

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 January 2022	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Hyde Park	
Subject of Report	1 - 2 Albion Street, London, W2 2AS		
Proposal	Lowering of part of the lower ground floor slab and excavation to provide a swimming pool to the lower ground floor; rebuilding and repair of part of the existing rear facade with new sash windows; first floor rear terrace; use of rear mews upper floors as a separate residential unit with new access from the side elevation; addition of roof lights to both the main house and mews house flat roofs; and associated external alterations and internal alterations including new lift. (Linked with 21/06201/LBC)		
Agent	Mr David Tigg		
On behalf of	Mr Barry Peterson		
Registered Numbers	21/06200/FULL 21/062001/LBC	Date amended	19.11.2021
Date Applications Received	8 September 2021		
Historic Building Grade	II		
Conservation Area	Bayswater		

1. RECOMMENDATION

1. Grant conditional permission
2. Grant conditional listed building consent
3. Agree reasons for granting conditional listed building consent as set out in Informative 1 attached to the draft decision letter.

2. SUMMARY

This Grade II listed building was the subject of extensive fire damage in 2018 just before works were due to be completed under the permission and listed building consent granted in 2016. The building has suffered extensive damage and has been purchased by new owner.

This proposal seeks the full restoration and repair of this building, but also to create an additional residential unit by separating the rear of the mews upper floors into a two-bedroom maisonette (89 sq. m). Other works include further excavation under the mews building at lower ground floor to create a swimming pool for the main house, the demolition of the existing lift and the installation of a

new internal lift in a new position, the removal of plant and the installation of new plant, the creation of a first-floor roof terrace in place of the existing lantern light and new rooflights. The proposal has been amended to remove the proposed door onto Albion Close at the rear, to provide Air Source Heat Pumps (ASHP) and to serve Certificate B on the neighbouring building at No 3 Albion Street.

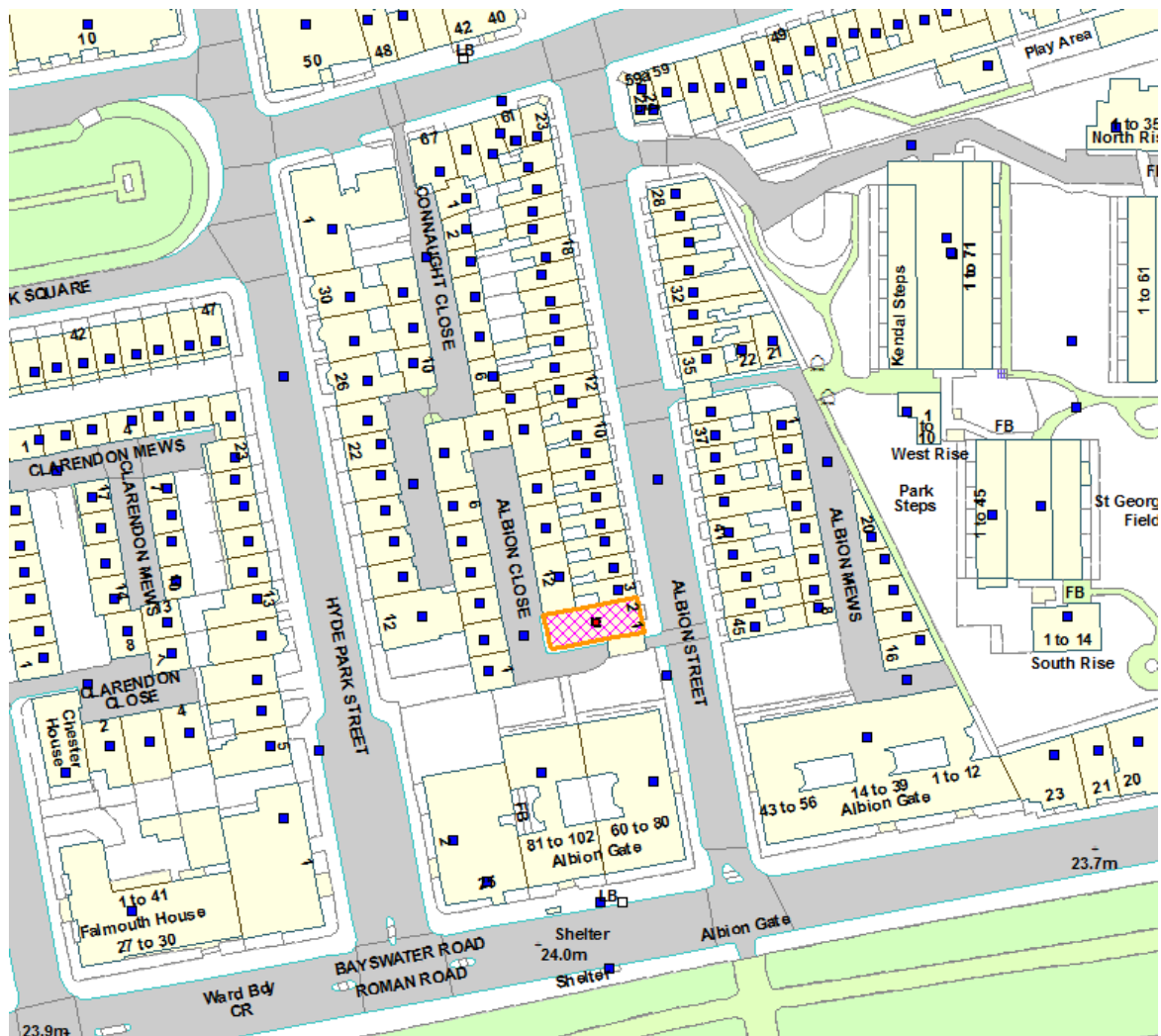
The proposal has attracted five objections from residents in both Albion Street and Albion Close on grounds of over-development, the excavation of the basement swimming pool and its impact on adjoining residents and listed buildings. Other objections relate to the new door in the rear elevation facing into the mews, the impact of the construction works, noise and vibration from the proposed new plant and swimming pool.

The key considerations are:

- Impact of the proposed internal and external alterations and the excavation of a swimming pool on the special architectural and historic interest of this Grade II listed building, the adjoining listed terrace and on the appearance and character of this part of the Bayswater Conservation Area.
- The acceptability of creating an extra flat in land use terms, the amenities of neighbouring residents and the significance of this Grade II listed building.
- The acceptability of the proposed swimming pool in the light of the Council's adopted basement policy 45.

Whilst it is recognised that the new lift position causes some degree of harm to the significance of this Grade II listed building, this is outweighed by the other benefits to restore this listed building. The creation of an additional flat is acceptable in land use terms and the use of ASHP is welcomed. The revised proposal is now considered acceptable in land use, design and amenity terms and recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Albion Street Front elevation



Albion Close rear elevation



Interior of the ground/lower ground following fire damage



5. CONSULTATIONS

HYDE PARK ESTATE ASSOCIATION:

No response received to date

ENVIRONMENTAL HEALTH:

No objections subject to conditions

HIGHWAYS PLANNING TEAM:

No response received to date.

WASTE PROJECT OFFICER:

Object request revised drawings in respect of refuse and recycling.

BUILDING CONTROL:

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 79

Total No. of replies: 6

No. of objections: 5

No. in support: 1

(Comments received under both planning application 21/06200/FULL and Listed Building Consent 21/06201/LBC reference numbers)

Five objections received on some or all of the following grounds:

Additional Basement works

- Deeply opposed to the plan to further deepen the basement and incorporate a swimming pool, which is four times deeper than the noisy 30cm excavation already suffered in 2016-2018.
- Granting permission for a basement swimming pool will establish a dangerous precedent for other properties.
- Object to additional excavation and the impact on this Grade II listed building and neighbouring buildings.

Flood Risk

- There is clear evidence of a high-water table on the WCC's own elevated groundwater risk maps found in its Strategic Flood Risk Assessment 2019 document and in adjacent properties; a geohydrological assessment should be provided to address the impact on ground water flow, water levels and drainage, together with details of the potential impact of the proposed excavations on neighbouring structures.

Amenity/ Plant

- Noise, vibration and smell from the swimming pool plant and ventilation equipment. This would be in addition to the lift shaft plant and air-conditioning fans already due for installation on the roof. Whilst may be hidden from street view but the ongoing noise pollution must be first proven to be compliant with

Westminster Council's environmental noise regulations.

- Living with the constant hum of a pool pump emanating from an enormous basement at risk of water ingress endangers neighbouring properties. It also contravenes both the basement development and noise objectives listed in the Westminster City Plan 2019-2040.
- Pool in the basement of No 5 produced background vibration.
- If permission is granted request planning conditions to ensure no noise or vibration.
- No details where pool plant will be ventilated.
- No Noise Assessment included in these plans and should be an explicit condition of any planning consent that post facto testing is conducted and that any plant equipment not meeting the requirements is removed. It is entirely reasonable for residents to be able to open their windows without enduring a constant background hum of plant machinery emanating from the neighbours' roof.

Conservation

- Albion Close is one of the few original cobbled mews remaining in this designated conservation area of Westminster; planning permission should be granted with a view to preserving Albion Close's history and peaceful ambience.

Impact of Construction

- No details on how the building process and its ensuing debris will be managed without restricting residents' access to Albion Close. Albion Close is a no-through road whose sole entry passes underneath the upper storeys of 1-2 Albion Street; after crossing a pavement it emerges, with poor visibility, onto Albion Street - a busy cycle route through to Hyde Park.
- The proposed works are extensive and the impact on affected parties has not been adequately addressed, especially for a project estimated to last until March 2025. Request a formal Construction Management Plan and should be made an explicit condition of any planning consent.

Other Matters

- Possible damage to the party wall with No 3 Albion Street .Been significant and on-going issues with water ingress and damage from past and present building works.
- Proposals to alter the pavement to the side in Albion Close are speculative as the pavement is not owned by the applicant .
- The owner of the new apartment does not enjoy any rights to access at the rear in Albion Close unless access is granted by the owner of the roadway.
- Applicants have not engaged with residents in Albion Close.

One email in support the renovation of the property but also concerned regarding further building works to deepen the basement.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Revised Scheme:

HYDE PARK ESTATE ASSOCIATION:

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS:

No consulted 6 No Replies 0

Any further responses received will be reported verbally to Committee

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

No's 1 and 2 Albion Street is a four bay Grade II listed house located on the west side of Albion Street, within the Bayswater Conservation Area. The house also includes the three-storey mews building at the rear in Albion Close. Albion Close is a private gated mews.

The existing building onto Albion Street is four storeys with a lower ground floor. The property was originally two houses but converted into a single house some time ago. The building was listed in the 1970's, and it form part of a terrace of listed properties No 's 1-23 Albion Street dating from the 1830's. The attached mews building at the rear comprises of lower ground, ground, first and a mansard roof extension.

The property is currently vacant and in a poor state of repair following extensive fire damage in 2018. The fire occurred during the final stages of renovation as part of the works consented in 2016. The worse of the fire damage is within No 2 but the fire has resulted in the substantial loss of original fabric and structure to both buildings. There is little of the interior left in the building, although the main staircase at No1 and the secondary staircase remains intact, together with the front windows and the panelling around the front windows.

The application site lies outside the Central Activities Zone(CAZ)

6.2 Recent Relevant History

There have been several applications which are summarised below:

17/07970/LBC

Installation of secondary glazing units.

Application Permitted 13 November 2017

17/03424/LBC

Conversion of a section of the front of the existing roof into a terrace and replacement of the roof railings.

Application Permitted 9 June 2017

17/00181/FULL and 17/00182/LBC

Erection of lift shaft extension to rear second floor level and relocation of existing window adjacent.

Applications Refused 6 March 2017

16/09794/NMA

Amendments to planning permission dated 28 June 2016 (RN: 16/01510) for erection of a mansard extension to the rear, installation of lift to first floor level, installation of air conditioning plant at roof level and in lightwell; installation of kitchen and bathroom extracts and internal air conditioning units and ducting, removal of internal timber stairs, lowering of basement and ground floor slab and internal alterations and refurbishment. NAMELY, conversion of basement party room into gym, stores, shower and changing room, revision to layout of utility room, removal of aquarium, office removed and replaced with two toilets and cupboard, air conditioning units relocated in joinery, ceiling voids and over wardrobes, creation of dressing room and wardrobes in bedroom 1, bedroom 3 deleted, bedroom 4 enlarged and layout revised, and built-in wardrobes added.

Application Permitted 13 December 2016

16/01510/FULL and 16/01511/LBC

Erection of a mansard extension to the rear, installation of lift to first floor level, installation of air conditioning plant at roof level and in lightwell; installation of kitchen and bathroom extracts and internal air conditioning units and ducting, removal of internal timber stairs, lowering of basement and ground floor slab and internal alterations and refurbishment.

Applications Permitted 28 June 2016

15/09465/FULL and 15/09466/LBC

Partial demolition of mews property and associated internal alterations; erection of mansard roof extension to rear mews property; installation of lift to first floor level; installation of replacement timber front door and sash windows to rear elevation; installation of timber door to ground floor side elevation and two new first floor timber sash windows; and installation of rooflights, incorporating glazed skylight at second floor level. Installation of air conditioning plant on main roof, installation of kitchen and bathroom extracts and internal air conditioning units and ducting.

Applications Withdrawn 17 December 2015

15/04801/FULL and 15/04802/LBC

Partial demolition of mews property and associated internal alterations; erection of mansard roof extension to rear mews property; installation of lift to first floor level; installation of replacement timber front door and sash windows to rear elevation; installation of timber door to ground floor side elevation and two new first floor timber sash windows; and installation of rooflights, incorporating glazed skylight at second floor level.

Applications Permitted 8 September 2015

93/00154/FULL and 93/00155/LBC

Construction of mansard roof extension to first floor level at rear , and reduction in the height of the brick parapet and elimination of gable side elevation .

Applications Permitted 25 March 1993

88/06173/FULL

Rear extension over first floor to provide bedroom, bathroom and store
Application Permitted 3 August 1989

7. THE PROPOSAL

This proposal seeks to restore this fire damaged building and to create an additional residential unit comprising of 2 double bedrooms on the first and second floors in the mews house which will be accessed from a new door in the side elevation onto Albion Close. Other works include the removal of the internal lift consented in 2016 and the repositioning of the lift, a range of internal and external alterations. It is also proposed to remove the lantern light at rear first floor level to create a roof terrace for the main house, excavation at lower ground floor level to create a swimming pool, the removal of the existing plant and the erection of new plant. New double glazed sash windows are proposed to the rear of the main house and the mews building.

The existing house (post fire damage) was a substantial family home of 10 bedrooms. The proposal results in a 4 double bedroom house and a 2 double bedroom maisonette approximately 89 sqm (GIA)

The applications have been subject to revisions as a result of negotiations with officers and subject to re-consultation with the objectors and the local amenity society. The revisions relate to the removal of the door into the Albion Close to address the objections received and the installation of Air Source Heat Pumps and changes to the rear terrace. The agent has also served notice under Certificate B on the adjoining house and submitted further structural information regarding the works to accommodate the swimming pool.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal involves the creation of an additional residential 2-bedroom maisonette in the upper floors of the mews building. This unit approximately 89 sqm is a good size. This is welcomed in land use terms and accords with policy 8 in the City Plan.

It is not considered that the additional unit represents an over-development of this site, nor affects the significance of this Grade II listed building, as the new unit is located within the later mews building.

Policy 12 D in the City Plan requires all new build dwellings to provide 5 sqm of external space and the new flat in the mews building does not benefit from any outdoor space and it is not possible to include any. As this proposal is a conversion rather than a new build, this lack of amenity space for the new flat is considered acceptable.

8.2 Townscape and Design

Legislative Context

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

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *“In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

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

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

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, considering the statutory duty to have special regard or pay special attention, as relevant. This should also consider the relative significance of the affected asset and the severity of the harm caused.

In dealing with these applications regard has been had to the adopted City Plan design policies 38,39 and 40 and the Council's SPG Repairs and Alterations to Listed Buildings.

Proposed Works

As a result of the recent fire damage, the building is in a poor condition. This proposal seeks the restoration and reinstatement of lost structural and fabric throughout the building. Structural works include the reinstatement of floors and part of the rear elevation which cannot be repaired and the introduction of new replacement windows where the existing windows have been lost. Where original elements do survive for example the primary and secondary staircases, windows, shutters, and other joinery will be retained and restored. The applicant is proposing to restore chimney pieces, skirting, dado rails, cornices, and doors.

Internal Lift /Internal Alterations

One of the main internal changes is the provision of a passenger lift in a new location. The 2016 scheme introduced a new lift which was installed before the fire, and this was located outside the principal rooms. The recent fire damage has had a significant effect on the surviving fabric within the rear of the building, particularly in the area adjacent the existing stair core.

Normally the proposed location of the new lift in the rear room part of the historic core would be resisted, but due to the fire damage and the limited fabric left within the building, this location for the replacement lift is considered on balance acceptable. It is considered that the introduction of the lift in this location only has a minor impact on the

significance of this listed building as a whole. In addition, there are other benefits to the listed building which also need to be taken into consideration to restore the building after extensive fire damage.

This proposal is an improved floor plan compared to the 2016 approved scheme and involves the removal of a significant amount of plant from within the building and at roof level. The removal of one of these large plant areas on the main roof level and the restoration of this terrace will be a visual improvement. It should be noted that the current level of plant in the building resembles a commercial operation rather than what is normally expected for a residential house. The revised scheme incorporates ASHP which is also welcomed from a sustainability point of view and most of the new plant will be housed in the existing plant areas.

The removal of several modern stud partitions in the front first floor principal rooms is welcomed. It is also proposed to remove the modern large lantern over the existing rear lightwell and create a roof terrace. New rooflights are proposed in this terrace roof and their design has been amended to be more in keeping with the host building and to mitigate the impact on the adjoining neighbour at No 3 and to incorporate planting.

The proposed subdivision of the mews building on the upper floors to create an additional flat will not affect the significance of this Grade II listed building. The applicant has agreed to remove the proposed rear door facing onto the mews to address the objections raised by residents and this is welcomed.

At lower ground floor level, the main changes are to the plan form and for further excavation works to create a swimming pool at the rear. Although objections have been raised to this swimming pool, it is not considered to affect the significance of this listed building, or the adjoining Grade II listed building.

In general terms, the works to restore this historic building are welcomed and alterations will preserve the character and appearance of this part of the Bayswater Conservation Area. The revised proposal therefore accords with policies 38,39 and 40 in the City Plan and is compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Development that could result in a change to the amenity of neighbouring residents such as that of the proposals here must be found to be in accordance with policy 7 of the City Plan 2019 - 2040. The policy seeks to prevent unacceptable impacts in terms of losses of daylight and sunlight, privacy and increases in sense of enclosure and overshadowing. Policy 33 is also relevant which seeks to make sure that quality of life and health and wellbeing of existing and future occupiers.

Sunlight, Daylight & Sense of Enclosure

The proposed works will not affect daylight, sunlight and increase sense of enclosure to adjoining neighbours and complies with policy 7 in the City Plan. The creation of an additional flat will not harm the amenities of nearby residents.

Privacy

The replacement of the large lantern light with a rear terrace at first floor level, is not considered to affect the privacy of No 3 Albion Street. There is a high party wall which separates both houses. The location of the rooflights has been amended to reduce the possibility of light spill to neighbours and now includes planting. It is not considered that this proposed terrace will harm the privacy of neighbouring residents.

8.4 Transportation/Parking

The proposal involves the creation of a third vault under the front pavement, and this is acceptable. The applicant is being advised by way of an informative regarding obtaining all the necessary highways approval as the vault is under the pavement.

The site has a PTAL score of 6, and the creation of an additional residential unit without off-street parking is in accordance with policy 27. A condition will secure cycle parking for this new residential unit.

The proposal to create a separate door access to serve the 2-bed maisonette in the mews house will need the approval of the freeholders of the mews. There is already an existing door in the side elevation, and it is not considered that an additional door opening will materially increase the level of activity in the mews to the detriment of existing residents or affect highway safety. A condition will ensure this new door will open inwards to safeguard safety of cars and pedestrians using Albion Close.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

As the existing building is Grade II listed, it is not possible to incorporate disabled access from street level into the main house. The new lift will provide internal access from the lower ground to basement to the second floor.

8.7 Other UDP/Westminster Policy Considerations

Plant

The objectors naturally raise concerns regarding additional noise and vibration associated with the swimming pool plant and other new plant. The applicant has submitted a detailed acoustic report and the Council's Environmental Health Officer raises no objections. Conditions are proposed to ensure the plant will comply with the Council's standard noise and vibration conditions. It is not considered necessary to impose a condition to require another test to be undertaken once the plant has been installed.

The applicant has confirmed that the pool equipment will be venting a high level and therefore should not cause a noise or odour issue for neighbours.

This proposal involves the removal of the existing plant which is currently located at roof level and at the rear between the mews house and the main house. A small enclosed unit is proposed located between the main house and the mews building. It is not

considered the replacement plant will adversely affect the amenities of neighbouring residents.

Refuse /Recycling

A condition is recommended to secure refuse storage for the existing house and the new flat to address the Waste Officer's comments.

Biodiversity

There is no outdoor garden for the existing house, apart from two existing roof terraces, of which are mainly occupied by plant. The applicant has agreed to provide additional planting to the proposed first floor roof terrace. This is welcomed and accords with policy 34 in the City Plan.

Sustainability

The applicant has agreed to incorporate Air Source Heat Pumps (AHSP) which is most welcomed and will accord with policy 36 in the City Plan. The proposal also includes the double glazing in the mews house and slimlite double glazing to the main rear elevation. This is considered acceptable given the existing rear windows are fire damaged and will improve energy efficiency in the building. A condition is proposed to reserve detailed design of the new windows.

8.8 Westminster City Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

8.9 Neighbourhood Plans

There is no Neighbourhood Plan which covers this part of Bayswater.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

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

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the

written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the CoCP for the basement. The applicant has agreed to the imposition of the condition.

8.12 Planning Obligations

No planning obligations are necessary. This proposal attracts a CIL payment of approximately £35,600 subject to any exemptions.

8.13 Environmental Impact Assessment

Not applicable.

8.14 Other Issues

Basement

Objections have been received to the proposed excavation to create a basement swimming pool. The proposed excavation is under the existing footprint of the mews house, and it is not considered to harm the significance of this historic building. There is an existing lower ground floor which was approved in 2016 and this seeks to excavate further 1.2m to create a swimming pool.

The applicants have submitted a structural methodology report to demonstrate how the existing building and adjoining building can be safeguarded as a result of the works. The comments of the Council's Building Control officer will be reported to Committee. The applicant has also served notice on the adjoining house under Certificate B.

Objections have been received to the proposed swimming pool on grounds of increased flood risk, given the recent floods. This site is located outside a Surface Water Hot Spot and the submitted details are considered to address policy 45. A. 1 and there is no increase in the amount of impermeable surfaces.

Construction impact

The applicant has agreed to sign up to the Council's Code of Construction Practice and this will be the subject of a pre-commencement condition. The agent has advised that all construction works will take place from Albion Street and not via Albion Close in order to mitigate the impact of construction on adjoining residents. This should address the objections received, albeit it is recognised that residents will now face a further period of building works to restore the building. This will address part 2 of policy 45 A.

The proposal involves further excavation, and the existing floor level will be lowered by another 1.2 m, and it is not considered to unbalance the building's hierarchy of spaces. Given this is under the later mews building, the significance of the listed building will be safeguarded in accordance with part 3 of policy 45A. The plant associated with the swimming pool will terminate at high level this will meet part 4 of policy.

Other Matters

One of the objectors raised that the applicant does not own the road in Albion Close and the original application was proposing to lay cobbles on a tarmac area next to the entrance gates and this has now been deleted.

Conclusion

It is recognised from an historic building point of view there are positive and negative impacts on the significance of this listed building. The position of the new lift would not normally be acceptable, but in this case due to the changes already permitted and in the light of the substantial fire damage, this is considered on balance acceptable. There are benefits to the building because of a full restoration and reinstatement of loss historic fabric. The removal of the large plant area on the roof is most welcomed and the incorporation of air source heat pumps. It is considered that the level of harm is at the low level, and this harm would be outweighed by the beneficial impacts to the heritage asset, and the creation of a new residential unit.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk

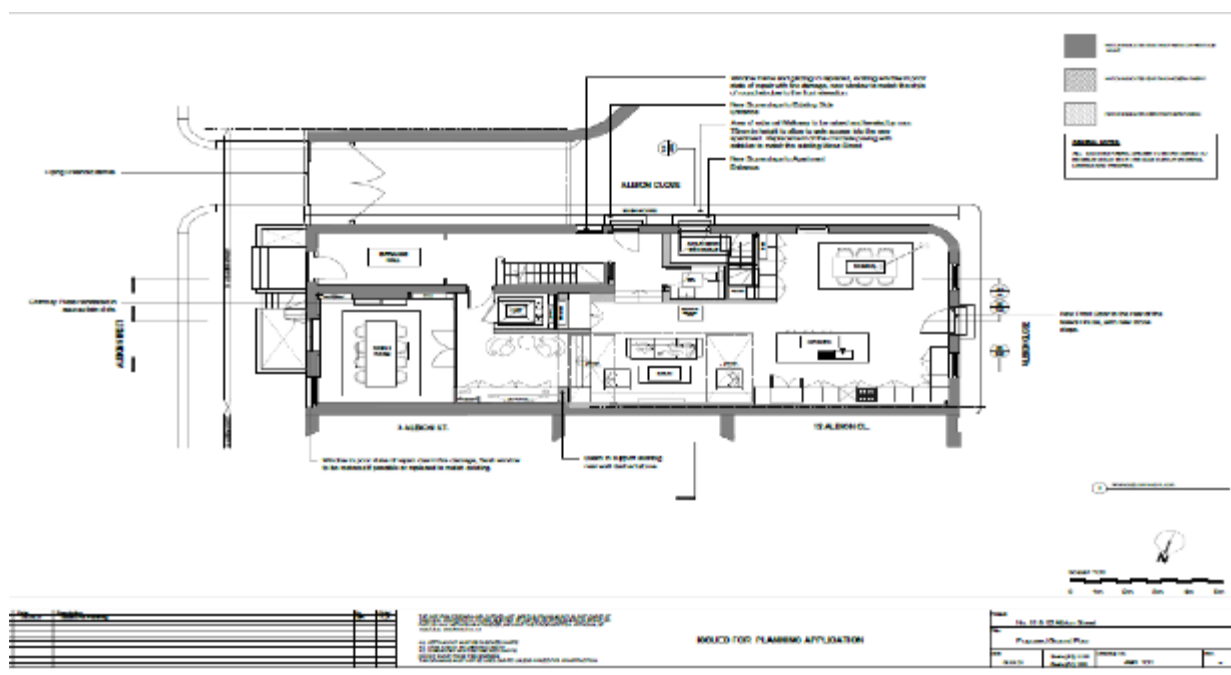
Proposed Front elevation



ROOM	Current Scheme GFA (m ²)
CIRCULATION	16.5
KITCHEN / DINING ROOM	43
WC	1.6
W/ SHOWER ROOM	11.5
SLEEPING Q1	4
OC SHOWER ROOM	22
SLEEPING Q2	2.5
TOTAL GFA (m ²)	89
TOTAL GFA (sq ft)	958

[illegible]

[illegible][illegible][illegible]



Elevation drawing of a building facade. The drawing shows a multi-story building with a mix of brick and stone masonry. Annotations include:

- Existing fire escape structure to be retained with window infill area to be existing window in the front facade.
- Darkened window to retain existing window opening on the side facade. Window to match neighboring stone properties.
- Stone facade window to be retained with window double glazed but window to match existing.
- ALSOON CLOSE**
- Stone facade window to be retained with window double glazed but window to match existing.
- Existing window to be retained with window double glazed but window to match existing.
- Proposed window due to the self-retained apartment in character of the property.
- New window to be retained with window double glazed but window to match existing.
- New stone steps to be retained with stone steps to be retained with stone steps to be retained.
- New stone steps to be retained with stone steps to be retained with stone steps to be retained.

A section view is shown on the right, labeled "ALSOON STREET". It shows a cross-section of the building with a "Proposed stone front facade building" and "Existing stone front facade building". The section view shows the building's structure, including the roof, walls, and floor levels.

A scale bar is located at the bottom right, showing a distance of 0 to 100 feet.

[illegible][illegible]

Project			
PG 17 of 12 ROAD 3086			
Title			
Proposed Site Elevation			
Scale	North Arrow	Drawing No.	Date
1" = 40'	North Arrow	400-100	11/1/11

[illegible]

DRAFT DECISION LETTER - FULL

Address: 1 - 2 Albion Street, London, W2 2AS,

Proposal: Lowering of part of the lower ground floor slab and excavation to provide a swimming pool to the lower ground floor; rebuilding and repair of part of the existing rear facade with new sash windows; first floor rear terrace; use of rear mews upper floors as a separate residential unit with new access from the side elevation; addition of roof lights to both the main house and mews house flat roofs; and associated external alterations and internal alterations including new lift. (Linked with 21/06201/LBC Revised Scheme)

Plan Nos: 490-001,002,003,004,005,006,007,008,020,021,022,023,024,025,026,027,028,029,030,040,041,042,043,044,045,046,047,048,049,050,060,061,062,063,064,065,100 A,101 A,102 A, 103 A, 104A, 105A, 201,202A,203A,301A,302 A,303,305 A, 400, 120
Planning Statement, Design and Access Statement Rev A, Heritage Statement, Heritage Schedule, Acoustic Report, Swimming Pool Design Brief, Photographs of each floor. Structural Methodology Statement

Case Officer: Amanda Coulson

Direct Tel. No. 07866037509

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

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

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

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

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

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

Reason:

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

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

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

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

Reason:

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

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

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

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest,

shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AC)

- 6 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

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

Environmental Supplementary Planning Document (May 2021). (R48AB)

- 7 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 Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)
- 8 You must apply to us for approval of details of how waste is to be stored on 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 in writing what you have sent us. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark the stores and make them available at all times to everyone using the new flat. (C14ED)
- Reason:
To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)
- 9 The VRF condensing units located on the main roof and the mews house fan coiling unit must installed in acoustic enclosures prior to their use. The acoustic enclosures must be retained and maintained for the lifetime of the plant.
- Reason:
Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AC)
- 10 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)
- Reason:
To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)
- 11 You must apply to us for approval of sample of the natural slate to be used to clad the mansard roofs. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved

materials. (C26BD)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 **HIGHWAYS LICENSING:**
 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:
 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

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

- 3 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 email AskHighways@westminster.gov.uk. 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).

- 4 Please email our Project Officer (Waste) at wasteplanning@westminster.gov.uk for advice about your arrangements for storing and collecting waste.
- 5 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 6 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 7 With reference to condition 3 please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may

include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

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

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

Appendix A must be signed and countersigned by the Environmental Inspectorate prior to the submission of the approval of details of the above condition.

- 8 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 9 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. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: www.westminster.gov.uk/street-naming-numbering (I54AB)

DRAFT DECISION LETTER - LBC

Address: 1 - 2 Albion Street, London, W2 2AS,

Proposal: Lowering of part of the lower ground floor slab and excavation to provide a swimming pool to the lower ground floor; rebuilding and repair of part of the existing rear facade with new sash windows; first floor rear terrace; use of rear mews upper floors as a separate residential unit with new access from the side elevation; addition of roof lights to both the main house and mews house flat roofs; and associated external alterations and internal alterations including new lift. (Linked with 21/06200/FULL Revised Proposal)

Plan Nos: 490-001,002,003,004,005,006,007,008,020,021,022,023,024,025,026,027,028,029,030,040,041,042,043,044,045,046,047,048,049,050,060,061,062,063,064,065,100 A,101 A,102 A, 103 A, 104A, 105A, 201,202A,203A,301A ,302 A,303,305 A, 400 , 120
Planning Statement , Design and Access Statement Rev A , Heritage Statement , Heritage Schedule, Acoustic Report ,Swimming Pool Design Brief , Photographs of each floor .
Structural Statement .

Case Officer: Amanda Coulson

Direct Tel. No. 07866037509

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 3 You must not disturb existing ornamental features including panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 4 You must apply to us for approval of detailed drawings of the following parts of the development

- a) new cornices and dado rails at a scale 1:10
- b) new skirtings at a scale 1:10
- c) new internal and external doors including architraves at a scale 1:10
- d) new chimney-pieces
- e) new windows at a scale 1:10 (section and elevations)

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

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R26EE)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 6 You must apply to us for approval of sample of the natural slate to be used to clad the mansard roofs. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -

In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:

Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (159AA)