

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 22 <sup>nd</sup> June 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Lancaster Gate	
Subject of Report	Queens Court, Queensway, London, W2 4QN		
Proposal	Erection of two storey roof extension to Queens Court to provide 26 residential units (Class C3) with associated terraces, alterations to ducts and works and waste and recycling storage ('Application 4').		
Agent	Montague Evans		
On behalf of	Happy Badge Limited		
Registered Number	18/09766/FULL	Date amended/ completed	19.11.2021
Date Application Received	15 November 2018		
Historic Building Grade	Unlisted		
Conservation Area	Queensway		

## 1. RECOMMENDATION

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

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

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

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

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

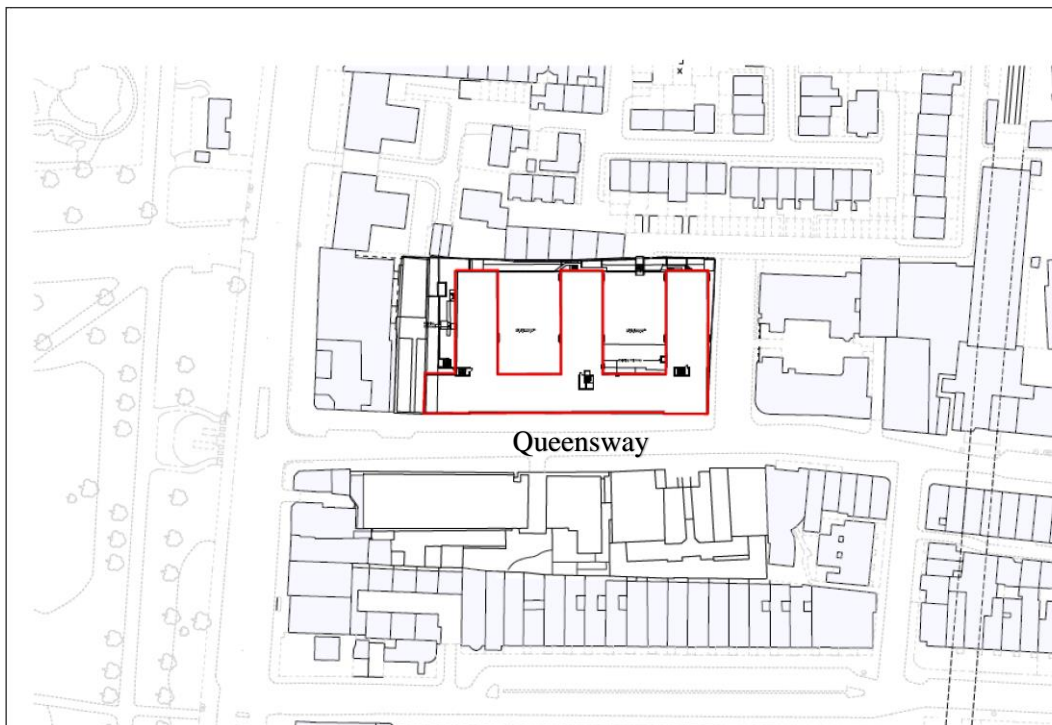
## 2. SUMMARY

This is one of four applications for four separate sites with respect to development proposals relating to properties at the southern end of Queensway. The proposals are part of a masterplan for the entire estate which seek to regenerate Queensway. Representations of objections have been received from 46 addresses within the existing building and surrounding properties on a number of grounds including the principle, amenity, design, transportation and environmental. 6 representations of support have been received.

The provision of 26 new flats is supported in principle in land use terms to optimise the provision of housing to help meet the demand for housing and affordable housing in the City. The proposed extension and associated works are considered to be appropriate in design and townscape terms and the impact on the amenities of existing residents is not considered to be so material to warrant withholding permission.

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

### 3. LOCATION PLAN



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#### 4. PHOTOGRAPHS



## 5. CONSULTATIONS

CONSULTATION- Including Re-consultation on revisions including clarification of mix of units sizes, design revisions including to height of roof extension, form and detailing of extension, fenestration, materials, ducts, omission of rear wing terraces, updated sunlight and daylight, clarification of cycle parking, viability report.

WARD COUNCILLORS FOR LANCASTER GATE

Any response to be reported verbally

HISTORIC ENGLAND (LISTED BUILDS/CON AREAS)

Any response to be reported verbally

THE ROYAL PARKS

No objection.

LONDON UNDERGROUND LIMITED

No objection, subject to a condition.

THAMES WATER

Comments. Conditions requested.

ROYAL BOROUGH OF KENSINGTON & CHELSEA

No objection

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally

WASTE PROJECT OFFICER

Objection, not in line with City Council requirements.

HIGHWAYS PLANNING TEAM

The linked applications overall do not provide any tangible improvements to the wider pedestrian or highway environment. No specific objection to this application.

ENVIRONMENTAL HEALTH

No objection, subject to conditions

BUILDING CONTROL

Any response to be reported verbally

DESIGNING OUT CRIME

Any response to be reported verbally

AFFORDABLE HOUSING SUPPLY MANAGER

Verbal advice- acceptable.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 665

Total No. of replies: From 53 Addresses

No. of objections: 47 Addresses

No. in support: 6 Addresses

OBJECTIONSResidential

- Units too small, which result in a high turnover of occupiers
- Will be used for Air B & B even for 28 days which causes stress
- No need for more expensive flats in the area

Design

- Will be almost 3 storeys with the roof top plant
- Will set a precedent for other blocks , including Princess Court to submit similar application which would affect Caroline Place properties.
- This part of Queensway is low rise
- Design does not go well with the existing building
- Not in keeping with any other buildings
- Would destroy the uniform height as seen from Hyde Park up Queensway
- Will look out of place and aesthetically ugly
- Queens Court is a historic building and an iconic building of note in Queensway and Bayswater

Amenity

- Loss of daylight and sunlight to Queens Court
- Loss of daylight and sunlight to Princess Court
- Loss of daylight and sunlight to Caroline Place
- Loss of daylight and sunlight to Caroline Place Mews
- Loss of daylight and sunlight to Consort House
- No mention of impact on daylight to 16-22 Caroline Place, which have windows and patios that look towards to Poplar Place Cul de Sac.
- Will make existing flats colder
- Negative impact on quality of life of existing residents
- Queensway is noisy and polluted enough
- Will disturb my life
- Long term noise without sufficient insulation
- Adding more flats and occupants will violate residents rights to a peaceful and restful environment to live in.
- The air conditioning units proposed for the new flats will make a considerable noise, to the
- detriment of the current residents on the upper floors.
- Air condition units outside first floor flat
- Chemical emissions from air conditioning units
- Brings Queens Court closer to Princess Court
- Loss of privacy to Princess Court

- Will change view

#### Transport/Highways

- Loss of public parking
- Insufficient parking for the additional flats
- It is already difficult to park in the are
- Will new residents be prevented from applying for residents parking permits?
- Absence of disabled access to the building
- the two disabled bays outside Queens Court will be totally inaccessible under the proposal both during construction and afterward
- Increased footfall will aggravate local issues such as parking

#### Impact on existing building services

- Existing lift system are barely enough for the existing residents'
- Additional burden on the stress of the building and shared facilities – lift, core and sewage
- Will increase problems to existing residents
- Will increase maintenance charges
- Impact on boilers, lifts, pipes
- Structural impact/safety
- Existing building is in a poor condition
- Failing/insufficient infrastructure
- Impact on fire escapes and emergencies
- It is essential that reliable access by lift is provided at all times during and after construction.
- Water and central heating systems need upgrading
- The passenger lift which is wheelchair-accessible will be out of commission for months if the existing lift shaft is to undergo the necessary work to extend it. The goods lift as it is, is decrepit and not wheelchair-accessible.

#### Other

- Negative impact on property values
- Noise, disruption and pollution during construction
- Damage to the existing building, lift, paints, stairs, carpets and community spirit
- Impact on privacy and security due to scaffolding required to undertake the works
- Impact on standard of living of existing residents during construction
- No value to the existing property owners and residents
- No care to the existing residents of the building
- Enormous disruption
- No mention of compensation
- Flat will no longer be top floor
- Health and safety issues of construction
- Concerns about possible asbestos
- Require notification to all owners
- No consultation carried out by the applicant
- recommend a better use of the space to the use of current residents by

converting it to rest/sun garden that would also increase the value of the properties

- Unviable and unsustainable

### SUPPORT

6 responses including from Queens court South Residents Association

- The Freeholder, needs money to pay its share of improving Queensway public realm and to clean up the market facility. Without adding the flats on-top of our building the Freeholder might struggle to achieve the upgrade or might still achieve a
- compromised version of this upgrade. I'd suggest we want the full monty!
- Improves the buildings composition
- Any development will need to meet building regulations
- If it goes ahead smoothly we should by 2022 have a brand
- new building, a nicer neighbourhood, more valuable apartments and lower service charges.
- I am a resident and owner in Queens Court and believe this will benefit both my life in the building\_and the property value, due to better services in the building and the wider regeneration of the\_area.  
opportunity for significant enhancement of Queens Court which is a 1920s building in need of some renovation
- These improvements will include new lifts being delivered throughout the building and enhancements to the existing entrances to the benefit of the current leaseholders.
- We must, however, make it clear that whilst this is the view of the Committee together with a significant number of the Association's members, there may be certain members who are opposed to the development.
- fully support new homes in the area as we are a residential neighbourhood
- fully support further investment into Queensway in the hope that this attracts a better profile of shops and restaurants to the area

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

Located on the western side of Queensway, Queens Court (7-45 Queensway) comprises of ground floor retail units to Queensway frontage and the entrance to and Queensway Market itself, together with residential flats above which extend to the rear projecting wings. The land located between Queens Court and Princes Court, known as Princes Court Car Park (23-43 Queensway), is currently operated as a private car park for 21 spaces, with no access to Poplar Place located to its rear. It also forms part of the Queensway/Westbourne Grove Major Shopping Centre.

Queens Court, 7-45 Queensway, is a 7-storey (with roof top enclosures) 1930's mansion block (with three projecting wings to the rear). It is designated as an unlisted building of merit within the Queensway Conservation Area Audit and is located within Queensway



Conservation Area and adjacent to the Bayswater Conservation Area.

Kensington Gardens (Grade I Registered Park and Royal Parks Conservation Area) lies further south. The Grade II listed Church of Our Lady of Heaven is diagonally north-east from the site on the eastern side of Queensway. Further east lie the Grade II listed terraces of former townhouses which characterise Inverness Terrace.

The ground and basement are in commercial use (Including Queensway Market at ground floor level and the Ice rink at basement level, and the upper floors comprise a number of residential flats. To the east lies the properties on the opposite side of Queensway including Consort House (residential), to the north of the site is Princess Court (a residential mansion block), currently separated by an open public car park. To the west lies the residential properties on Caroline Place Mews and Poplar Place and Caroline Place, Lombardy Place and Bark Place and south of the site are properties of Queensway and the rear of properties on Bayswater Road.

## 6.2 Recent Relevant History

### Wider Application Site

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

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

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

#### Eastern side of Queensway:

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

#### Western side of Queensway

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

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

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

and mezzanine level shop unit at No.22 Queensway for Class A1 use

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

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

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

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

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

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

## 7. THE PROPOSAL

The proposed development to this site comprises of the following:-

- Two storey roof extension to Queens Court involving removal of roof level plant rooms (enclosing lift equipment and water tanks)
- 26 residential units (10x1bed, 9x2bed, 7x3bed) to new seventh and eighth floor levels.
- External terraces to front (facing Queensway) at seventh and eighth floor levels
- Three plant enclosures an, lift overrun and staircase cores at new roof level
- Two new full height external ducts, extension of one existing duct and extension of existing chimneys to terminate above new roof level to rear elevation.

Residential Mix	Quantity	External Amenity
1 bed	10 (38%)	No
2 bed	9 (35%)	Yes
3 bed	7 (27%)	Yes
Total	26	

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

#### Residential use

This proposal seeks to provide 26 new flats within Queensway within a new two storey roof extension to Queens Court. The provision of 26 residential units is welcomed in land use terms in accordance with policies 8 and 9 of our City Plan, to optimise the provision of housing to help meet the demand for housing and affordable housing in the City.

#### Affordable housing

This is one of four applications for four separate sites with respect to development proposals relating to properties at the southern end of Queensway. A single viability report has been provided by Montague Evans in relation to the collective viability of the proposals of all four applications. This has been independently assessed by Turley's on behalf of the City Council. The conclusion is clear in that the development (all 4 applications) cannot viably provide any affordable housing.

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

The provision of 8 London Living Rents affordable units, is welcomed in land use terms in accordance with policies 8 and 9 of our City Plan, to optimise the provision of housing to help meet the demand for housing and affordable housing in the City.

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

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

The provision of 26 flats would comprise 10x1bedroom, 9x2bedroom and 7x3 bedroom flats. The residential units range exceed the required minimum internal floor area standards and remain less than 200m<sup>2</sup>, nine are duplex flats. Private external amenity space in the form of terraces is provided for the 2 and 3 bedroom flats, but is not provided for the 1 bedroom flats which is regrettable. However, given the proximity of the Royal Park and that the internal floorspace exceeds the standards, the proposed level of external amenity space is acceptable in this instance.

The City Council's Environmental Health officer has advised that the internal environment to the flats would meet noise standards when windows are closed, but this

may cause overheating to the flats. A scheme of openable windows together with mechanical ventilation is required to strike a balance between the two requirements. Details are to be secured by condition. Furthermore, to ensure that the occupiers of new flats do not suffer from noise transfer from within the existing building, a condition is recommended to require the provision of a supplementary acoustic report to ensure that our noise standards are met.

For the aforementioned reasons, the quality of the proposed residential units internally is considered acceptable. They are of satisfactory size and would overall receive sufficient natural daylight and sunlight. The mix of unit sizes is acceptable and meets with policy 10 (Housing for specific groups) to ensure at least 25% family sized units and no more than 10% studio flats.

Notwithstanding the objections raised to the small size of the units (they exceed minimum standards) and to the potential for use as short term lets (this is not the proposal), overall, the provision is acceptable and would provide much needed housing/affordable housing.

## 8.2 Townscape and Design

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

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

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

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

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

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

relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

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

The application site is within the Queensway Conservation Area and consists of the roof of the whole block of Queens Court which forms the first large block to the western side of Queensway, at its southern end close to Kensington Gardens (Grade I Registered Park and Royal Parks Conservation Area). The nearest listed building to the site is the Grade II listed Church of Our Lady of Heaven which sits diagonally north-east from the site on the eastern side of Queensway. Further east lie the Grade II listed terraces of former townhouses which characterise Inverness Terrace. The adjacent Bayswater Conservation Area follows the western boundary of the site, and then continues eastwards from Inverness Terrace.

The building is a large 7 storey brick and stone 1930s mansion block with shops and similar uses to the ground floor. It makes a positive contribution to the character and appearance of the conservation area. It is built to an approximately E-shaped form with a principal range fronting Queensway, with three projecting wings of the same height to the rear. The ground floor fills the site. To the roof are three large two-storey plant, lift and staircase enclosures.

### **Legislation, policy and guidance**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.”*

Policy 39 requires that where development will have a visibly adverse effect upon a conservation area’s recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted. Relevant to this case, are also policy 38 (general design principles) and policy 40 (Townscape and Architecture). All three policies 38, 39 and 40 require significant consideration and weight to the quality of new design and to the conservation of heritage assets.

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

### **The proposals and their impacts**

The application proposes to erect a two-storey extension to the roof of the building, extending over both front and rear projecting wings. To the front wing, the extension would be set back substantially from the front and end building lines, with the upper

storey set further back still to create a tiered form other than to the rear courtyard elevation which would be sheer due to the continuation of the existing lift shafts upwards. To the three rear wings, the extensions would similarly be set-back and tiered but to a lesser degree other than towards the rear where the new pavilions which would be formed would be substantially set back from the eastern-most wall line of the rear wings. The upper storey of the new pavilion to the northern-most wing would be detached from the main front wing extension by virtue of the degree of set-back proposed from the northern end wall line of the front wing.

Objections have been raised to the principle of the extension, its height, detailed design and townscape views. Whilst concern has been raised with respect to potential for the development to set a precedent, each application is dealt with on its own merits.

The extensions are proposed as simple, modern, flat roofed extensions and would be built of sympathetic materials including a Portland-stone coloured render, and dark metal windows. This would reflect the solidity of the building whilst avoiding slavish replication of the architectural design of the original building.

The proposals would represent a significant addition to the building and would in places have a visible impact on its appearance. This would be most experienced from the north when viewing the block south-westwards from Queensway where the north elevation is prominent and the proposed set-backs are less significant than on other sides. However, it is considered that the bulk and form proposed, in particular the carefully placed set-backs and tiering, best mitigates these impacts such that it would have a largely neutral effect on the appearance of the building and, critically, on its positive contribution to the conservation area. Where the extensions would be visible, mostly from private taller buildings such as Consort House opposite, the effect on the way in which the building contributes to the conservation area, and to the setting of the adjacent Bayswater Conservation Area would be minor and would be respectful to the design of the building and would be of a high quality of architectural design.

The proposals would not have any effect on the setting of Kensington Gardens, of the Royal Parks Conservation Area, or of nearby listed buildings.

Notwithstanding the objections raise, for the reasons set out above and subject to the careful exercise of conditions to secure the quality of materials and detailing, the proposals are considered to preserve the character and appearance of the building and conservation area, and would comply with relevant local and national policies and guidance, in particular policies 38,39 and 40 of our City Plan.

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

### **8.3 Residential Amenity**

The proposed 2-storey roof extension and associated alterations must be assessed in terms of its physical impact on the amenities of surrounding residential properties and in relation to daylight and sunlight, sense of enclosure and privacy. Furthermore, the

proposed external terraces fall to be considered with respect to the potential for overlooking and noise disturbance.

A number of objections have been made with respect to the impact on the existing residents of Queens Court and surrounding residential properties in Princess Court, Caroline Place, Caroline Place Mews and Consort House. These objections raise concerns including with respect to the impact of the proposed development on daylight and sunlight, enclosure, privacy.

Further objection is raised to the external terraces and mechanical plant concerned with noise and overlooking and noise and environmental impact, respectively.

### **Daylight & Sunlight**

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

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

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

With respect to this proposal the following neighbouring properties have been assessed:

#### Queens Court (11-43 Queensway)

A number of existing windows to Queens Court would see reduction in daylight over and above the tolerances within the BRE guide.

#### First Floor

Three windows (W35, 47 & 80) would see a reduction in daylight of their former values of between 0.64-0.66 and fourteen windows (W36,37,46,47,49,50,51) would see a reduction of their former value of between 0.70-0.79.

#### Second Floor

Five windows (W22,30,32,45 and 47) would see a reduction in daylight of their former values of between 0.62-0.69 and eighteen windows (W7,8,16,17,18,19,24,27,28,29,31,33,34,35,42,43,44, and 46) would see a reduction in their former values of between 0.76-0.79.

#### Third floor

Four windows (W24,32,34,47 and 49) would see a reduction in daylight of their former values of between 0.61-0.66 and twenty three windows would see a reduction of their

former values of between 0.73-0.79.

#### Fourth Floor

Five windows (W24,31,33,46 and 48) would see a reduction in daylight of their former values of between 0.60-0.65 and twenty two windows would see a reduction of their former values of between 0.72-0.79.

#### Fifth Floor

Seven windows (W8, 16, 24,33,46 and 48) would see a reduction in daylight of their former values of between 0.58-0.69 and twenty three windows would see a reduction of their former values of between 0.70-0.79.

#### Sixth Floor

Eight windows (W8,16,19,24,31,33,46 and 48) would see a reduction in daylight of their former values of between 0.51-0.69 and eight windows would see a reduction of their former values of between 0.71-0.77.

Whilst these windows would see a reduction in their formal values of less than 0.8, many are just shy of the 0.8 values and the remaining values of daylight are considered to be acceptable and not so significant to withhold permission on this ground.

The proposal would have not significant impact on the level of sunlight received by these properties.

#### Princess Court

None of the 119 windows within this block would suffer any significant loss of daylight and meet with the tolerances within the BRE guidelines.

In term of sunlight three would see a light reduction in annual probable sunlight with a reduction in their formal value of between 0.72-0.76, just shy of the 0.8 value set out in the guidelines and for this reason the impact is considered to be acceptable.

#### 23,24,25,26,27 and 28 Caroline Place

These properties would see no significant loss of daylight or sunlight.

#### 1-8 Caroline Place Mews

1,2,3,5,6 and 7 Caroline Place Mews would see no loss of daylight or sunlight.

4 Caroline Place Mews would see no loss of daylight, but one window, a first floor bedroom window (W1) would see a reduction in sunlight from 15 to 10 annual probable sunlight hours, 0.66 of its former value. Whilst this is regrettable, it is not considered to be so significant so as to warrant withholding permission on this ground.

8 Caroline Place Mews would see no loss of sunlight, but one ground floor window (W1) would see a reduction in daylight of 0.78 its former value m, from 3% VSC to 2% ( or from 32-25% using the NSL value, also 0.78 of its former value. Given the existing low levels of daylight received by this window and the reduction just shy of the 0.8 guideline, it is not considered that the impact would be so significant on this property.

#### 1-57 Bayswater Road



This property would see no significant loss of daylight or sunlight.

#### 6-26 Queensway

Six windows would see a reduction in daylight, 4 serve circulation space and 2 are already obstructed by a overhanging balcony and its own brick balcony enclosure. As such the impact on these windows are considered to be acceptable.

Eight windows would see a reduction in sunlight, however a number of these are considered to serve non-habitable rooms.

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

Given the scale of the development, its set back and distance to neighbouring properties, it is not considered to result in any significant increase in sense of enclosure or loss of privacy to existing residents of Queens Court or surrounding neighbouring properties. As such the concerns raised on this ground are not supported by officers

#### **External terraces**

The external terraces at 7<sup>th</sup> and 8<sup>th</sup> floor levels which provide private amenity space for the 2 and 3 bedroom flats are not considered to result in any significant overlooking or noise disturbance to the existing residents of Queens Court or surrounding neighbouring properties. This is due to the height of the terraces, their location and distance and relationship to surrounding residential properties as well their domestic nature. The objections raised on these grounds are therefore not supported by officers.

#### **Mechanical Plant**

A noise assessment has been submitted in support of the proposal by CSG Acoustics. The plant specified is 26 air conditioning units to be installed on the rooftop of the 8<sup>th</sup> floor of Queen's Court, across 3 different bays. The City Council's Environmental Health (EH) Officer has confirmed that the plant is expected to meet out standard noise and vibration requirements subject to them operating in night quiet mode between the hours of 23.00 and 07.00. As such the plant is considered to be acceptable, subject to conditions to ensure future compliance in accordance with policy 33. Given the technical advice from our EH officer, the objections raised with respect to the environmental impact of the mechanical plant are not supported.

The two new full height external ducts, extension of one existing duct and extension of existing chimneys to terminate above new roof level to rear elevation do not raise amenity concerns.

### **8.4 Transportation/Parking**

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

#### Servicing of site

The only off street servicing associated with the site is the adhoc parking within Princess Court car park. The proposal relies predominately on on-street servicing provision, in a similar fashion to what is occurring now.

The Queensway street improvement works will include the provision of five new loading bays within the immediate vicinity of the site, which will be available for use between

07.00 and 12noon and 08.00-13.00. A draft servicing management plan has been submitted which sets out the proposed servicing strategy for all 4 linked planning applications. A final detailed Servicing Management Plan is proposed to be secured by condition. The slope of the area is not considered to raise concerns and the objection raised on this ground is not supported.

#### Car parking for residential units

The 4 linked planning applications which collectively propose 66 flats (26 of which are proposed as part of this application) propose to utilise 31 car parking spaces within Q-Park Queensway, which is in close proximity. This equates to 0.5 spaces per flat over the 4 applications offered on an unallocated basis. This is considered acceptable. Whilst objections have been raised with respect to the impact of the lack of car parking on demand for on street car parking and residents parking permits. The provision of car parking is accepted as striking a balance between encouraging sustainable modes of travel and taking account of existing residents concerns. As such the provision is considered to be acceptable and objections on this ground are not supported by officers. These are to be secured through a s106 legal agreement along with car club membership and EV charging points.

#### Cycle Parking

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

#### Waste and Recycling

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

#### Pedestrian Access

The 26 new flats are proposed to be accessed from the existing pedestrian access points at ground floor level on Queensway and are therefore proposed to utilise the existing lifts and service cores which are proposed to be extended up to the new 7<sup>th</sup> and 8<sup>th</sup> floor levels.

For the reasons set out above the proposal is considered to be acceptable in transportation terms with satisfactory car parking, cycle parking, and access arrangements in accordance with policies 25 (walking and cycling), 27 (parking) and 29 (Freight and servicing).

### **8.5 Economic Considerations**

Refer to viability section of report.

### **8.6 Access**

See transport section of report.

## 8.7 Other UDP/Westminster Policy Considerations

### Energy

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

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

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

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

### Air Quality

The air quality neutral assessment concludes the development is air quality neutral for both building and transport emissions which satisfies policy 32 (Air Quality). The objections on this ground are therefore not justified.

### Biodiversity

The proposed planters will go some-way to providing a net gain in bio-diversity on site in accordance with Policy 34, however it is regrettable that further greening is not proposed.

### Fire safety

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

## 8.8 Westminster City Plan

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

## 8.9 Neighbourhood Plans

Not applicable

### 8.10 London Plan

This application raises no strategic issues.

### 8.11 National Policy/Guidance Considerations

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

### 8.12 Planning Obligations

The draft 'Heads' of agreement are proposed to cover the following issues:

To link Applications 1, 2,3 & 4 together and to secure the following obligations related to this application 4:

- a) In the event that Application 3 or 4 is implemented, the provision of 8 flats as Intermediate (London Living Rent) Affordable Housing units prior to the occupation of the market flats.
  - b) Early and Late Stage Affordable Housing Reviews in order to secure further affordable housing contributions, should the development become viable in the future.
  - c) Lifetime (25 years) Car Club Membership for each of the residential units
  - d) Car and Cycle parking within Q Park Queensway Car Parking on an unallocated basis
  - e) Highways works associated with and required to facilitate the development
  - f) Employment and skills contribution of £TBC index linked and payable on commencement of development.
  - g) Carbon Offset Payment of £126,207 index linked and payable on commencement of 1st of the four linked applications.
  - h) Monitoring costs
- The estimated CIL payment is :
- Westminster Cil:- £1,377,892
- Mayoral Cil :- £154, 136

### 8.13 Environmental Impact Assessment

Not relevant to application of this scale

### 8.14 Other Issues

#### Impact on existing building services

A significant number of representations have raised the issue of the impact of the proposal on Queens Court itself, structurally and with respect to its existing services. Whilst these concerns are valid and acknowledged, these are not matters that are relevant to the determination of the planning application. The applicant would require separate Building Regulations approval which may address some of the concerns raised.

#### Construction impact

Significant concerns are raised with respect to the potential impact of the

construction/building works on residents within the building. This is not a matter that is relevant to the consideration of this application. However, a condition is recommended to require the applicant to comply with our Code of Construction Practice and this is expected to go some way to minimising the impact on existing residents.

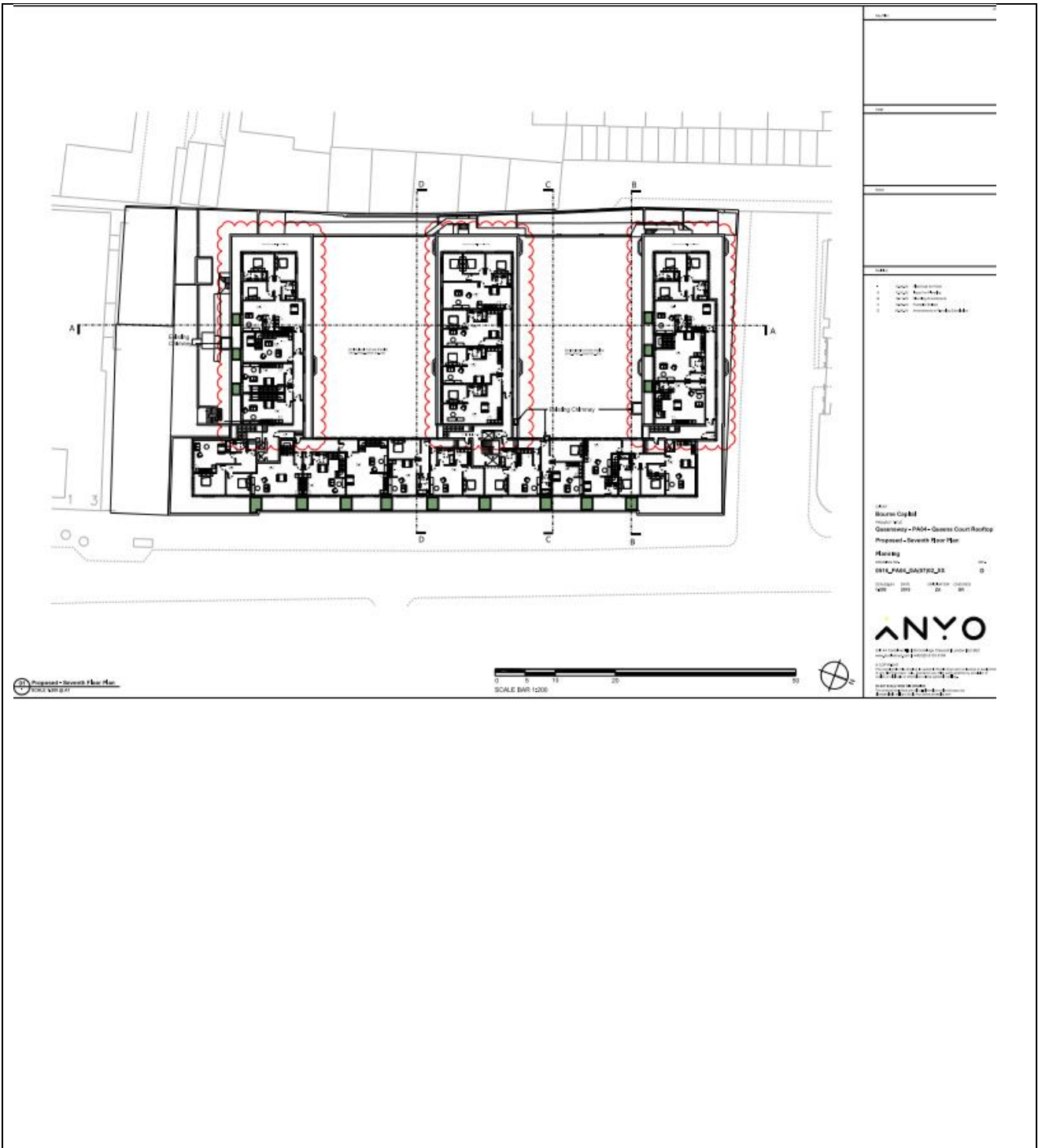
Other

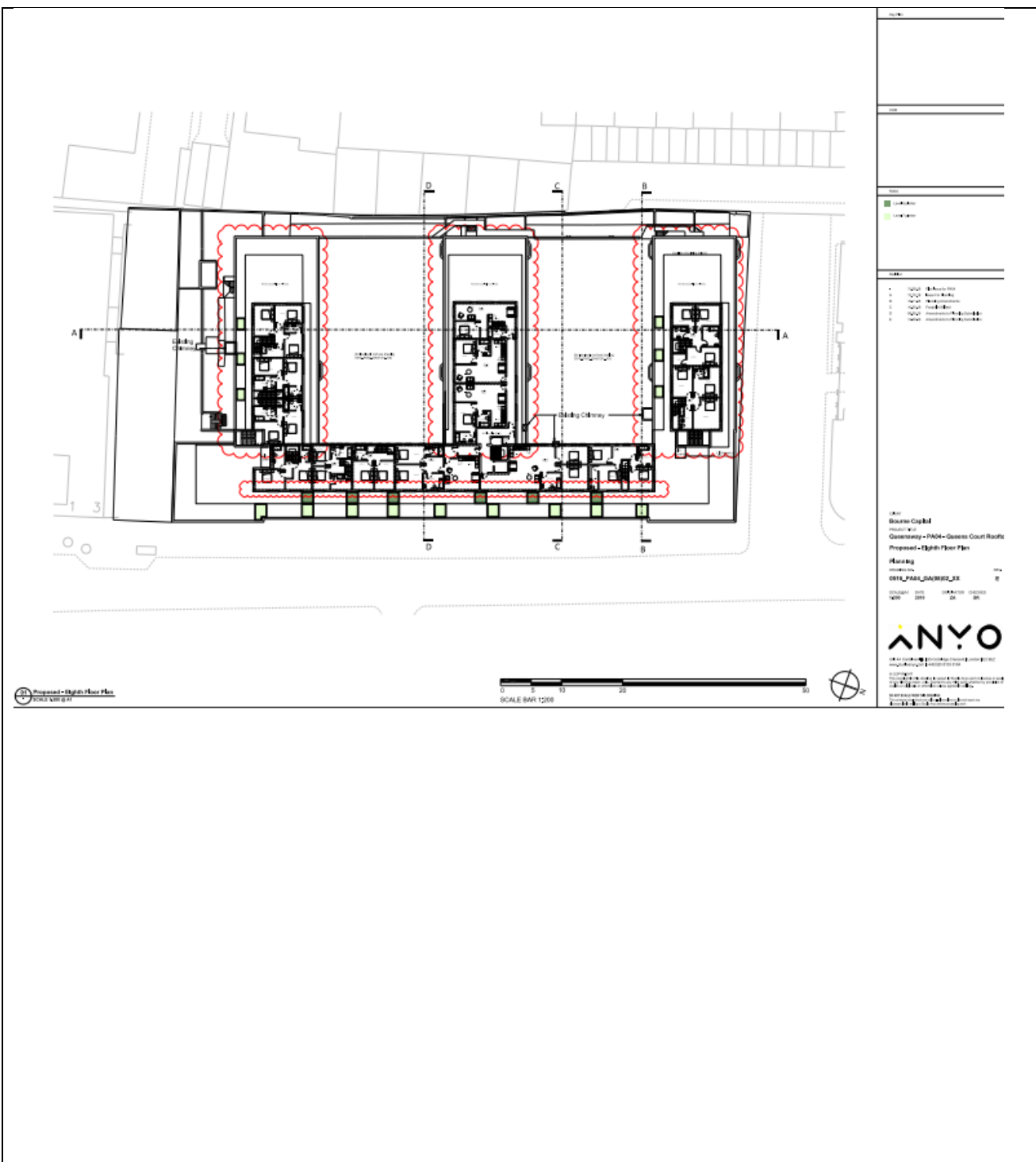
Other concerns relating to the potential impact on property values, service charges, compensation are not planning matters that can be considered in the determination of this application.

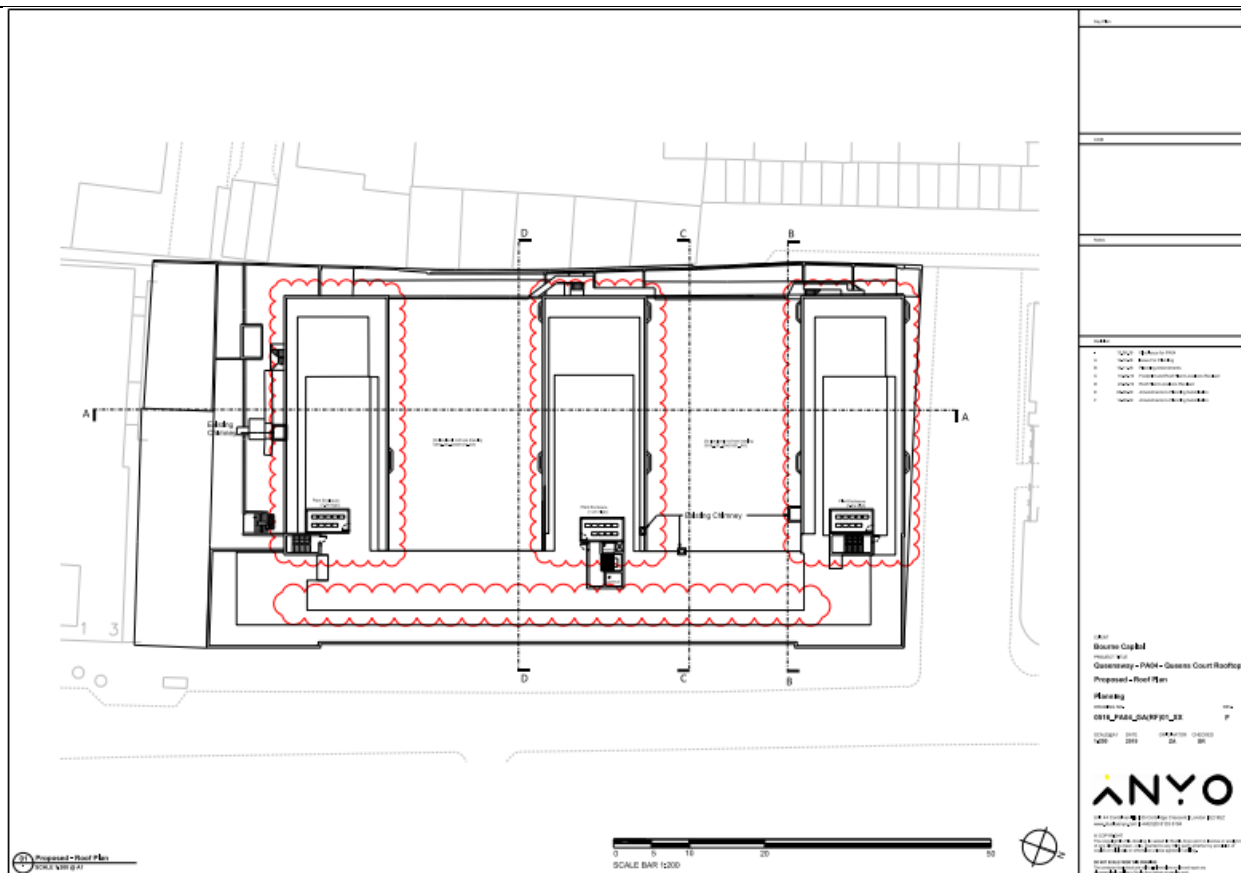
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)

## 9. KEY DRAWINGS











STUDIOANYO 2020

Bourne Capital | Queensway

**4.0 PLANNING APPLICATION 04**

| Queens Court Roof Top |



Proposed Elevation - East Side Queensway



Proposed Elevation - East Side Queensway (Queens Court Rooftop)

**DRAFT DECISION LETTER**

**Address:** Queens Court, Queensway, London, W2 4QN

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

**Reference:** 18/09766/FULL

**Plan Nos:** Linked Reports:, WSP Air Quality Assessment , Studio Anyo Existing and proposed Area Schedules, Ventilation and Extract Statement , Waldrums Daylight and Sunlight Report, Chapman BDSP Sustainable Drainage Strategy and Energy Statement , Steven Levrant Heritage, Townscape and Visual Impact Assessment, CSG Acoustics Residential Noise Assessment, Plant Noise Report, Affordable Housing Noise Assessment., Montague Evans Planning Statement and Red line plans and viability Statement, , Four Communications Statement of Community Involvement , WSP Transport Statement and Addendum Note and waste Management Strategy.  
 0516\_PA04\_GA(07)01\_EX Rev B; 0516\_PA04\_GE(EA)01\_EX Rev B;  
 0516\_PA04\_GE(NO)01\_EX Rev A; 0516\_PA04\_GE(SO)01\_EX Rev A;  
 0516\_PA04\_GE(WE)01\_EX Rev B., , 0516\_PA04\_GA(07)01\_XX Rev D;  
 0516\_PA04\_GA(08)01\_XX Rev E; 0516\_PA04\_GA(RF)01\_XX Rev F., ,  
 0516\_PA04\_GE(EA)01\_XX Rev F; 0516\_PA04\_GE(NO)01\_XX Rev F;  
 0516\_PA04\_GE(SO)01\_XX Rev F; 0516\_PA04\_GE(WE)01\_XX Rev G., ,  
 0516\_PA04\_GS(AA)01\_XX Rev E; 0516\_PA04\_GS(BB)01\_XX Rev E;  
 0516\_PA04\_GS(BB)02\_XX Rev C; 0516\_PA04\_GS(CC)01\_XX Rev E;  
 0516\_PA04\_GS(DD)01\_XX Rev E; 0516\_PA04\_GS(EE)01\_XX.

**Case Officer:** Sarah Whitnall

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

**Recommended Condition(s) and Reason(s)**

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

Reason:

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

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

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

Reason:

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

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

- 4 You must apply to us for approval of further information (as set out below) about the following parts of the development:, (a). Typical detailed designs of new roof, including balustrading, privacy screens and roof profile (detailed elevations and sections at 1:50, with details at 1:20 or 1:10)., You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details. (C26DB)

Reason:

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

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

- 6 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per

night-time from sources other than emergency sirens. (C49BB)

**Reason:**

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Noise Technical Guidance Note (November 2019). (R49BB)

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum. , , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:, (a) A schedule of all plant and equipment that formed part of this application;, (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

**Reason:**

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

- 8 The plant/machinery hereby permitted must be operated in quiet mode 1 between the hours of 23.00 and 07.00 daily. (C46CA)

**Reason:**

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

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

**Reason:**

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)

- 10 You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition 6 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain. (C51BB)

**Reason:**

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



impulsive sounds, and by contributing to reducing excessive ambient noise levels.  
(R51AC)

- 11 Prior to commencement a Scheme of openable windows and mechanical ventilation to provide a suitable internal environment for future occupiers in terms of noise and overheating shall be submitted and approved in writing by us. The development must then be carried out in accordance with the approved details and thereafter maintain them in perpetuity.

Reason:

To ensure that a satisfactory internal living environment (noise and overheating) is provided in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021).

- 12 The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground), have been submitted to and approved in writing by the local planning authority which:, a. Provide details on the use of tall plant and scaffolding, b. Accommodate the location of the existing London Underground structures

Reason:

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

- 13 No properties shall be occupied until confirmation has been provided that either:- all combined water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no, occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason:

The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.

- 14 **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)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to . (I55AA)
- 3 THAMES WATER, The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](https://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval., , Water Comments, There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.  
<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes> If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](https://thameswater.co.uk/buildingwater)., , On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends



Item No.
<b>4</b>

the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of, this minimum pressure in the design of the proposed development., , Supplementary Comments, Policy 5.13 of the London plan 2016 require all developments to reduce the peak flow and volume of surface water discharging off the site. In line with this guidance, developments on brownfield sites should seek to match their post development runoff rates to greenfield runoff, up to a maximum of three times greenfield runoff. The Policy states that the reduction in surface water runoff should be achieved using Sustainable Drainage Systems and sets out the SUDS hierarchy which should be adopted in order to meet, this., 1. Rainwater harvesting (including a combination of green and blue roofs), 2. Infiltration techniques and green roofs, 3. Rainwater attenuation in open water features for gradual release, 4. Rainwater discharged direct to watercourse (unless not appropriate), 5. Rainwater attenuation above ground (including blue roofs), 6. Rainwater attenuation below ground, 7. Rainwater discharge to a surface water sewer or drain, 8. Rainwater discharge to a combined sewer

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.