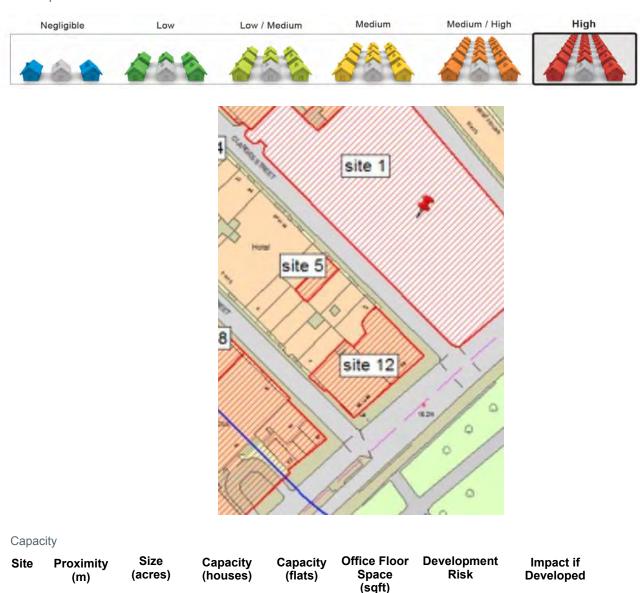
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# Site Address: 45 Clarges Street London W1J 7EP

# Development Risk



#### **Professional Opinion**

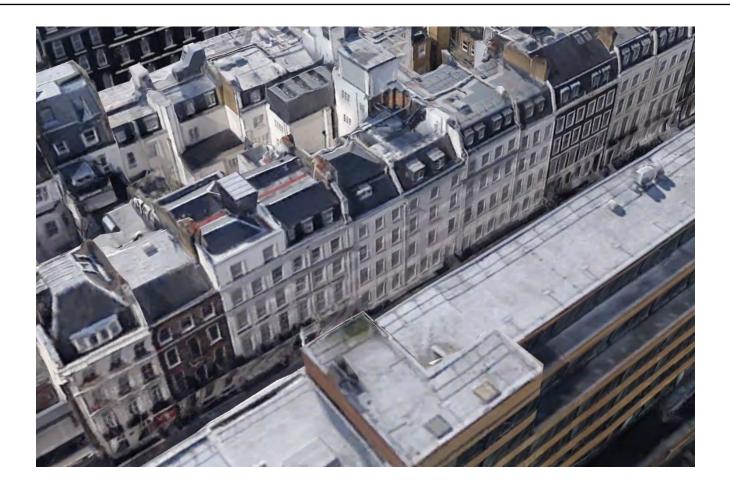
Site 5 is the subject of an undetermined planning application that is currently pending a decision. The application submitted under reference number 17/07159/FULL is for repair works to front street elevation; replacement mansard roof form at fourth floor level incorporating plant; Erection of a two storey rear extension at lower ground and ground floor levels; remodelling of the existing rear wing at third floor level including new terrace area to its roof; and associated internal alterations including new services. The application has a good chance of being approved and can be considered a high risk of development. If developed the site is unlikely to have a significant impact on the subject property. Relevant plans of the proposed development are attached for your consideration.

extensions

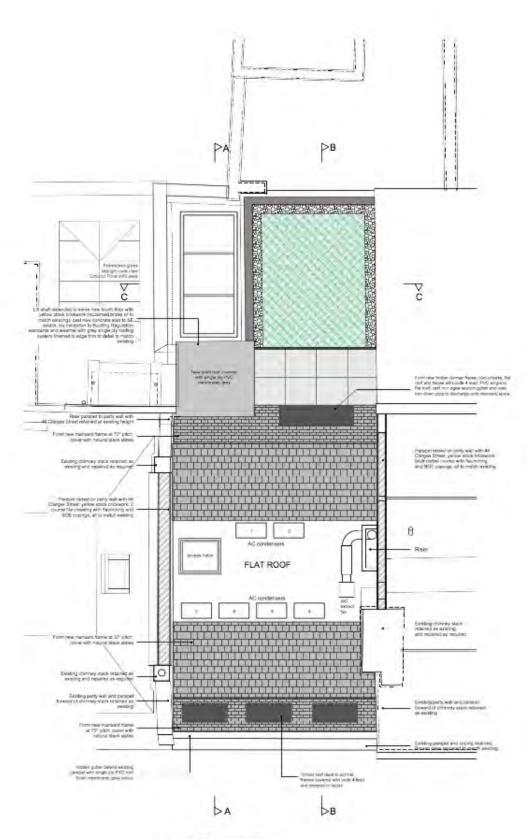
High

Minor



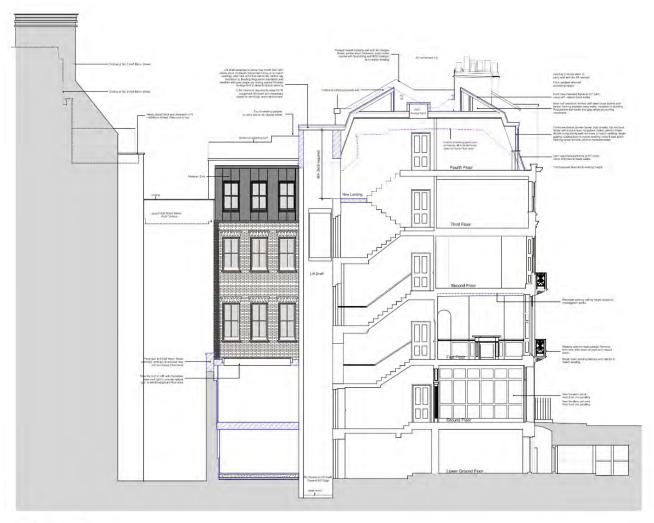






**Roof Proposed** 





Section AA - Proposed



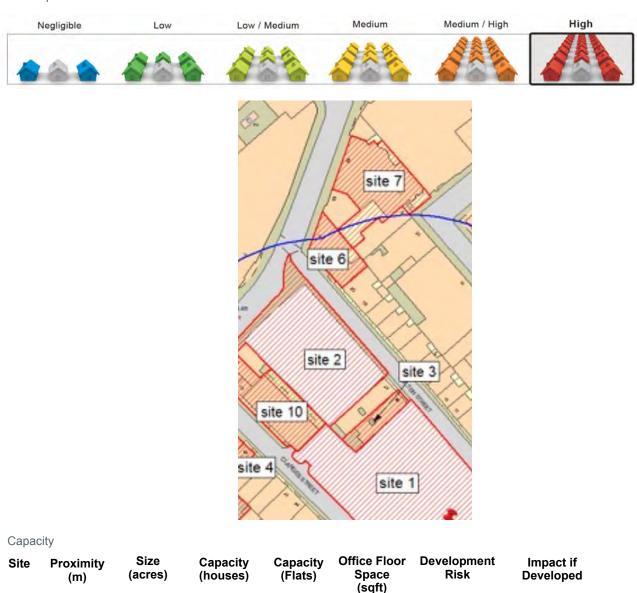


Front Elevation Proposed



# Site Address: 61 Curzon Street London W1J 8PD

# Development Risk



# **Professional Opinion**

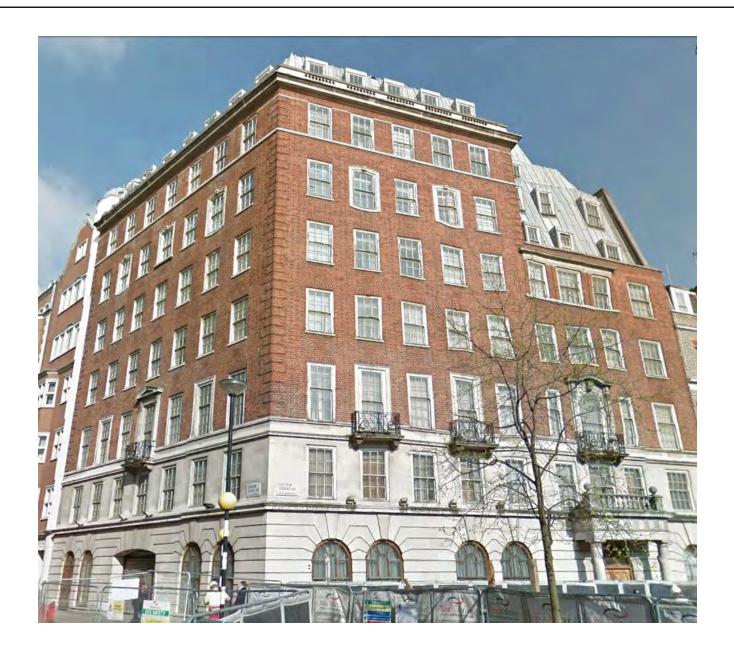
Site 6 is a live site. In 2017 planning permission was granted for the demolition of the existing building and erection of a new building of lower ground, ground plus eight upper storeys to comprise offices (Use Class B1), a retail unit (Use Class A1) on part of the ground and lower ground floor level and mechanical plant and solar photovoltaic panels at roof level and associated highway works under reference number 16/09518/FULL. Construction may already have begun and if not should be treated as imminent. In our view the site can be considered a high risk of development. If developed the site may have some slight impact on the subject property. Relevant plans of the consented development are attached for your consideration.

retail

Slight

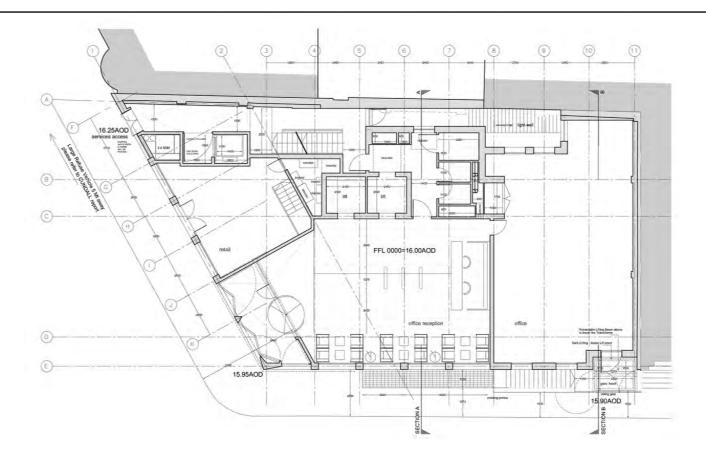
High









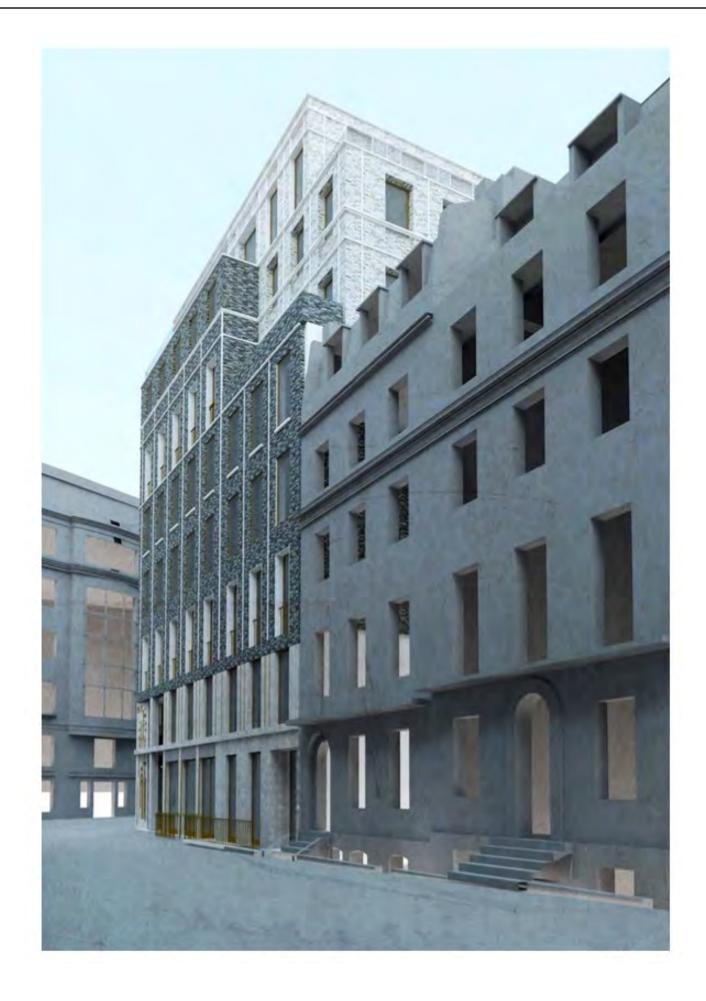






Bolton Street \_Proposed Elevation









- 1. Sub-divided of the windows with mullions on each floor and with the transoms on the sixth floor removed.
- 2. Grey brick darker will less variation in tone.
- ${\tt 3. \, Top \, storey \, clad \, in \, zinc \, to \, make \, it \, read \, more \, as \, a \, roof \, element \, and \, the \, visual \, weight \, of \, the \, upper \, most \, parapet \, is \, reduced}$





Westminster City Council

Westminster City Hall 64 Victoria Street London SW1E 6QP

www.westminster.gov.uk



Your ref: 61 Curzon Street Please Paul Quayle reply to:

My ref: 16/09518/FULL Tel No: 020 7641 2547

Mrs Robyn Prince CBRE Ltd Henrietta House Henrietta Place London W1G 0NB Development Planning Westminster City Council PO Box 732 Redhill, RH1 9FL

14 February 2017

# Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

#### SCHEDULE

Application No: 16/09518/FULL Application Date:

Date Received: 04.10.2016 Date Amended: 04.10.2016

Plan Nos: E(0)-1000, E(0)-1001, P(0)0001H, P(0)-0002D, P(0)-0003A, P(0)-0004, P(0)-0005, P(0)-0006,

P(0)-0007, P(0)-0008, P(0)-0009, P(0)-00010, P(0)-00011, P(0)-0100C, P(0)-0101B, P(0)-

0102D, P(0)-0103A, P(0)-0104,

P(0)-0150B, P(0)-0151B, P(0)-0155B, P(0)-0156A, P(0)-0157A, 5562-JMA-XX-00-DR-A-00-0004, 5562-JMA-XX-LG-DR-A-00-0004; Design and Access Statement dated October 2016.

Address: 61 Curzon Street, London, W1J 8PD,

Proposal: Demolition of existing building and erection of a new building of lower ground, ground plus eight

upper storeys to comprise offices (Use Class B1), a retail unit (Use Class A1) on part of the ground and lower ground floor level and mechanical plant and solar photovoltaic panels at roof

level and associated highway works.



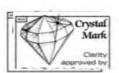
See next page for conditions/reasons.

Yours faithfully

John Walker **Director of Planning** 

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

- Note:
  The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which have an associated reference number with the prefix C, R, X or I.
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- development.
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16/09518/FULL

### Condition(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.

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

#### Reason:

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

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

## Reason:

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

4 All stonework in the street facades shall be Natural Portland stone.

#### Reason:

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

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)

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Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (November 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

- 6 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:

- 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 neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

Prior to the commencement of any demolition or construction on site the applicant shall provide evidence 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 a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

## Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

The terraces shall only be used between 08.00 and 21.00 hours, except when used to escape in an emergency.

#### 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)

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

#### Note

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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.

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

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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.

You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 9 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

#### 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.

You must provide the waste stores shown on drawings P(0)0001D, 5562-JMA-XX-LG-DR-A-00-0004 and 5562-JMA-XX-OO-DR-A-00-0004 before anyone moves into the property. You must clearly mark them and make them available at all times to everyone using the building. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste stores for any other purpose. (C14DC)

#### Reason:

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

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

#### Reason

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

You must provide each of the 40 cycle parking spaces (with at least six spaces clearly designated as short stay parking) shown on the approved drawings P(0)0001 Rev H, and the proposed cyclist changing and locker facilities, prior to occupation. Thereafter the cycle spaces and cyclist changing and locker facilities must be retained and the space used for no other purpose without the prior written consent of the local planning authority. Measures to advise visitors of the location of short stay cycle parking shall be set out in the Workplace Travel Plan required by condition 15, including a supplementary plan identifying the location of the short stay parking in the basement for visitors.

#### Reason:

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To provide cycle parking spaces and associated facilities for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015, and as requested by the Greater London Authority.

Before you begin to use the new buildings, you must apply to us for approval of a Workplace Travel Plan. The Travel Plan must include a comprehensive assessment of the measures outlined in section 6 of the Cundall Transport Statement dated 28.9.16. You must then only occupy the offices in accordance with the approved Travel Plan.

#### Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)

You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated October 2016 before you use the building. (C20AB)

### Reason:

To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in S28 of Westminster's City Plan (November 2016) and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

17 You must apply to us for approval of a full inclusive access strategy, including the internal arrangements of the office space such as the location of accessible toilets and the accessibility of cycle stores, shower facilities and kitchen facilities. You must not occupy the office accommodation until we have approved what you have sent us. You must then carry out the work according to the approved strategy.

#### Reason:

To make sure that there is reasonable access for people with disabilities as set out in S28 of Westminster's City Plan (November 2016) and as requested by the Greater London Authority.

The development shall only be occupied in accordance with the Cundall Delivery and Service Management Plan dated 28.9.16

#### Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

You must provide the environmental sustainability features (environmentally friendly features) set out in the CBRE Energy Strategy Report dated August 2016 before you start to use any part of the development. This includes the provision of the plant room in the basement to allow for future connection to a district heating network should one be proposed for the area. You must not remove any of these features. (C44AA)

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To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

You must not use any part of the development until we have approved appropriate arrangements to secure the on-street changes to move the taxi bay on Curzon Street and provide room for servicing vehicles, all costs to be funded by the applicant. You must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BA)

## Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster's City Plan (November 2016) and in TRANS 20 of our Unitary Development Plan that we adopted in January 2007. (R19AC)

## Informative(s):

- In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 3 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (109AC)

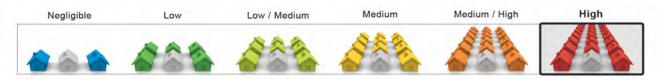
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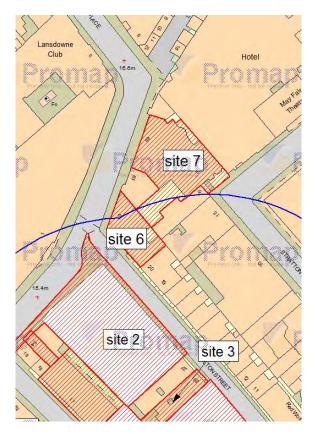




## Site Address: Nightingale House 65 Curzon Street London W1J 8PE

## Development Risk





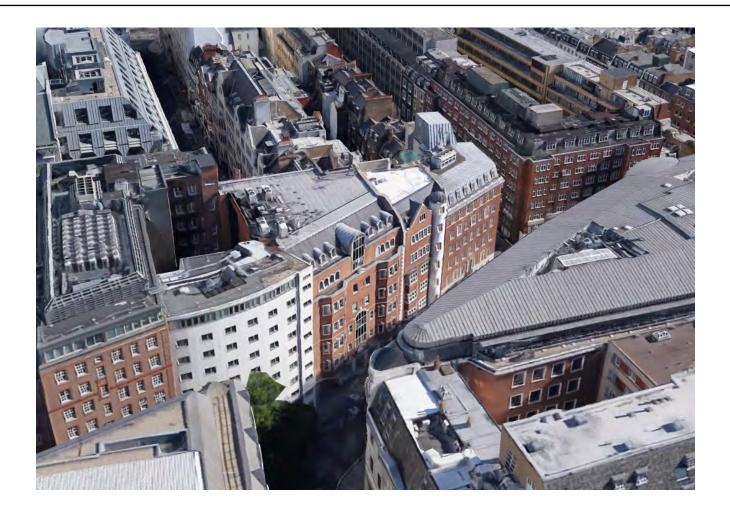
#### Capacity

Site	Proximity (m)	Size (acres)	Capacity (houses)	Capacity (Flats)	Office Floor Space (sqft)	Development Risk	Impact if Developed	
				32		High	Minor	

## Professional Opinion

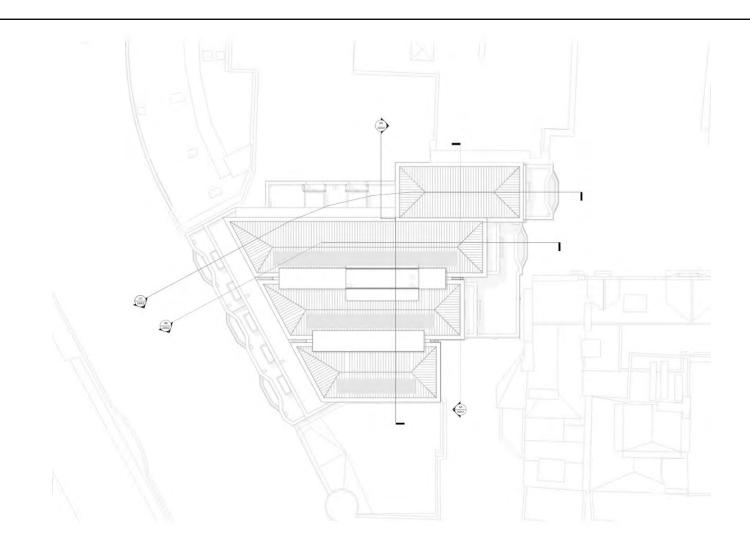
Site 7 is a live site. In 2016 planning permission was granted for the demolition of the existing building and redevelopment, including excavation, to create up to three basement storeys, ground and eight storeys to be used for up to 32 residential flats, creation of a ground floor arcade link between Stratton Street and Curzon Street for use as retail and/or restaurant uses (Classes A1 and A3). Provision of up to 21 car parking spaces over the basement level, basement and rooftop plant areas. Creation of terrace/balcony areas on both elevations under reference number 15/07627/FULL. Construction may already have begun and if not should be treated as imminent. In our view the site can be considered a high risk of development. If developed the site is unlikely to have a significant impact on the subject property. Relevant plans of the consented development are attached for your consideration.









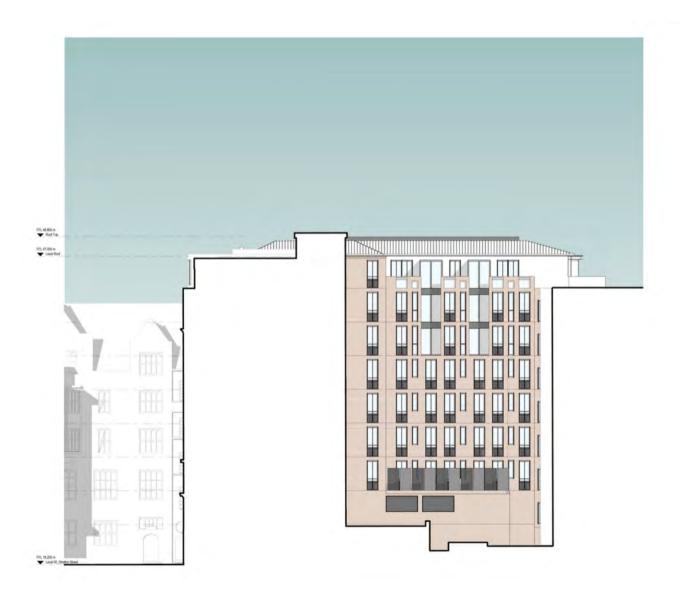


















**Westminster City Council** 

Westminster City Hall 64 Victoria Street London SW1E 6QP

www.westminster.gov.uk



# City of Westminster

Your ref:

LGPS NOMINEE (NIGHTINGALE HOUSE)

Please reply to:

Helen MacKenzie

My ref:

15/07627/FULL

Tel No:

020 7641 2921

Mr Blythe Dunk JLL 30 Warwick Street London W1B 5NH Development Planning Westminster City Council PO Box 732 Redhill, RH1 9FL

29TH April 2016

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

## SCHEDULE

Application No:

15/07627/FULL

**Application Date:** 

17.08.2015

**Date Received:** 

18.08.2015

Date Amended:

18.08.2015

Plan Nos:

1415 03099 1, 03100 1, 03101 1, 03102 1, 03103 1, 03104 1, 03105 1, 03106 1, 03107 1, 04001 1, 04002 1, 04003 1, 04004 1, 10097 2, 10098 2, 10099 2, 10100 3, 10101 3, 10102 3, 10106 3, 10107 3, 10108 3, 10109 3, 20001 2, 20002 2, 20003 2, 20004 2, 25001 2, 25002 3, 25003 3,

250042

Structural methodology statement dated August 2015 (INFORMATION ONLY)

Address:

Nightingale House, 65 Curzon Street, London, W1J 8PE

Proposal:

Demolition of existing building and redevelopment, including excavation, to create up to three basement storeys, ground and eight storeys to be used for up to 32 residential flats, creation of a ground floor arcade link between Stratton Street and Curzon Street for use as retail and/or restaurant uses (Classes A1 and A3). provision of up to 21 car parking spaces over the basement level, basement and rooftop plant areas. Creation of terrace/balcony areas on both elevations



See next page for conditions/reasons.

Yours faithfully

John Walker

**Director of Planning** 

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email <a href="mailto:districtsurveyors@westminster.gov.uk">districtsurveyors@westminster.gov.uk</a> to arrange a preliminary discussion.

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15/07627/FULL

## Condition(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.

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

You must carry out basement excavation work only:

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

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

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

Development shall not commence until a drainage strategy detailing any on and /or off site 3 drainage works, has been submitted to and approved by the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred in the strategy have been completed.

## Reason:

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

If you provide an A3 use or uses, no more than 15% of the floor area of each of the uses shall 4 consist of a bar or bar seating. You must use the bar to serve restaurant customers only, before, during or after their meals. (C05GA)

### Reason:

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

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You must not open the restaurant premises to customers, and you must not allow customers on the premises, outside the hours 07.00 to 00.30 Monday to Saturday and 08.00 - 23.00 on Sundays. (C12DC)

### Reason:

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

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

### Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

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

#### Reason:

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

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

## Reason:

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

In the event that the Class A3 restaurant use is implemented, you must provide detailed drawings (plans and section/elevation) showing the full height kitchen extract duct indicated on your approved drawings. These details must be provided before the restaurant use commences and the approved duct shall thereafter be permanently retained for as long as the restaurant is in use.

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To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

You must 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 2015.

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

#### Reason:

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

Prior to occupation of retail/restaurant uses, you must submit and have approved in writing a Servicing Management Plan. The plan should identify the process, internal storage locations, scheduling of deliveries and staffing.

## Reason:

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

You must apply to us for approval of details of the location of the electric charging points; one charging point must be provided for every two car parking spaces. You must not occupy the residential part of the development until we have approved what you have sent us and you have carried out the work according to the approved details.

#### Reason:

To promote sustainable forms of transport.

You must apply to us for approval of details of the ventilation system to get rid of vehicle exhaust emissions from the basement car park. You must not occupy the residential part of the development until we have approved what you have sent us and you have carried out the work according to the approved details.

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To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

You must apply to us for approval of detailed drawings of the following parts of the development; the detailed design of the vehicle entrance/exit and adjoining walls. You must not start work until we have approved what you have sent us.

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

#### Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)

#### Reason:

To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

You must apply to us for approval of a lift gate management strategy. This should include the provision of a traffic light system to the entrance to the car lift, ensure that the lift should always be returned to ground floor level to give priority to drivers entering the development, and set out a maintenance strategy to minimise downtime.

## Reason:

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

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

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

#### Note:

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The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.

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

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

## Reason:

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

20 All vehicles must enter and exit the site in forward gear

#### Reason:

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

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

#### Reason:

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

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

## Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must apply to us for approval of detailed drawings at 1:10 of the following parts of the development - of a typical example of each window type and of all external doors and gates. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these detailed drawings. (C26DB)

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Crystal

Plain English Campaign



To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

#### Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terraces. (C26NA)

#### Reason

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balconies. (C26OA)

#### Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 27 (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. No works below the existing ground level or basement slab level to be carried out until we have approved what you have sent us.
  - (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, to Historic England, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.

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development.

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(c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

## Reason:

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

No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council.

The plan shall consider the issues set out in Appendix 2 of our Supplementary Planning Document - Basement Development in Westminster. These include measures to mitigate dust and to confirm the other relevant codes and standards that you will need to comply with.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

## Reason:

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

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

#### Reason:

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

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. Inside bedrooms 45 dB LAmax is not to be exceeded no more than 15 times per night time from sources other than emergency sirens

#### Reason:

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

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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 29 and 30 of this permission. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain.

#### Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

Pre Commencement Condition. You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated land, a guide to help developers meet planning requirements' - which was produced in October 2003 by a group of London boroughs, including Westminster.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed.

- Phase 1: Desktop study full site history and environmental information from the public records.
- Phase 2: Site investigation to assess the contamination and the possible effect it could have on human health, pollution and damage to property.
- Phase 3: Remediation strategy details of this, including maintenance and monitoring to protect human health and prevent pollution.
- Phase 4: Validation report summarises the action you have taken during the development and what action you will take in the future, if appropriate. (C18AA)

#### Reason

To make sure that any contamination in the building or of the ground under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007. (R18BA)

(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

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background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

## Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

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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.

You can only use the western courtyard for sitting out purposes (in connection with the restaurant/retail use) between 07.00 - 21.00 Monday to Sunday. Outside these hours the full height doors must be fixed shut.

### Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application:
  - CHP unit
  - Photovoltaic panels (95sqm)
  - other climate change measures included in the Energy Statement dated 17.06.2015

You must not remove any of these features. (C44AA)

#### Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013. (R44AC)

Prior to the occupation of the residential part of the scheme, 10% of the dwellings shall be designed to be Category 3 'wheelchair user dwellings' [M4(3)].

You must not remove the 'wheelchair user dwellings', unless otherwise agreed in writing by the Local Planning Authority.

#### Reason:

To ensure that an acceptable standard of flexible and adaptable housing is provided and retained in accordance with the London Plan

Prior to the occupation of the residential part of the scheme, 90% of the dwellings shall be Category 2 'accessible and adaptable' [M4(2)]

You must not remove the 'accessible and adaptable dwellings', unless otherwise agreed in writing by the Local Planning Authority.

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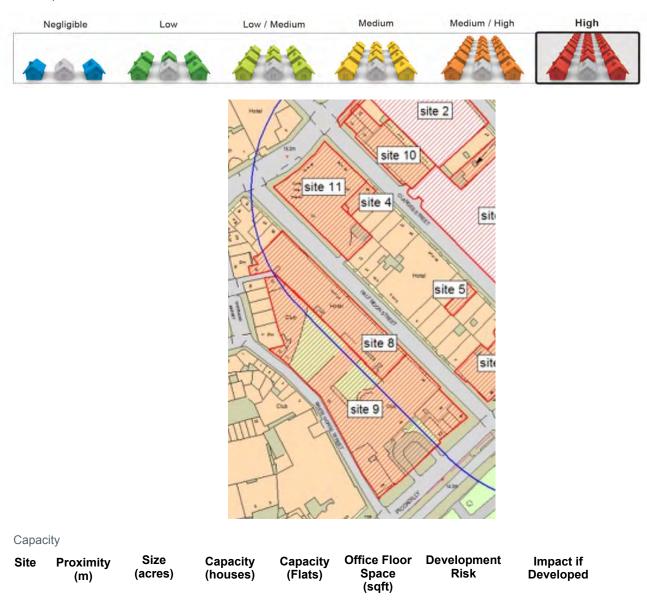


 $\frac{\text{Reason:}}{\text{To ensure that an acceptable standard of flexible and adaptable housing is provided and retained in accordance with the London Plan}$ 



## Site Address: 27-41 Half Moon Street London W1J 7BN

## Development Risk



## **Professional Opinion**

Site 8 is a live site. In 2017 planning permission was granted for external alterations and extensions to the existing hotel including the excavation of a new basement beneath part of the site, erection of rear infill extensions, and roof level alterations to nos. 35, 36, 37 and 38 to provide additional hotel accommodation under reference number 16/08673/FULL. Construction may already have begun and if not should be treated as imminent. In our view the site can be considered a high risk of development. If developed the site is unlikely to have a significant impact on the subject property. Relevant plans of the consented development are attached for your consideration.

extensions

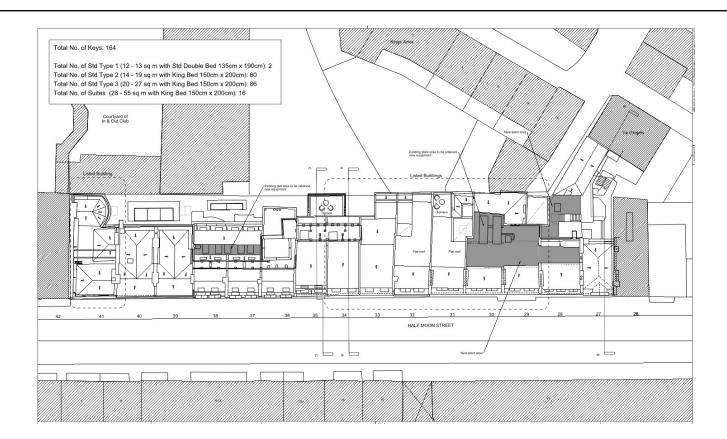
Minor

High

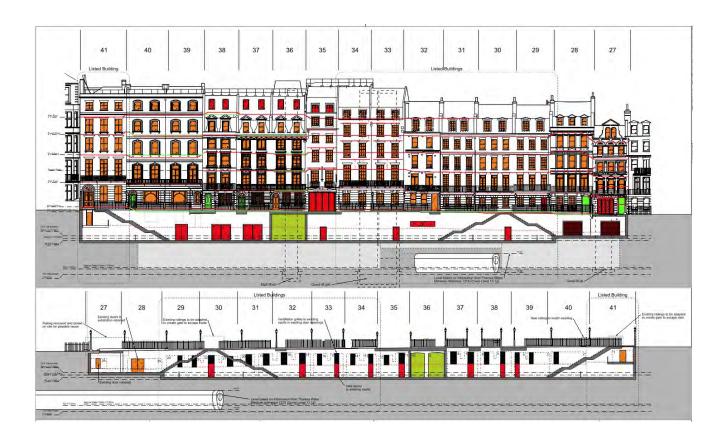




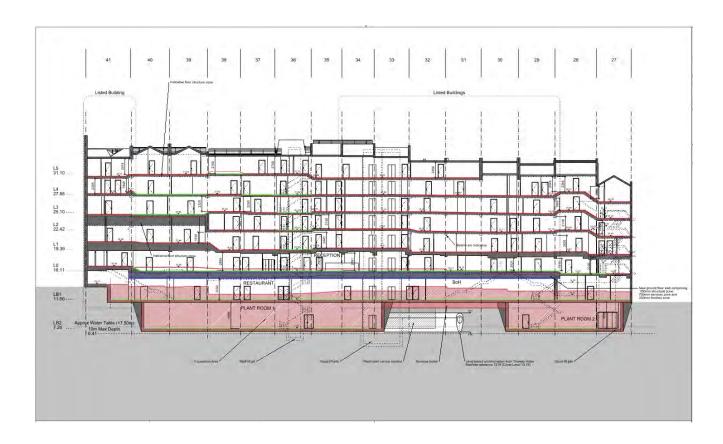














Westminster City Council

Development Planning Westminster City Council PO Box 732 Redhill, RH1 9FL

westminster.gov.uk



Your ref: C/O AGENT Please Matthew Giles reply to:

My ref: 16/08673/FULL Tel No: 020 7641 5942

Mr Neil Wells Quod Ingeni Building 17 Broadwick Street London W1F 0AX Development Planning Westminster City Council PO Box 732 Redhill, RH1 9FL

17 May 2017

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 91(1) of the Town and Country Planning Act 1990 (as amended), is granted subject to the condition that the development shall be commenced within 3 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE

 Application No:
 16/08673/FULL
 Application Date:
 16/08675/LBC

 Date Received:
 06.09.2016
 Date Amended:
 05.10.2016

Plan Nos: Transport Statement (T&PPB4491-101-101), Acoustic Assessment (20746/A/AC01/01), Flood

Risk Assessment and Surface Water Run-Off Analysis dated 19/08/2016, Drawings: ZB2 Rev01, ZB1 Rev01, Z00 Rev01, Z01 Rev01, Z02 Rev01, Z03 Rev01, Z04 Rev01, Z05 Rev01, Z06 Rev01, ZEA Rev01, ZFF Rev01, ZWE Rev01, ZSW Rev01, ZEE Rev01, ZDD Rev01, D00

Rev01, D01 Rev01, D02 Rev01, D03 Rev01, D04 Rev01, D05 Rev01, DB1 Rev01.

Address: 27-41 Half Moon Street, London, W1J 7BN,

Proposal: External alterations and extensions to the existing hotel including the excavation of a new

basement beneath part of the site, erection of rear infill extensions, and roof level alterations to nos. 35, 36, 37 and 38 to provide additional hotel accommodation (Class C1). Installation of

external plant at main roof level on nos. 28, 29 and 30.

depefulz091207



See next page for conditions/reasons.

Yours faithfully

John Walker **Director of Planning** 

Note: As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

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16/08673/FULL

## Condition(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.

- 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 neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

## Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

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 2015.

Prior to the commencement of any demolition or construction on site the applicant shall provide evidence 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 a completed Appendix A of the Code of Construction Practice, signed by

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the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

#### Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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.

- (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;

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- (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.

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.

You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 7 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

#### 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.

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

You must apply to us for approval of detailed drawings of the new hotel entrance at No. 35 and all new external doors facing Half Moon Street including vault doors. You must not start any work on these parts of the development until we have approved what you have sent us.

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You must then carry out the work according to these approved drawings.

#### Reason:

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

You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

#### Reason:

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

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 unless they are shown on the approved drawings. (C26KA)

#### Reason:

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

You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

#### Reason:

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

All servicing must take place between the hours of 06:00 and 22:00 on Mondays to Fridays and restricted to between the hours of 07:00 and 22:00 hours on Saturdays and Sundays. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building.

#### Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in

### Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which
  have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the
  development.
- The terms 'us' and 'we' refer to the Council as local planning authority.





January 2007. (R23AC)

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

#### Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

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

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

#### Reason:

To maintain the character and appearance of the Mayfair Conservation Area and the special architectural and historic interest of this listed building as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 9 (B) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CC)

You must provide the waste store shown on the approved drawings before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the property. 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.

#### Reason

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

18 Only residents of the hotel or their guests may utilise the restaurant / bar areas at the hotel.

#### Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S23, S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE2 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

#### Note:

- The Plain English Crystal Mark applies to those conditions, reasons and informatives in this letter which
  have an associated reference number with the prefix C, R, X or I.
- The terms 'you' and 'your' include anyone who owns or occupies the land or is involved with the development.
- The terms 'us' and 'we' refer to the Council as local planning authority.





19 The measures set out within the Flood Risk Assessment and Surface Water Run-Off Analysis dated September 2016 shall be implemented in full and retained for the life of the development.

#### Reason:

To ensure that the development does not exacerbate and is resilient to surface water flooding, as required by Policy CM28.1 of our City Plan that we adopted in November 2016 and in order to accord with the guidance contained with the Basement Development in Westminster Supplementary Planning Document (adopted October 2014).

20 Prior to the operation of the hotel use hereby approved you must apply to us for approval of details of a Servicing Management Plan. You must not occupy the hotel use until we have approved what you have sent us. Thereafter you must operate the hotel in accordance with the approved Servicing Management Plan at all times.

#### Reason

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S29 and S42 of Westminster's City Plan (November 2016) and STRA 25, ENV5, ENV6, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007.

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

The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.

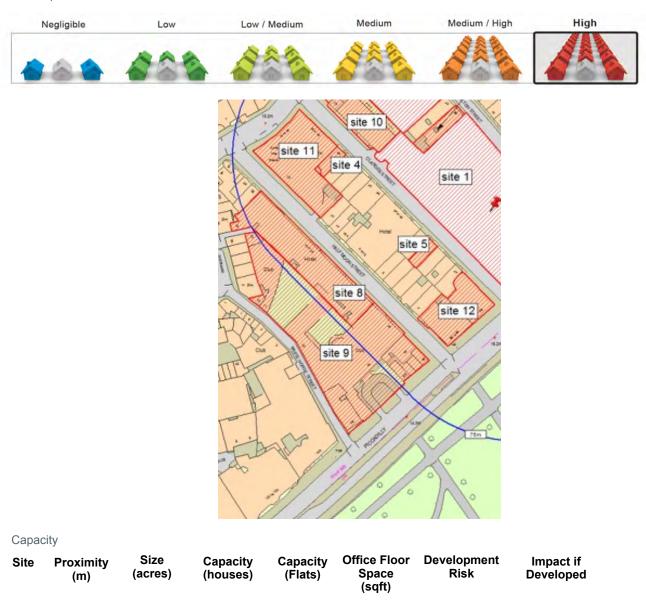
#### Reason:

To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2015 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.



# Site Address: Site At 94 Piccadilly, 95 Piccadilly, 12 White Horse Street, 42 Half Moon Street & 90 - 93 Piccadilly London

#### Development Risk



#### **Professional Opinion**

Site 9 is the subject of an undetermined planning application that is currently pending a decision. The application submitted under reference number 17/03980/FULL is for the demolition and rebuilding of No. 42 Half Moon Street, No. 11 White Horse Street and No. 12 Shepherd Market. Demolition (with exception of retained facade) and rebuilding at No. 10 White Horse Street. Erection of a 5 storey extension at vacant site of No. 12 White Horse Street. Refurbishment of all other existing buildings including minor demolition works, alterations and extensions, excavation to provide additional accommodation at basement level, removal of courtyard tree and installation of new plant and other associated works, all in association with the use of the site as an hotel and seven residential dwellings. (Site includes 10 and 11 White Horse Street and 12 Shepherd Market) (Linked application - 17/03981/LBC) (Revised to increase number of dwellings on the site from four to seven). The application has a good chance of being approved and can be considered a high risk of development. If developed the site may have some slight impact on the subject property. Relevant plans of the proposed development are attached for your consideration.

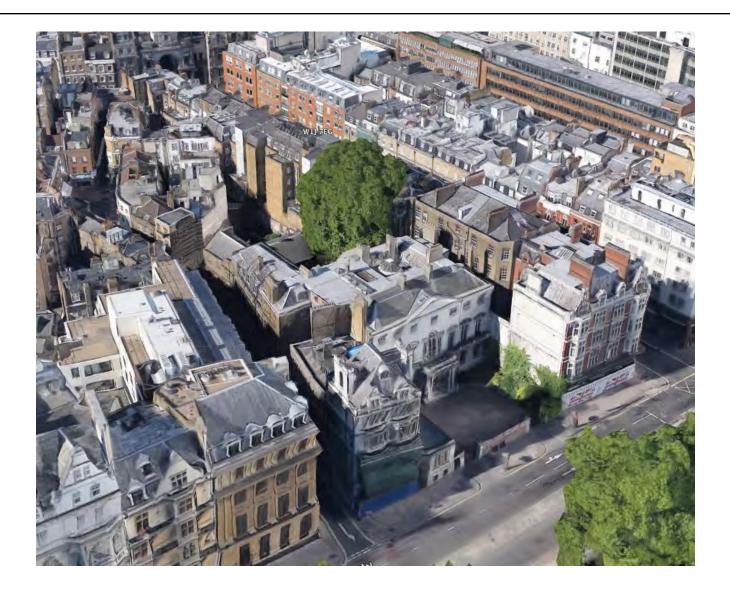
major

extensions

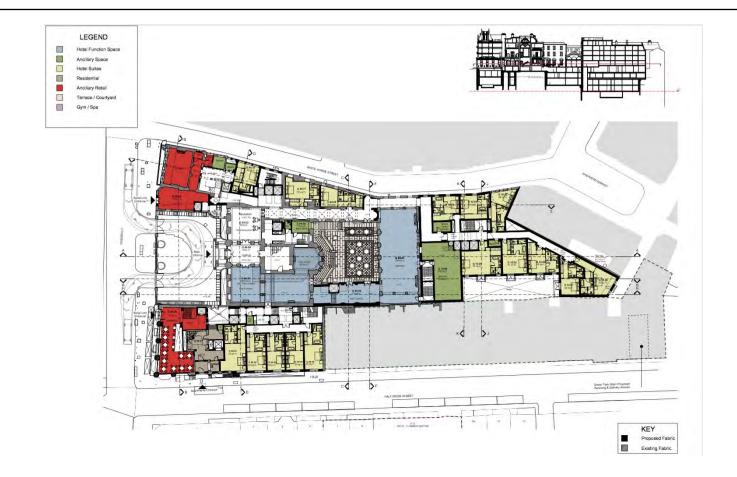
Slight

High

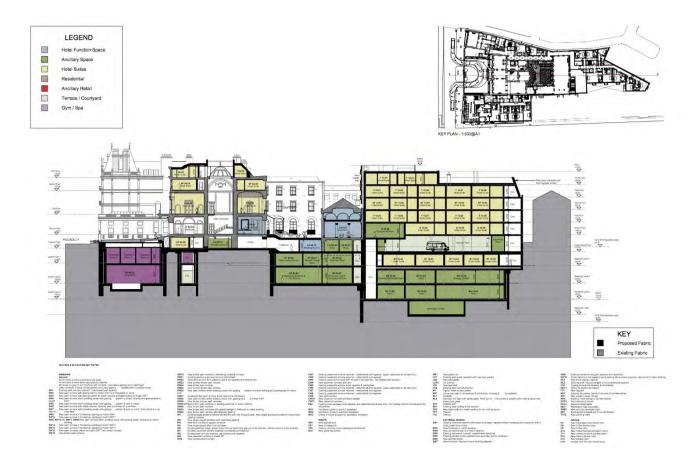




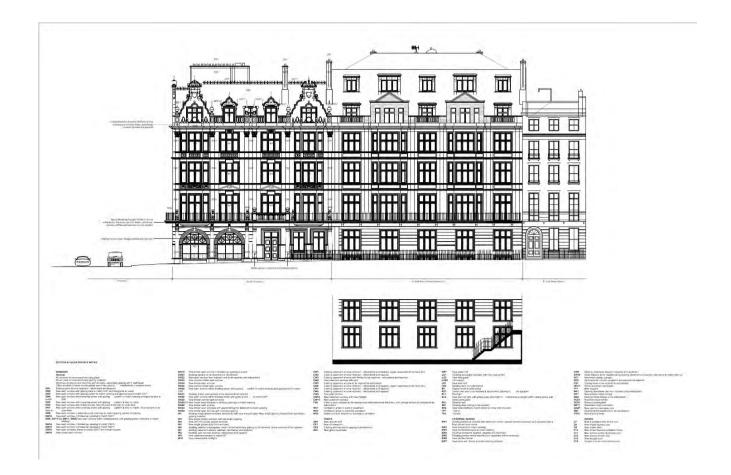




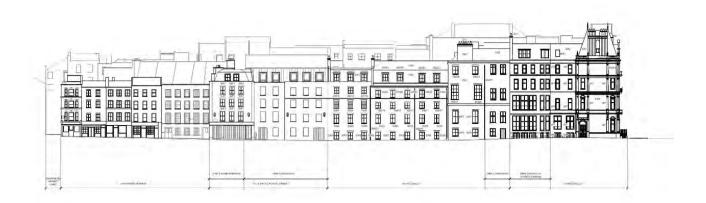














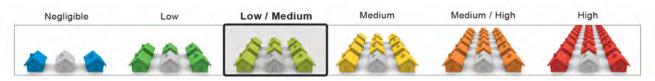






## Site Address: 17 Clarges Street London W1J 7EG

#### Development Risk





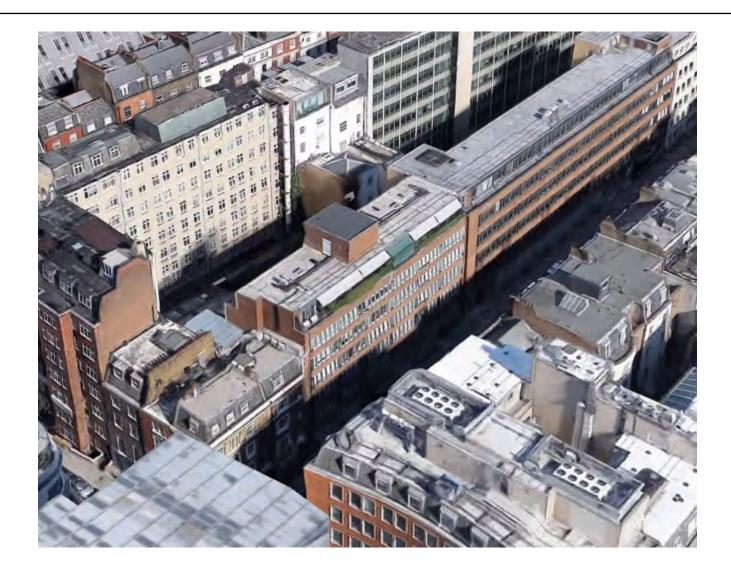
#### Capacity

Site	Proximity (m)	Size (acres)	Capacity (houses)	Capacity (Flats)	Office Floor Space (sqft)	Development Risk	Impact if Developed	
				36		Low / Medium	Significant	

## **Professional Opinion**

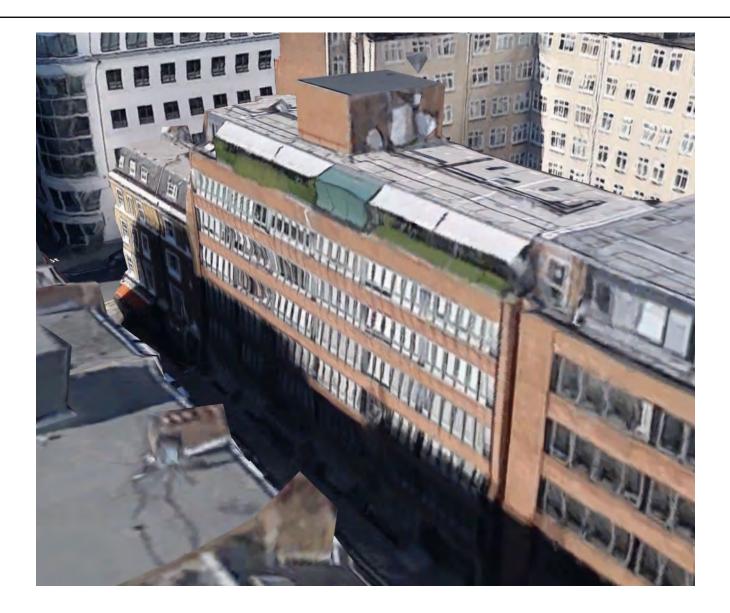
Site 10 has no relevant planning history and can be considered a low / medium risk of development. If developed the site is likely to have a significant impact on the subject property. Development of this site may require a number of owners to be willing to sell at the same time which is rarely successful. Whilst there can be no denying the potential for development exists it is generally accepted that land assemblies are not high risk as so many people are required to participate. If development was to be attempted on this site and you were not supportive we would recommend you request more detailed reports on the application site title from your solicitor. Whilst this would reasonably incur an extra legal fee it may uncover a covenant that may control the development potential of any site.







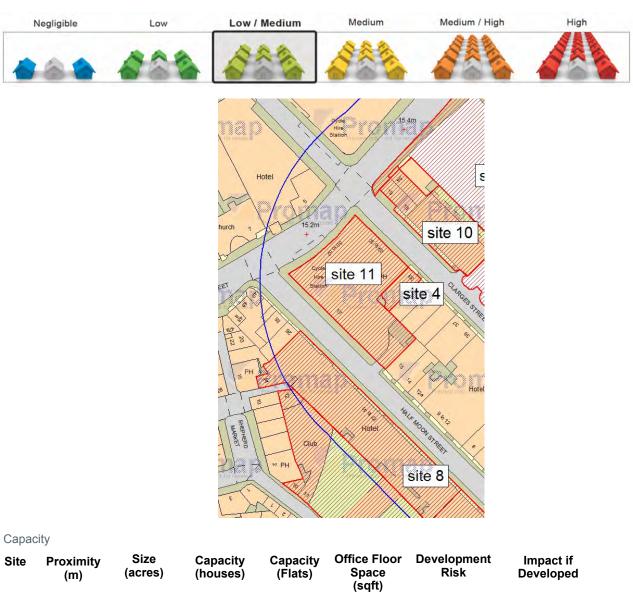






## Site Address: 29 to 30 Clarges Street, 50 to 52 Curzon Street, 17 Half Moon Street

## Development Risk



## Professional Opinion

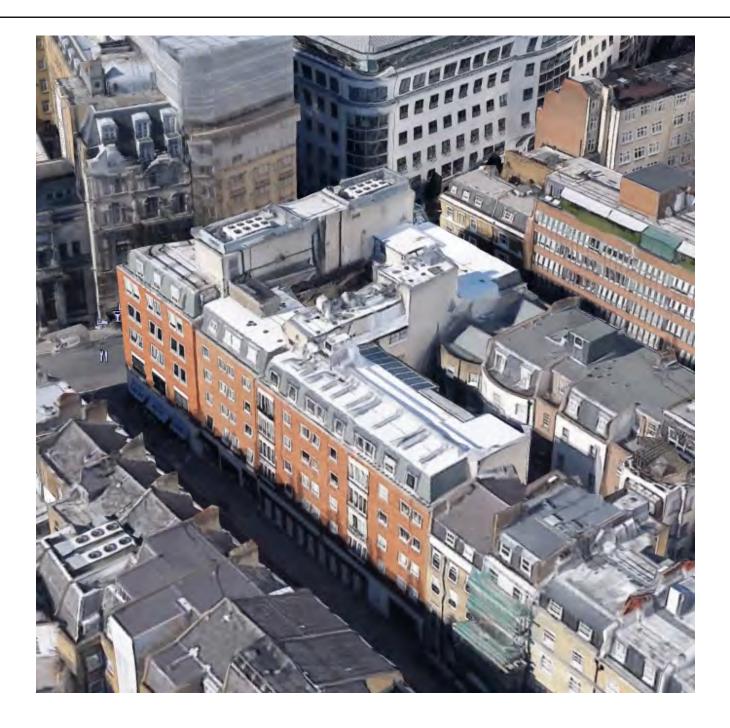
Site 11 has no relevant planning history and can be considered a low / medium risk of development. If developed the site is likely to have some impact on the subject property. Development of this site may require a number of owners to be willing to sell at the same time which is rarely successful. Whilst there can be no denying the potential for development exists it is generally accepted that land assemblies are not high risk as so many people are required to participate.

Low / Medium

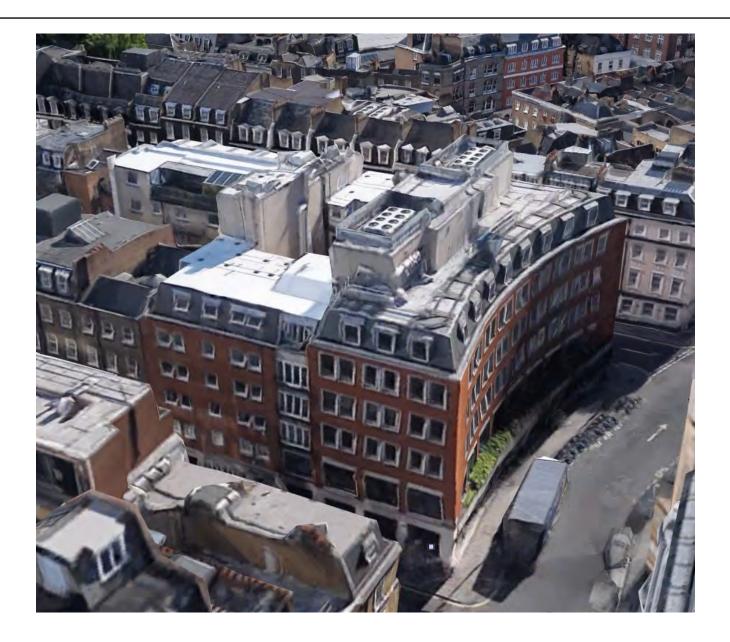
Some

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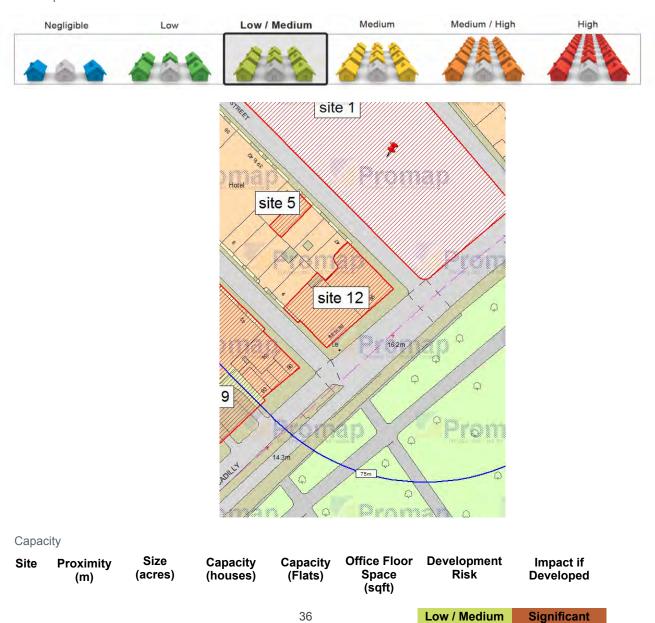






## Site Address: 85-89 Piccadilly London W1J 8HF

#### Development Risk



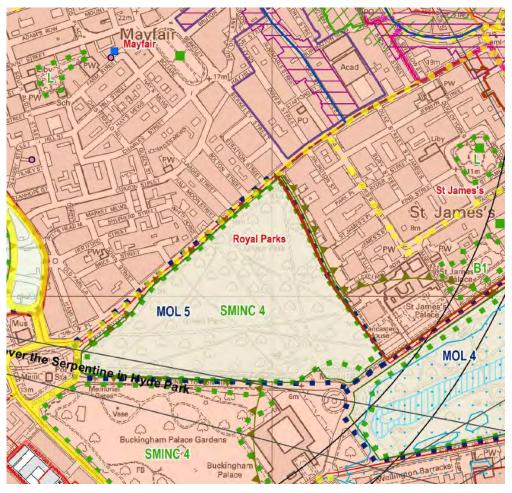
### **Professional Opinion**

Site 11 has no relevant planning history and can be considered a low / medium risk of development. If developed the site is likely to have a significant impact on the subject property. Development of this site may require a number of owners to be willing to sell at the same time which is rarely successful. Whilst there can be no denying the potential for development exists it is generally accepted that land assemblies are not high risk as so many people are required to participate.









City of Westminster	<ul><li>Thames Path</li></ul>
Central Activities Zone	Blue Ribbon Network
Core Central Activities Zone	Protected Vistas
Marylebone & Fitzrovia	
Pimlico	Conservation Areas
Knightsbridge	Areas of Special Archaeological Priority
Royal Parks	AA Lundenwic and Thorney Island
Named Streets in Marylebone & Fitzrovia	AB Marylebone Village AC Paddington and Lillestone Villages
Paddington Opportunity Area	AD Ebury Village
R Tottenham Court Road Opportunity Area	Tyburn Settlement
Victoria Opportunity Area	
North Westminster Economic Development Area	World Heritage Site
Proposals Sites (labelled - see accompanying table)	London Squares
West End Special Policy Retail Area	4.12
Primary Shopping Frontages	Metropolitan Open Land
CAZ Frontages	MOL 1 Regent's Park
Knightsbridge International Shopping Centre	MOL2 Hyde Park
Major Shopping Centre (Core Frontage)	MOL3 Kensington Gardens
Major Shopping Centre (Secondary Frontage)	MOL4 St James's Park
District Shopping Centre (Core Frontage)	MOLS Green Park
District Shopping Centre (Secondary Frontage)	Sites of Importance for Nature Conservation
Local Shopping Centres	
Stress Areas	
Strategic Cultural Areas	Metropolitan Importance - Hyde Park
Special Policy Areas	Metropolitan Importance - River Thames
Savile Row	Metropolitan Importance - St James's Park, Green Park and Buckingham Palace Garden
Portland Place	■ Metropolitan Importance - Grand Union Cana
St James's	■ Borough Importance - Grade I
Harley Street	■ Borough Importance - Grade II
Mayfair	Local Importance
Thames Policy Area	Local Importance
Rapid Inundation Flood Zone (1-60 minutes)	Areas of Wildlife Deficiency
Flood Zone 3	A COLUMN TO THE PARTY OF THE PA
Crossrail Line 1 East / West Safeguarding Directions (Issued July 2008)	Areas of Open Space Deficiency  Areas of Play Space Deficiency
Crossrall Line 2	
Safeguarding Directions (Issued March 2015) Edgware Road Safeguarding	★ Strategic Sports and Education Facility
	Waste Management Facilities
Road Hierarchy (formerly the strategic and secondary road network)	Street Cleansing Depot
Greater London Authority	Micro Recycling Centre
London Distributor	▲ In-vessel Composter
Local Distributor	- III-vessel Composter



We have investigated the Councils Strategic Housing Land Availability Assessment (SHLAA) and found no sites of concern.





We have searched the Councils website for information concerning any potential infrastructure projects close to the subject property. This may include transport projects or imminent road closures.

No relevant information was revealed from this investigation.





# We have investigated the Tall Buildings Pipeline and found no proposals within 150m of the subject property.









# 5 - 15 year housing supply schedule

# Delivering a flexible supply of land for housing: 5 year, 6-10 year and 11-15 year housing supply schedules

The National Planning Policy Framework requires local boroughs to identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements and an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

The City Council has identified a list of developable sites to deliver housing over the next five years, and a further list of proposed sites which could deliver housing in the next 6-10 years and 11-15 years.

This list is based on unimplemented planning permissions for residential development, sites for which there is an existing planning brief, housing renewal/regeneration sites, and 'Proposals Sites' identified in Westminster's City Plan (adopted November 2016).

The schedule and map are updated annually. The accompanying map shows the location of the sites.

- 5-15 year Housing Supply Schedule and Audit Trail 5 15 Year Housing Supply Schedule 2016
- Map 5-15 Year Housing Supply Map 2016



## Westminster City Council Information Management Team Information request

Information request

Description 1-12, CLARGES STREET, LONDON, W1J 7EG

Information required Dear Sir / Madam

We represent the buyers of the above property shown

on the attached plan.

Under the freedom of information Act please can you inform us at your earliest convince if you are aware of any imminent planning applications, not yet submitted, or changes to the immediate area that could be relevant, or may impact this property. We are aware of all the recorded planning applications and specifically are looking for any potential applications that the

council has been pre consulted on.

Thank You

Yours sincerely

DevAssist Ltd



### Property History Help with this page 010033614223 | Development Site At 82-84 Piccadilly, 29 Bolton Street And 1-12 Clarges Street London Print Address Property History (129) Map Planning Applications (78) Replacement windows, the installation of a new entrance and glass canopy and a front basement to ground floor hoist to the front elevation plus the erection of fourth floor rear extensions and rear 2nd floor a/c units. Ref. No: 00/04212/FULL | Status: Application Permitted Sample of window frame pursuant to condition 4 of permission dated 29 September 2000 (RN 0004212) Ref. No: 00/08543/ADFULL | Status: Application Permitted Erection of a rear extension at fourth floor level to the Kennel Club. Ref. No: 00/09117/FULL | Status: Application Permitted Removal and replacement of revolving doors and side pass door with two pairs of automatic sliding doors. Ref. No: 01/10063/FULL | Status: Application Permitted Use of part basement as a chauffeur service solely for employees based in the Class B1 offices in the remainder of the building. Ref. No: 03/01288/CLOPUD | Status: Application Permitted ■ REPLACEMENT GLAZING & CCTV CAMERAS SITED EXTERNALLY IN DOORWAYS & PERIPHERAL POSITIONS ■ INSTALLATION OF AIR CONDITIONING EQUIPMENT ON ROOF ABOVE 5TH FLOOR DINING FACILITY Ref. No: 89/06994/FULL | Status: Application Permitted ■ ERECTION OF METAL RAILINGS & PLANTERS TO FRONT OF BUILDING Ref. No: 92/05402/FULL | Status: Application Permitted ■ ERECTION OF METAL RAILINGS & PLANTERS TO FRONT OF BUILDING Ref. No: 92/05403/CAC | Status: Not required ESTATE AGENTS BOARD Ref. No: 92/06861/AD7 | Status: Application Permitted ■ ESTATE AGENTS BOARD ■ ESTATE AGENTS BOARD Ref. No: 93/07961/AD7 | Status: Application Permitted ■ ESTATE AGENTS BOARD ■ ESTATE AGENTS BOARD Ref. No: 95/00191/AD7 | Status: Application Permitted ADDITION OF 2 EXTERNAL CONDENSER UNITS TO GROUND FLOOR REAR & REPLACEMENT OF

■ REFURBISHMENT OF 82 PICCADILLY & 29 BOLTON STREET FOR USE AS OFFICES; REPLACEMENT OF MAJORITY OF SINGLE GLAZED WINDOWS WITH ALUMINIUM FRAMED DOUBLE GLAZED UNITS Ref. No: 97/05874/1884 | Status: No objections

ADDITION OF 2 EXTERNAL CONDENSING UNITS TO REAR OF BUILDING ALONGSIDE EXISTING UNITS

PROPOSED REFURBISHMENT & WINDOW REPLACEMENT

&ADDITIONAL 4 VENTS TO WINDOWS; OPAQUE FILMTO 2 WINDOWS

Ref. No: 97/0A878/1884 | Status: No objection

Ref. No: 95/00805/FULL Status: Application Pe

GRANTED PERMISSION IN 1995

Ref. No: 96/06983/FULL | Status: Application Permitted

- REFURBISHMENT INCLUDING NEW PLANT AT 7TH & 9TH FLOORS AND OTHER EXTERNAL ALTERATIONS. Ref. No: 98/02169/1884 | Status: No objections
- USE OF BASEMENT & GROUND FLOOR OF No.84 FOR CLASS A1 RETAIL PURPOSES. Ref. No: 98/09950/FULL | Status: Application Permitted
- USE AS (CLASS A1) ALTERATIONS TO SHOPFRONT AT 84 PICCADILLY Ref. No: 99/02489/FULL | Status: Application Permitted
- ALTERATIONS TO SHOPFRONT, INCLUDING RELOCATION OF MAIN ENTRANCE AT 84 PICCADILLY
- INSTALLATION OF INTERNALLY ILLUMINATED FASCIA SIGNS AND EXTERNALLY ILLUMINATED PROJECTING

Ref. No: 99/03106/ADV | Status: Application Permitted

■ INSTALLATION OF FASCIA SIGN CONSISTING OF HALO ILLUMINATED & INTERNALLY ILLUMINATED PROJECTING SIGN Ref. No: 99/03250/ADV | Status: CR

■ INSTALLATION OF A NON ILLUMINATED PROJECTING SIGN

■ Erection of roof top base station comprising one equipment cabin and three panel antenna mounted on the face

Ref. No: 99/10296/FULL | Status: Application Permitted

- Installation of internally illuminated individual letters to fascia (fascia panel measuring 7.35m by 0.7m). Ref. No: 99/12613/ADV | Status: Application Permitted
- Installation of a glass canopy over the entrance.
   Ref. No: 05/00551/FULL | Status: Application Deemed Refused

- Alterations to ground floor entrance including installation of structural glazing. Ref. No: 06/05569/FULL | Status: Application Withdrawn
- Display for a temporary period of six months of a non-illuminated 'to let' board located on the face of the building at a height of between 3m and 4.6m above pavement level and measuring 1.2m x 0.9m. Ref. No: 06/06737/AD7 | Status: Application Permitted
- Installation of four air conditioning units.

Ref. No: 06/09268/FULL | Status: Application Withdrawn

- Installation of two air conditioning units at fifth floor roof level. Ref. No: 07/00460/FULL | Status: Application Permitted
- Retention of three air conditioning units and retention of one air handling unit. Ref. No: 07/03821/FULL | Status: Application Permitted
- Use of public highway for four tables and 16 chairs in an area measuring 1.6m x 6.7m in connection with the existing retail shop.

  Ref. No: 10/07420/TCH | Status: Application Refused



■ Demolition of existing buildings at 82-84 Piccadilly, 29 Bolton Street and 1-5 Clarges Street, partial demolition of existing building at 6-12 Clarges Street, and part redevelopment /part refurbishment and alteration of the site over four blocks as follows: Block A: construction of a new building comprising three basement levels, ground, nine upper floors and roof level plant room, containing plant, residential car parking, ancillary residential and retail (Class A) uses at basements and ground levels, and residential (Class C3) use on all upper floors. Block B: construction of a new office (Class B1) building comprising two basement levels, ground and six upper floors and roof level plant, containing car parking and plant at lower basement level and office and ancillary uses on all other floors. Block C: refurbishment of the retained part of the existing building at 6-13 Clarges Street and rear wing extension at first to fifth floor levels, for use by the Kennel Club as offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use), with vehicle parking, plant and ancillary uses at basement level, and plant at roof level. Block D: construction of a new building comprising basement, ground, five upper levels and roof level plant area, containing plant, ancillary space and residential use at basement level, residential use and vehicle parking at ground level, and residential use (Class C3) on all upper floors. New service yard and vehicular access between Clarges Street and Bolton Street.

Ref. No: 10/08597/FULL | Status: Application Permitted

 Demolition of existing buildings at 82-84 Piccadilly, 29 Bolton Street and 1-5 Clarges St and partial demolition of the existing building at 6-12 Clarges Street.

Ref. No: 10/08598/CAC | Status: Application Permitted

■ 10/08721/FULL

Ref. No: 10/08721/FULL Status: Application Received

■ Use of the public highway for the placing of three tables and six chairs in an area measuring 1m x 6m on the Piccadilly frontage in connection with the existing retail sandwich shop (Class A1).

Ref. No: 10/09340/TCH | Status: Application Withdrawn

 Use of the public highway for the placing of three tables and six chairs in two areas, measuring 1.9m x 0.9m and 3.85m x 0.9m in connection with the ground floor retail unit.

Ref. No: 11/03633/TCH | Status: Application Withdrawn

 Request for an EIA Screening Opinion as to whether an Environmental Impact Assessment is required under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 in connection with mixed use redevelopment of the Clarges Estate.

Ref. No: 13/03365/EIAOP | Status: Not required

■ Demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use). Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street.

Ref. No: 13/04041/FULL | Status: Application Permitted

- Demolition of existing buildings at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street.
   Ref. No: 13/04042/CAC | Status: Application Permitted
- Details of site investigation report pursuant to Condition 15 (phases 1-4) of planning permission dated 15 November 2013 (RN: 13/04041).

Ref. No: 13/11751/ADFULL | Status: Application Permitted

- Approval of details pursuant to Condition 43 (part) of planning permission dated 15 November 2013 (RN: 13/04041); namely a construction management plan for Phase 1 of the works.
   Ref. No: 13/12056/ADFULL | Status: Application Permitted
- Approval of details pursuant to Condition 1(B) of Conservation Area Consent dated 15 November 2013 (RN: 13/04042).

Ref. No: 13/12457/ADCAC | Status: Application Permitted

 Samples of facing materials pursuant to Condition 3 of planning permission dated 15 November 2013 (RN: 13/04041)

Ref. No: 14/02347/ADFULL | Status: Application Permitted

 Approval of details pursuant to condition 43 (Phase 2) of planning permission dated 15 November 2013 (RN: 13/04041); namely, details of a construction management plan.

Ref. No: 14/03961/ADFULL | Status: Application Permitted



 Amendments to planning permission dated 15 November 2013 (RN: 13/04041) for demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use). Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street namely, relocation of PV panels, amendments to size of plant enclosure at 9th, 10th and roof levels, increased height of parapet at 4th, 9th and 10th floor levels, amendments to size of terraces at 10th floor level, alterations to the internal layouts of the flats in Block A and amendments to the wording of Condition 7 to require the biodiversity and sustainability measures to be provided in a phased approach in advance of the occupation of each block of accommodation.

Ref. No: 14/05133/NMA | Status: Application Refused

 Approval of details pursuant to Condition 36 of planning permission dated 15 November 2013 (RN: 13/04041 /FULL); namely detailed drawings of the layout of the Kennel Club

Ref. No: 14/07272/ADFULL | Status: Application Permitted

■ Amendments to planning permission dated 15 November 2013 (RN: 13/04041/FULL); for demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use). Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street; namely to vary condition 7 to allow for the phased provision of biodiversity and sustainability features; alterations to the plant and PV cells on Block B and alterations at 8th, 9th and 10th floor of Block A including reconfiguration of plant and PV cells.

Ref. No: 14/08572/NMA | Status: Application Permitted

Detailed drawings of the facades at all levels and typical details of roof level plant areas pursuant to Condition 44
 of planning permission dated 15 November 2013 (RN: 13/04041)
 Ref. No: 15/00260/ADFULL | Status: Application Permitted

 Details of waste storage pursuant to Condition 16 of planning permission dated 15 November 2013 (RN: 13/04041)

Ref. No: 15/00262/ADFULL | Status: Application Withdrawn

 Display of advertisements on construction hoardings at ground floor level on Clarges Street, Bolton Street and Piccadilly from 20 February 2015 until 20 February 2017.

Ref. No: 15/01667/ADV | Status: Application Permitted

Details of plant noise and supplementary acoustic report pursuant to Condition 12 of planning permission dated
 15 November 2013 (RN: 13/04041)

Ref. No: 15/04235/ADFULL | Status: Application Permitted

Details of design and structure (insulation) pursuant to Conditions 13 and 14 of planning permission dated 15
 November 2013 (RN: 13/04041)

Ref. No: 15/04236/ADFULL | Status: Application Permitted

■ Submission of detailed drawings and a bio-diversity management plan in relation to the green roofs including construction method, layout, species and maintenance regime, and detailed drawings of a hard and soft landscaping scheme including the number, size, species and position of trees and shrubs pursuant to Conditions 8 and 47 of planning permission dated 15 November 2013 (RN: 13/04041)

Ref. No: 15/04254/ADFULL | Status: Application Permitted

Approval of details pursuant to Conditions 24 of planning permission dated 15 November 2013 (RN: 13/04041),
 namely the submission of a detailed servicing management strategy for Block C (Kennel Club).

Ref. No: 15/04996/ADFULL | Status: Application Permitted

Details of travel plan pursuant to Condition 38 of planning permission dated 15 November 2013 (RN: 13/04041)
 Ref. No: 15/05964/ADFULL | Status: Application Permitted



Approval of details pursuant to Condition 28 of planning permission dated 15 November 2013 (RN: 13/04041);
 namely a servicing management strategy

Ref. No: 15/06997/ADFULL | Status: Application Permitted

Approval of details pursuant to Condition 45 of planning permission dated 15 November 2013 (RN: 13/04041);
 namely details of a reduced number of residential units

Ref. No: 15/08276/ADFULL | Status: Application Permitted

- Submission of details pursuant to Condition 39 of planning permission dated 15 November 2013 (RN: 13/04041), namely detailed drawings of the design, construction and insulation of residential car lift Ref. No: 16/00359/ADFULL | Status: Application Permitted
- Details of scheme of public art pursuant to Condition 6 of planning permission dated 11 November 2013 (RN: 13/04041/FULL).

Ref. No: 16/03404/ADFULL | Status: Application Permitted

■ Amendments to planning permission dated 15 November 2013 (RN: 13/04041) for demolition of existing building at 82-84 Piccadilly, 29 Bolton Street, 1-5 Clarges Street and 6-12 Clarges Street, and redevelopment to provide development over four blocks as follows: Block A: Construction of a building comprising three basement levels, ground and nine upper floors and roof level plant room, containing plant, car parking, retail and/or art gallery and/or car showroom use (Class A1/A2/D1/sui generis) and residential (Class C3) uses. Block B: Construction of new office building (Class B1) comprising of two basement levels, ground and six upper floors plus roof level plant and retail and/or art gallery and/or restaurant (Class A1/A2/A3/D1) at part ground and part basement levels. Block C: Construction of new building of basement, ground, plus four upper floors for use as a club to include offices, member's lounge, bar and dining facilities, library, museum, gallery, records storage and temporary overnight sleeping accommodation for staff (sui generis use). Block D: Construction of new building comprising basement, ground and five upper floors for residential use (Class C3). New vehicular and pedestrian access route between Clarges Street and Bolton Street NAMELY: alterations to ground floor layout including amendments to entrance doors and screen to residential entrance, design of mews gates and location of bollards, position of entrance canopies, and alteration to layout of 9th floor flat.

Ref. No: 16/03433/NMA | Status: Application Permitted

Access Management Plan pursuant to paragraph 5 of Schedule 1 of the S106 agreement dated 15 November
 2013

Ref. No: 16/04398/MOD106 | Status: Application Permitted

 Installation of external lighting on the facade of Blocks A and B in connection with the development known as the Clarges Estate.

Ref. No: 16/09190/FULL | Status: Application Permitted

- NEW ENTRANCE PORTICO/DOORS & MODIFICATIONS TO RECEPTION AREA Ref. No: 84/02578/FULL | Status: GC
- INSTALLATION OF HEAT PUMP ON ROOF TOP AT REAR & NEW STEEL WALKWAY & ACCESS LADDER FROM BASEMENT TO FLAT ROOF LEVEL

Ref. No: 85/01484/FULL | Status: GC

- INSTALLATION OF NEW WINDOWS TO 2ND FLOOR ELEVATION Ref. No: 85/03784/FULL | Status: GC
- ERECTION OF NEW ALUMINIUM SCREEN DOORS TO CREATE ENTRANCE LOBBY Ref. No: 84/04943/FULL | Status: GC
- EXTENSIONS TO REAR OF PREMISES AT GROUND & FIRST FLOORS FOR USE AS LIBRARY, STORAGE & ANCILLARY OFFICES

Ref. No: 87/04145/FULL Status: GC

■ REVISED PROPOSALS FOR EXTENSIONS TO REAR OF PREMISES FOR USE AS LIBRARY, LIBRARY STORAGE & ASSOCIATED OFFICE USE

Ref. No: 88/03595/FULL | Status: AG

- ERECTION OF CHAUFFEURS ROOM WITHIN EXISTING COVERED CAR PARKING Ref. No: 84/04932/FULL | Status: GP
- CHANGE OF USE FROM RETAIL TO OFFICE AND ANCILLARY USE Ref. No: 88/06562/1884 | Status: N8
- RETAIL OUTLET

Ref. No: 84/00740/FULL Status: GP

- ERECTION OF FASCIAS TO THE EXTERIOR ELEVATIONS
   Ref. No: 84/00778/ADV | Status: CA
- SHOPFRONT SIGNS

Ref. No: 84/04936/ADV | Status: CA



# re uently As ed uestions



#### What is DevCity?

DevCity is a unique report that contains information about current and historic planning applications together with a professional opinion about future development opportunities within a 75m radius of a property address, and other local neighbourhood information. It is of particular help in urban areas or where you want to know or are concerned about the risk of any potential future development nearby that could materially affect the enjoyment, view from or value of your intended purchase.

#### How is the professional opinion reached?

It is reached following an Ordnance Survey desk top search and by using land identification techniques and skills that developers use to identify development opportunities. DevCity is produced by a team of residential property consultants who are all land buyers with extensive experience identifying where developers will want to prospect. They are trained in land assembly and the planning system, which gives them a tremendous insight into what can and can't be developed.

#### Is this just guesswork?

No. The consultants diagnose where the risk of development exists. Their experience in the house building industry and extensive knowledge of the planning system gives them the skills to assess what land developers will want to buy.

#### How accurate is this report?

Whilst every care has been taken in the formation of this report the accuracy of it must be taken in the spirit that it has been written. It is a prediction of where development may take place. We cannot guarantee what will or will not occur in the future. As planning policies and density standards change this may remove or create further areas of development that could not have been foreseen at the time this report was commissioned. It has been written in good faith to provide better information to buyers who would not otherwise understand the planning system or where development may take place. We cannot of course know which land owners will sell to developers, or if at all. This report is based on our professional opinion of development opportunities within the vicinity of the property. Please note though that it is a prediction of where development may take place and does not, in any way, guarantee what will or will not occur in the future. Please refer to the 'Useful Information' section for details of other data sources used to produce this report.

#### Hasn't all the land been developed in urban areas?

No. This is a myth. On average 50-60% of housing land comes from windfall developments within existing urban areas. There are still huge areas of land yet to be developed and, due to a chronic housing shortage, the need to identify land for development is expected to increase further over the next few years. It is inevitable that urban areas will continue to shoulder the vast majority of that burden.

#### What will this report show that can't be found in a local authority search?

Apart from road and rail information, a local authority search is restricted to past planning and building regulation history of the property itself. DevCity considers current and historic planning applications within the boundaries of the property and in the wider area. It is the only report that also identifies where future development may take place.

#### What will this report show that can't be found in a planning report?

Whilst a planning report considers current and historic planning information, DevCity is the only report that considers the future, ie, identifies potential opportunities that a developer would also be looking for that do not yet have relevant planning history.

### What will not be shown in the report?

The report will not identify large buildings that, due to their condition or scale, may be suitable for conversion or replaced with another structure that is made up of flats or split vertically. It will not identify one for one replacements, extensions or home improvements. The report does not forecast when developments will take place; it identifies where they might.

#### How likely is it that development will occur that wasn't identified in the report?

Planning policies do change. When this happens, some areas of development will be opened up that were not previously accessible. Generally this only happens over a 5 year period. As such, a DevCity report is useful for the average stay in a property.

#### Why don't all planning applications appear on the map?

If there are several planning applications within close proximity of each other, the plan may show these as a single point of reference within a red polygon.

#### Are there any other benefits in obtaining a DevCity Search?

Yes. It could indicate some hidden value in an intended purchase, although further advice may be required to provide a better understanding of any value that may exist in the property or any covenants it may benefit from.



# Important Consumer Protection Information

This search has been produced by DevAssist Ltd of Crown House, High Street, East Grinstead, West Sussex, RH19 3AF tel: 01342 890010 email info@devassist.co.uk which is registered with the Property Codes Compliance Board (PCCB) as a subscriber to the Search Code. The PCCB independently monitors how registered search firms maintain compliance with the Code.

#### The Search Code:

- Provides protection for homebuyers, sellers, estate agents, conveyancers and mortgage lenders who rely on the information included in property search reports undertaken by subscribers on residential and commercial property within the United Kingdom
- Sets out minimum standards which firms compiling and selling search reports have to meet
- Promotes the best practice and quality standards within the industry for the benefit of consumers and property professionals
- Enables consumers and property professionals to have confidence in firms which subscribe to the code, their products and services.

By giving you this information, the search firm is confirming that they keep to the principles of the Code. This provides important protection for you.

#### The Code's core principles

Firms which subscribe to the Search Code will:

- Display the Code logo prominently on their search reports.
- Act with integrity and carry out work with due skill, care and diligence.
- At all times maintain adequate and appropriate insurance to protect consumers.
- Conduct business in an honest, fair and professional manner.
- Handle complaints speedily and fairly.
- Ensure that all search services comply with the law, registration rules and standards.
- Monitor their compliance with the Code.

#### Complaints

If you have a query or complaint about your search, you should raise it directly with the search firm, and if appropriate ask for any complaint to be considered under their formal internal complaints procedure. If you remain dissatisfied with the firm's final response, after your complaint has been formally considered, or if the firm has exceeded the response timescales, you may refer your complaint for consideration under The Property Ombudsman scheme (www.tpos.co.uk). The Ombudsman can award compensation of up to £5,000 to you if he finds that you have suffered actual loss as a result of your search provider failing to keep to the Code.

Please note that all queries or complaints regarding your search should be directed to your search provider in the first instance, not to TPOs or to the PCCB.

TPOs Contact Details:
The Property Ombudsman scheme
Milford House,
43-55 Milford Street,
Salisbury,
Wiltshire
SP1 2BP
Tel: 01722 333306
Fey: 01722 323206

Fax: 01722 332296 Email: admin@tpos.co.uk

You can get more information about the PCCB from www.propertycodes.org.uk.

## PLEASE ASK YOUR SEARCH PROVIDER IF YOU WOULD LIKE A COPY OF THE SEARCH CODE

DevAssist Complaints Procedure: DevAssist is registered with the Property Codes Compliance Board as a subscriber to the Search Code. A key commitment under the Code is that firms will handle any complaints both speedily and fairly. If you want to make a complaint, we will:

Acknowledge it within 5 working days of receipt. Normally deal with it fully and provide a final response, in writing, within 20 working days of receipt. Keep you fully informed by telephone, letter or emial, as you prefer, if we need more time. Provide a final reponse, in writing, at the latest within 40 working days of receipt. Liase, at your request, with anyone acting formally on your behalf. If you are not satisfied with our final response, or if we exceed the response timescales, you may refer the complaint to The Property Ombudsman scheme (TPOs): Tel: 01722 333306, E-mail: admin@tpos.co.uk.

We will co-operate fully with the Ombudsman during an investigation and comply with his final decision. Complaints should be sent to: Customer Services at DevAssist Ltd, Crown House, High Street, East Grinstead, West Sussex, RH19 3AF. Telephone number: 01342 890010 E-mail address: info@dev-assist.co.uk



## Terms & Conditions

Terms and Conditions for DevAssist products.

#### 1 Definitions

- In these Terms the following words shall have the following meanings:

  1.1 'Client' means the seller, buyer, potential buyer, owner or lender in respect of the Property who is the intended recipient of the Report notified in writing to us.

  1.2 "Company" means a company registered at Companies House in respect of which DevAssist has been instructed to provide a Service.

  1.3 "Intellectual Property Rights' means copyright, patent, design right (registered or unregistered), service or trade mark (registered or unregistered), database right, or other data right, moral right or know how or any other intellectual property right.

  1.4 "Literature" means DevAssist brochures, price lists and advertisements in any type of media, including the content of the Website.

  1.5 "Order" means the request for Services by You.

  1.6 "Property" means an address or location for which DevAssist provides a Service.

  1.7 "Report" means the report prepared by DevAssist in respect of the Property.

  1.8 "Service(s)" means the supply of services by DevAssist to You including but not limited to property searches, reports and photographs, and other services from time to time and includes our instructions to a Supplier, on your behalf and the dissemination of the information subsequently provided by the Suppliers.

  1.9 "Supplier" means any organisation or third party who provides data or information of any form to DevAssist for the purposes of providing the Services.

  1.10 "Terms" means these terms and conditions of business.

  1.11 "Website" means our websites located at www.dev-assist.co.uk

  1.12 "We", "Us", "Our", DevCheck, DevAssess, DeVHeip, DeVAssist are references to DevAssist Ltd a company incorporated in England and Wales with registered number 07915521 England and whose registered office is situated at 73 Church Rd, Hove, East Sussex, BN3 2BB.

  1.3 "You" and "Your" are references to the individual, company, partnership or organisation who accesses the Website or places an Order.

- 2. Agreement
  2.1 The agreement between You and DevAssist shall come into existence when DevAssist accepts your completed Order.
  2.2 These Terms, as maybe varied from time to time, shall govern the agreement between You and DevAssist to the exclusion of all other terms and conditions.
  2.3 By submitting an Order, you shall be deemed to have accepted these Terms and You agree to be bound by these Terms when You place any Order. Your continued use of the Services shall amount to your acceptance of any variations to these Terms.
  2.4 These Terms together with the Literature and Order comprise the whole agreement relating to the supply of the Services to You by DevAssist You have not relied upon any representations save insofar as the same have been expressly incorporated in these Terms and You agree that you shall have no remedy in respect of any misrepresentation (other than fraudulent misrepresentation) which has not become a term of these Terms.

- 3. Services
  3.1 DevAssist shall use reasonable care and skill in providing the Services to You and shall use only established and trusted suppliers where obtaining information or data from third parties. Where Suppliers require or provide their own conditions for use to which you are required to be a party you agree to enter into the relevant contract with the Supplier.
  3.2 We reserve the right to make any changes to the Services described in our Literature to conform with any applicable statutory requirements or which we deem appropriate in our sole discretion.
  3.3 Our Services are provided solely for Your use, or the use of Your Clients on whose behalf You have commissioned the Services, and shall not be used or relied upon by any other party, without Our written consent.
- Out written consistent.

  3.4 In providing search reports and services DevAssist will comply with the Search Code
  3.5 DevAssist assumes that the value of the property does not exceed £2 million and that it is the
  responsibility of the customer to advise the firm at the time of requesting the search where the value
  of the property exceeds £2 million

- 4. Price and Payment
  4.1 The price payable for the Services shall be in pounds sterling as set out in the Literature. The price for the Services shall be exclusive of any value added tax or other similar taxes or levies, which You shall be additionally liable to pay to DevAssist.
  4.2 Payment is due in full from You within 30 days of the date of Our invoice (or as contracted) without deduction, counterclaim or set off

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  4.3 DevAssist reserves the right to amend its prices from time to time and the Services will be charged at the price applicable at the date on which an Order is submitted.

  4.4 If You fail to pay Our invoice on or before the due date, DevAssist may charge You interest on the late payment at the prevailing statutory rate pursuant to the Late Payment of Commercial Debts (Interest) Act 1998 until the outstanding payment is made in full.

5. Cancellation of Services
5.1 If You want to cancel an Order submitted to Us then You must notify Us in writing as soon as reasonably practicable after the Order has been submitted. Unless otherwise agreed by Us in writing, You shall remain liable for any expenses or disbursements We may have incurred prior to receiving your notice of cancellation. All expenses or disbursement must be paid in accordance with Term 4.2.

- 6. Termination
  6.1 DevAssist may suspend or terminate any agreement with You without any liability to You with immediate effect if at any time:
  (i) You fail to make any payment due in accordance with Term 4;
  (ii) If You repeatedly breach or commit or cause to be committed a material breach of these Terms; or
  (iii) You commit a breach and You fail to remedy the breach within 7 days of receipt of a written notice to do so.
  6.2 If the agreement is terminated under this Term 6 and You have made an advance payment We will refund You a reasonable proportion of the balance as determined by Us having regard to the value of Services already provided to You.

7. Events Beyond Our Control
7.1 We reserve the right without notice or liability to You, to defer the date of performance or to cancel the provision of the Services (as set out in a particular Order) or reduce the volume of the Services ordered by You if we are prevented from or delayed in the carrying on of up us biness due to circumstances beyond Our reasonable control provided that, if the event in question continues for a continuous period in excess of [60] days, You shall be entitled to give notice in writing to us to terminate the Order

8. Warranties and Limitation of Liability
8.1 We provide warranties and accept liability only to the extent stated in this Term 8.
8.2 We do not exclude or restrict our liability for death or personal injury caused by our own negligence or any other liability the exclusion of which is expressly prohibited by law.
8.3 Unless otherwise indicated on the front page of the Report, We confirm that any individuals within Our business who conducted any searches has not knowingly had any personal or business relationship with any individual involved in the sale of or dealings with the Property.

8.4 In providing the Services you acknowledge and accept that:(i) DevAssist's only obligation is to exercise reasonable care and skill in providing the Services.
(ii) DevAssist shall not be liable for any indirect or consequential loss, damage or expenses (including loss of profits, loss of contracts, business or goodwill) howsoever arising out of any problem, event, action or default by DevAssist.
(iii) The Services do not include any information relating to the value or worth of the Property or the

loss of profits, loss of contracts, business or goodwill) howsoever arising out of any problem, event, action or default by DevAssist.

(iii) The Services do not include any information relating to the value or worth of the Property or the Company.

(1v) The Services have not been prepared to meet Your or anyone else's individual requirements and You assume the entire risk as to the suitability of the Services and waive any claim of detrimental reliance upon the same.

(v) DevAssist cannot warrant or guarantee that the Website or any website linked to or from the Website will be uninterrupted or error free or free of viruses or other harmful components and furthermore DevAssist cannot warrant the performance of any linked internet service not operated by DevAssist Accordingly DevAssist shall not be liable for any damage or loss whatsoever caused: by any virus, including damage to Your computer equipment, software, data or other property resulting from Your access to, use of or browsing of the Website; or as a result of downloading any material, data, text, images, video or audio from the Website; or by the contents of or Your access to, any website linked to the Website; or for inaccuracies or typographical errors of information or on the Website.

(vi) Time shall not be of the essence with respect to the provision of the Services.

(vii) Any services other than our Services, which are advertised in the Literature are for information only, and We are not responsible for any such services which You may use as a result of our recommendation or otherwise. Any such third party services may be subject to the terms and conditions of the relevant third party service provider.

8.5 in connection with the Report You undertake to make a reasonable inspection of any results set out therein to satisfy Yourself that there are no defects or failures. In the event that there is a material defect You will notify Us in writing of such defect as soon as possible after its discovery and acknowledge that DevAssist shall not be lia

follow.

(iii) You have used all reasonable endeavours to mitigate any loss or damage you have suffered as a result of the inaccuracies errors or omissions of the data provided by the Supplier.

(iv) You agree to pay our reasonable costs if you require our input in this action beyond what we deem to be reasonable. In certain circumstances we may bring a claim against our Supplier on your behalf (and in consultation with you) provided you have given us full particulars of the claim and

written confirmation that you authorise us to (i) decide what action if any to take; (ii) that we shall have exclusive control over, and conduct of, all claims and proceedings; (iii) that you shall provide us with all assistance that we may reasonably require in the conduct of any claims or proceedings; and (iv) that you shall bear the cost of any proceedings on the basis that you shall be entitled to retain all sums recovered in any action for your own account.

8.8 In any event, and notwithstanding anything contained in these Terms, DevAssist's total liability in contract, tort or otherwise shall not exceed £2m in respect of any single claim, event, or series of related claims or events and, save as set out herein, all warranties, conditions and other terms implied by statute or common law are excluded to the fullest event permitted by law.

implied by statute or common law are excluded, to the fullest extent permitted by law.

9. Intellectual Property Rights
9.1 You acknowledge that all Intellectual Property Rights in the Services are and shall remain owned by either DevAssist or our Suppliers and nothing in these Terms purports to transfer, assign or grant any rights to You in respect of the Intellectual Property Rights.
9.2 You agree that You will treat and will procure that Your clients on whose behalf You have commissioned the Services will treat as strictly private and confidential the Services and all information which they obtain from the Services.
9.3 You agree that You will procure that Your clients on whose behalf You have commissioned the Services will not, except as permitted herein or by separate agreement with DevAssist change, amend, remove, alter or modify the Service or any trademark or proprietary marking in the Service.
9.4 You agree to indemnify Us and keep us indemnified from and hold us on demand, harmless from and against all costs, claims, demands, actions, proceedings, liabilities, expenses, damages or losses (including without limitation, consequential losses and loss of profit, and all interest and penalties and legal and other professional costs and expenses) arising out of or in connection with a breach of this Term 9.

10.1 You shall not be entitled to assign Your agreement with Us or any part of it without Our prior

10.1 You shall not be entitled to assign Your agreement what Go of any person, firm or company.

10.2 We may assign the agreement or any part of it to any person, firm or company.

10.3 The parties to these Terms do not intend that any term of Our agreement shall be enforceable by virtue of the Contracts (Rights of Third Parties) Act 1999 by any person that is not a party to these Terms or a permitted assignee.

10.4 Failure or delay by Us in enforcing or partially enforcing any provision of the agreement will not be construed as a waiver of any of Our rights under the agreement.

10.5 Any waiver by Us of any breach of, or any default under, any provision of the agreement by You will not be deemed a waiver of any subsequent breach or default and will in no way affect the other terms of the agreement.

will not be deemed a waiver or any subsequent breach or default and will in no way affect the other terms of the agreement.

10.6 If any provision or part of a provision is held to be invalid or unenforceable by any court or other body of competent jurisdiction, that provision or part of that provision shall be deemed severable and the other provisions or the remainder of the relevant provision will continue in full force and effect.

10.7 Unless otherwise stated in these Terms, all notices from You to DevAssist or vice versa must be in writing and sent to DevAssist's registered office address as stipulated in Term 1.12 or Your

address as stipulated in the Order.

10.8 The Agreement shall be governed by and construed in accordance with English law and shall be subject to the non-exclusive jurisdiction of the English Courts.