

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 December 2021		Classification For General Release
Report of Director of Place Shaping and Town Planning		Ward(s) involved Warwick	
Subject of Report	Pimlico Car Park, Cumberland Street, London, SW1V 4NH		
Proposal	Change of use of part of existing car park to an electric vehicle charging hub comprising 16 charging points and the installation of substation within landscaped area adjacent to car park entrance.		
Agent	DP9		
On behalf of	Chargemaster Ltd		
Registered Number	21/05254/FULL	Date amended/ completed	30 July 2021
Date Application Received	30 July 2021		
Historic Building Grade	Unlisted		
Conservation Area	No		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Pimlico Car Park is an unlisted building outside of a conservation area located on the corner of Warwick Way and Winchester Street. Access to the car park is via a ramp running from Winchester Street underneath Furness House which is part of the Manor Abbots Estate.

Permission is sought for an electric vehicle (EV) charging hub at level -2 of the car park. It is proposed to install 8 rapid chargers which would provide 16 EV charging points for use by members of the public. The scheme includes the installation of a new substation and cabling sited at the entrance to the car park within a landscaped area.

The key issues in this case are:

- The impact on residential amenity of neighbouring occupiers, and
- The impact of the substation on the appearance of the streetscape.

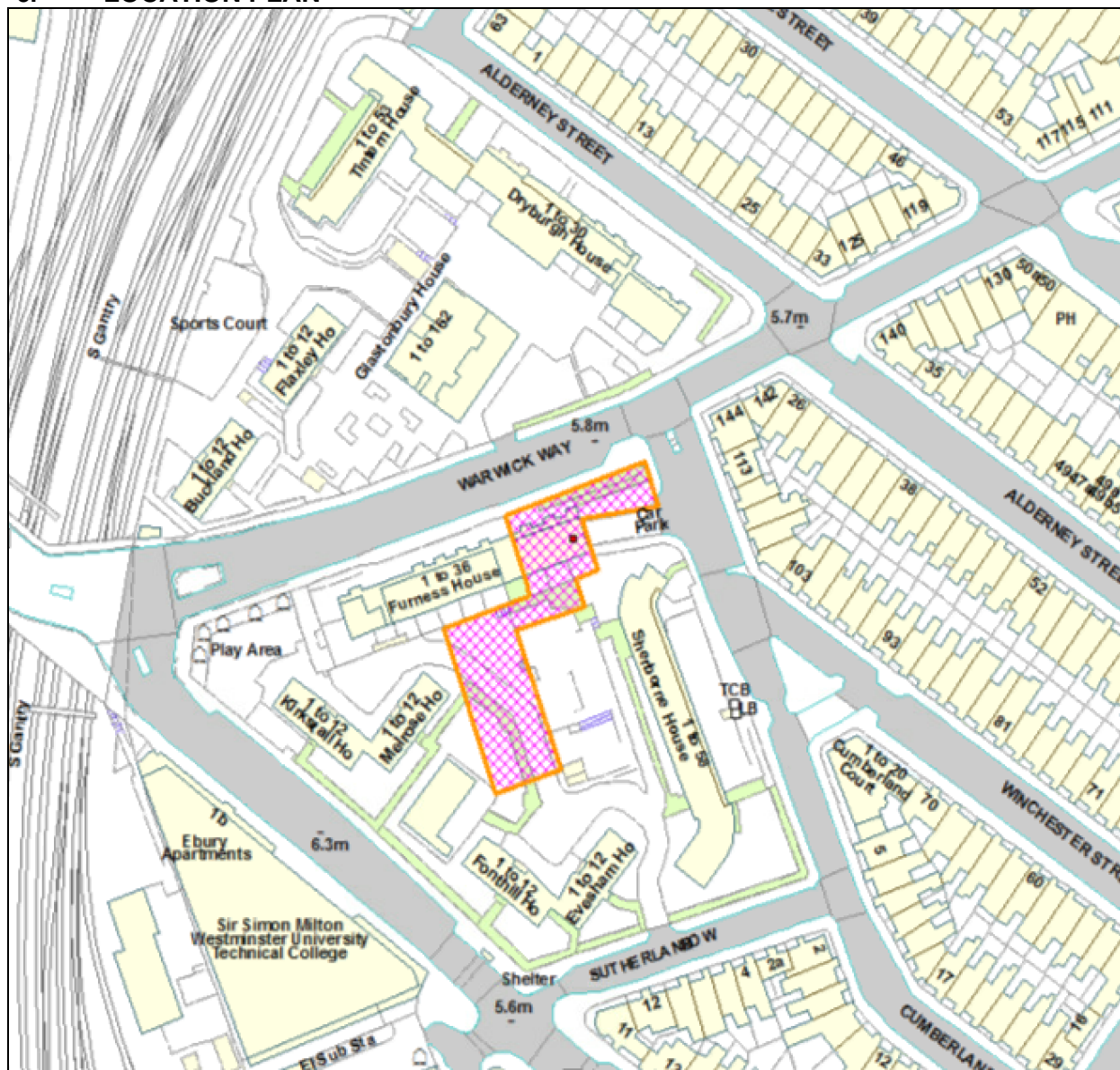
A ward councillor has raised concerns about noise disturbance from the rapid chargers and impact of the substation on the streetscape. Objections have been received from local residents concerned about noise nuisance from the rapid chargers and from the substation.

Whilst these concerns are understood, the applicant has provided noise assessment reports to demonstrate that the proposed chargers and substation would be likely to comply with the council's standard noise conditions. For the reasons set out in the main report, it is not considered that the proposal will significantly harm the amenity of the adjoining residential properties in terms of Policies 7 and 33 of the City Plan.

The provision of an additional electric vehicle charging hub will help reduce traditional forms of traffic which will improve air quality and reduce noise pollution as well as supporting the Government's long-term objective to decarbonise cars and vans.

The proposed development, subject to the conditions as set out in the draft decision letter, is considered acceptable and satisfies the relevant planning policies in the City Plan 2019-2040 adopted in April 2021. Accordingly, it is recommended to grant planning permission.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Car park entrance



Corner of Cumberland Street and Warwick Way

5. CONSULTATIONS

CLLR JACQUI WILKINSON

No objection in principle to installation of 16 high voltage chargers but concerns about the location on the upper level and the potential disruption to residents. Query about using the existing substation underneath Sherborne House instead and concerned about the removal of the greenery and detrimental impact on the streetscape with the installation of the new substation.

PIMLICO FRED A:

No response to date.

WESTMINSTER SOCIETY:

No response to date.

PIMLICO NEIGHBOURHOOD FORUM:

No response to date.

HIGHWAYS PLANNING TEAM:

Acceptable subject to conditions.

ENVIRONMENTAL HEALTH:

No objection subject to recommended conditions.

ARBORICULTURAL SECTION:

No objection subject to recommended condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 146

Total No. of replies: 4

No. of objections: 4

No. in support: 0

The letters of objection raise some of all of the following issues:

*noise from the EV rapid charging points and from the substation;

*noise from additional traffic;

*existing constant humming noise from generators and activity;

*health impacts associated with noise pollution;

*health impacts associated with electromagnetic frequency;

*flood risk to car park; and

*private companies should not operate from residential buildings.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is Pimlico Car Park, an unlisted building outside of a conservation area, located on the corner of Warwick Way and Winchester Street. Access to the car park is via a ramp running from Winchester Street underneath Furness House which is part of Manor Abbots Estate. The car park offers public off-street chargeable car parking, but also offers discounted car parking rates to local residents and operates on a 24-hour basis. The applicant states that the car park contains 240 existing car parking spaces.

6.2 Recent Relevant History

Planning permissions dated 6 July 2015, 16 February 2012 and 22 July 2002 allowed the use of 24, 9 and 34 car parking spaces to be used for self-storage units.

On 20 October 2016 planning permission was refused for the use of 70 existing public off-street car parking spaces contained within Level 1 of the Pimlico Car Park for self-storage purposes (Class B8) (RN:16/05223/FULL).

7. THE PROPOSAL

Permission is sought for the conversion of part of existing car park (24 spaces) into a 16 space rapid electric vehicle charging hub for use by the public. The hub is to be located at level -2 of the car park. It is proposed to install 8 rapid chargers which would each provide two charging points which can typically charge an electric vehicle's battery capacity (0-100per cent) from 30 to 60 minutes.

The scheme includes the installation of a new substation sited at the entrance to the car park within a landscaped area together with associated cabling works. The 2.8m x 2.8m substation is 2.55m in height and is shown with a dark green/brown glass reinforced plastic (GRP) finish. It is a standard substation that has been designed to meet the requirements of the electrical equipment contained within it.

The users will access the chargers via the existing car park entrance with access granted through an app where users can check availability and book a slot at the charging station.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policy 24 [Sustainable transport] of the City Plan states that the council will support a sustainable pattern of development which maximises trips made by sustainable modes, creates safer streets for all, reduces traffic [and] improves air quality.

Policy 27 (G) states that proposals for the redevelopment of existing car parks for alternative uses will be supported.

Policy 32 states that the council is committed to improving air quality in the city.

Based on the assessment provided in the Transport Statement, the Highways Planning Manager considers that the proposals are unlikely to increase traffic/parking demand in the area. There is therefore no objection in policy terms to the reduction in the number of parking spaces in the existing car park and the proposed charging hub is considered to be an appropriate alternative use. The provision of an additional electric vehicle charging hub will help reduce traditional forms of traffic which will improve air quality and reduce noise pollution as well as supporting the Government's long-term objective to decarbonise cars and vans. This is considered beneficial and the proposal is therefore considered acceptable in land use terms.

8.2 Townscape and Design

The design considerations relate to the proposed electrical substation and associated cabling which will sit within a landscaped area. The applicant has confirmed that the proposed electric vehicle charging hub requires a dedicated substation to operate and that the existing nearby substation within the estate serves other uses.

The substation will be visible from both Warwick Way and Cumberland Street. Whilst the projection of the substation above the separating wall and the loss of greenery (which is addressed in section 8.7 of this report) are regrettable, it is not considered reasonable to withhold permission on the impact on the streetscape. The substation (and cabling) are set back from the public highway and there is existing utilitarian equipment on Warwick Way. In this context it is not considered reasonable to resist the installation of the substation. However, the proposed GRP finish is not considered acceptable and the applicant has agreed to an amending condition to require the substation to be brick clad. With this condition in place the proposed substation is considered to comply with Policies 38 and 40 of the City Plan.

8.3 Residential Amenity

Concerns have been raised by residents within the Abbots Manor Estate in terms of noise nuisance from the electric vehicle rapid chargers and from the substation.

Policy 33(C) of the City Plan 2019-2040 specifically deals with noise and vibration. local environment impacts. It states that development should prevent adverse effects of noise and vibration and improve the noise environment in compliance with the council's Noise Thresholds with particular attention to (1) 'minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses'.

As part of the application documents, a Plant Noise Assessment for the substation and EV Charging Station Noise Impact Assessment have been provided. The latter was requested by officers following a site visit to the car park and concerns about noise outbreak from the existing car park ventilation louvres. The documents have been reviewed by the Council's Environmental Health team who confirm that taking into consideration distance attenuation and the proposed plant, the application is likely to comply with the council's standard noise conditions at the nearest noise sensitive/residential premises.

The letters of objection refer to constant humming, noise and vibration of the building from generators, lift, communal pipes and activity. There is also reference to noise from two electric vehicle charging points. The electric vehicle charging points are existing and do not form part of this proposal. Whilst it is understood how noise can affect the quality of life, a review of the noise complaints made to the council shows that one complaint relating to the car park in 2019. The case was closed when the nuisance (a motor vibrating strongly) stopped. The applicant has demonstrated that the current proposal would meet the council's Noise Thresholds and so is policy compliant.

With regards to noise from additional traffic, the applicant advises that the proposal would have a negligible impact in terms of traffic generation and may even reduce noise as the proposed scheme intends to attract electric vehicles only which produce less noise than petrol or diesel vehicles.

For the reasons set out above, subject to conditions controlling the noise and vibration levels it is not considered reasonable to withhold permission on noise grounds. The proposed scheme is considered acceptable in amenity terms and to comply with Policy 33 of the City Plan.

8.4 Transportation/Parking

With the use of an app to control bookings, the Highways Planning Manager does not object to the proposal as the proposed development would have a negligible impact on highway safety, traffic generation and congestion.

8.5 Economic Considerations

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

8.6 Access

The access to the car park remains as existing.

8.7 Other UDP/Westminster Policy Considerations

Landscaping

The substation will be located within an existing terraced area of soft landscaping with three distinctive tiers. The vegetation on the upper section will be lost and the installation of the cabling will require the removal of the climbing plant within the middle section. The large shrub / small tree at the lower section could be pruned and retained.

The Council's arboricultural officer has been consulted and whilst the officer considers the loss of existing soft landscaping to be regrettable subject to replacement within the remaining tiers it would not be reasonable to resist the scheme. The agent has agreed to a condition securing replacement planting.

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

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

Planning obligations are not relevant in the determination of this application.

8.13 Environmental Impact Assessment

Not required for a development of this scale.

8.14 Other Issues

Health impact of Electromagnetic Fields (EMFs)

One letter of objection lists health issues from exposure to EMFs and requires the submission of an Environmental Impact Assessment.

The purpose of an Environmental Impact Assessment is to ensure that likely significant environmental effects arising from a proposed development are properly considered. The requirement to produce such documents is only required for developments described in Schedule 1 and Schedule 2 of the Town and Country Planning (environmental impact assessment) (England and Wales) Regulations. The proposed development does not fall within those categories.

The applicant confirmed that the proposed substation and EV charging hub are in line with all relevant safety and building regulations, they will be similar to other substations

and EV charging hubs that have been installed across London. On the basis that the installation will be in line with the government public exposure limits, it is not considered reasonable to resist the installation on potential health impact grounds.

Electrical risk

If the car park is subject to flooding, it is the operator's responsibility to ensure that the proposed installation complies with Building Regulations.

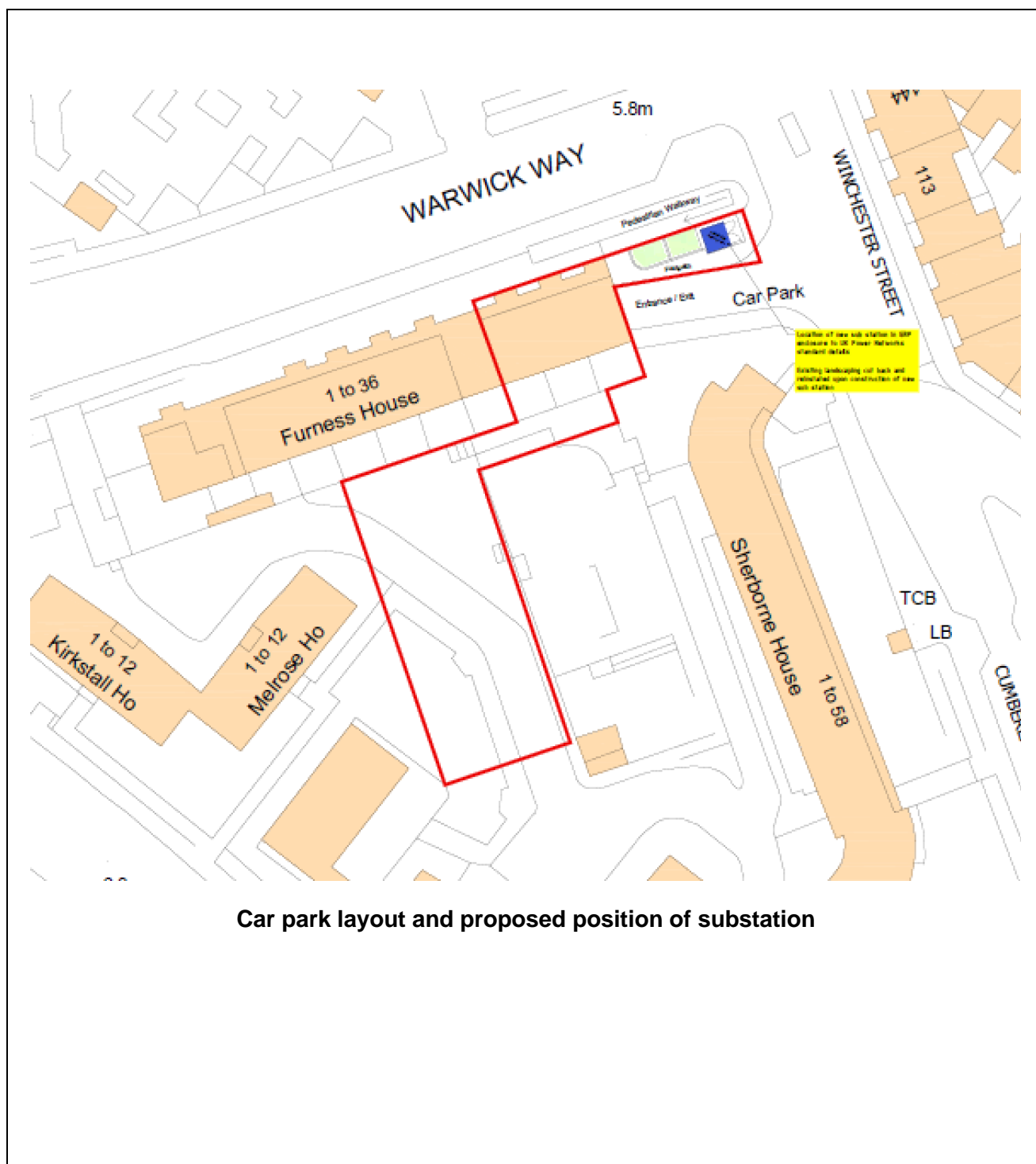
Private companies

One letter of objection mentions the private operation of the car park within a residential building and council policies to prevent this. It is not uncommon in Westminster to have business operating on the lower floors of residential buildings, such as shops or medical practice, and there are a few examples of private car park operating underneath residential buildings. Policies within the City Plan seek to mitigate the impact of different uses operating within a same building rather than preventing a mix of uses. The car park is existing and as assessed in the sections above subject to appropriate conditions it is not considered that the proposed scheme will harm the amenity of the local residents.

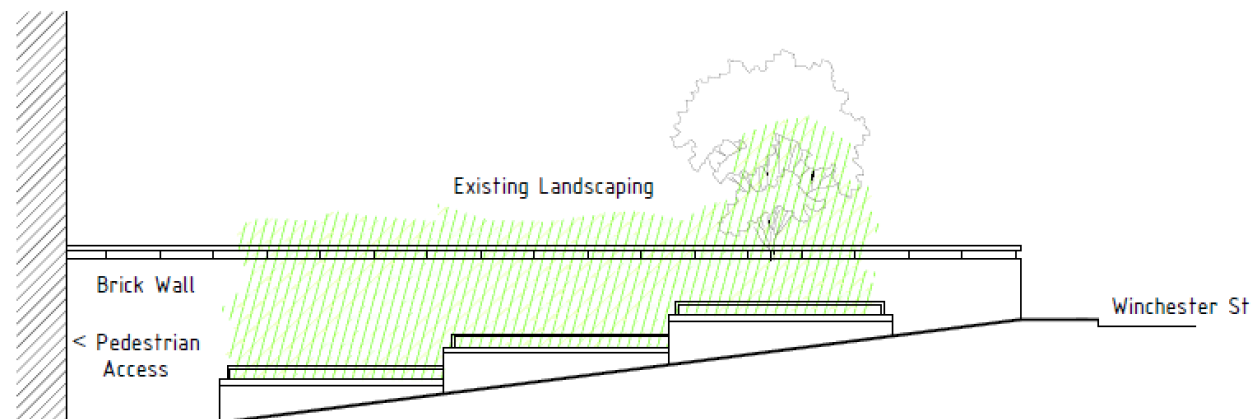
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk

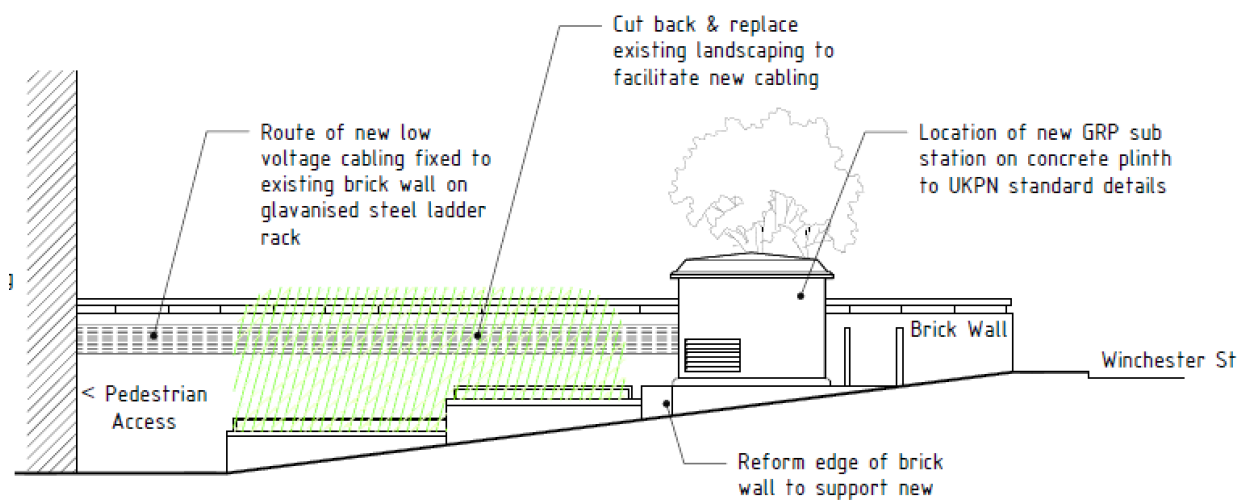
9. KEY DRAWINGS



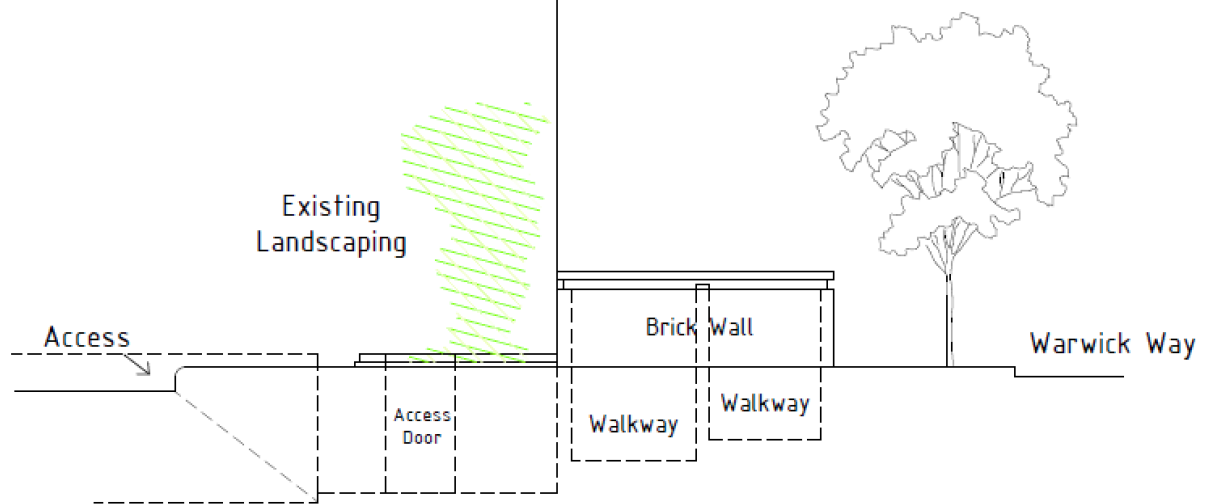
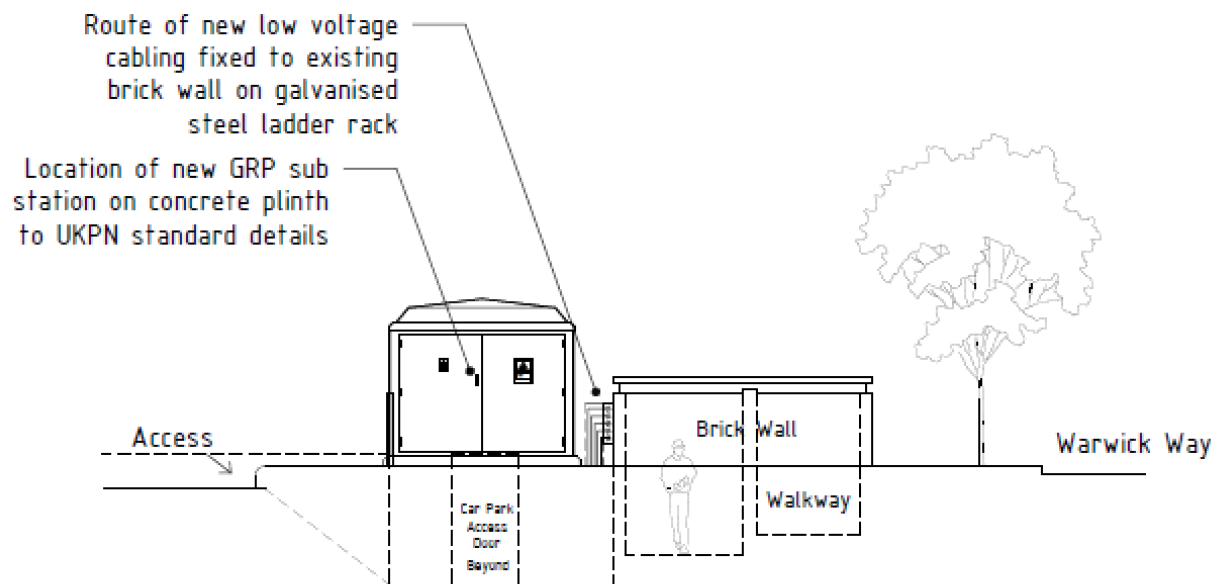




Existing elevation



Proposed substation elevation

**Existing section****Proposed substation section**

DRAFT DECISION LETTER

Address: Pimlico Car Park , Cumberland Street, London, SW1V 4NH

Proposal: Change of use of part of existing car park to an electric vehicle charging hub comprising 16 charging points and the installation of substation within landscaped area adjacent to car park entrance.

Reference: 21/05254/FULL

Plan Nos: 13837-20; 13837-22; 13837-22-1; 13837-23 rev. B; 13837-23-1; 13837-24; Site location plan; Plant Noise Impact Assessment dated 23 September 2021; EV Charging Station Noise Impact Assessment date 18 November 2021; Transport statement dated July 2021 v0.1

Case Officer: Aurore Manceau

Direct Tel. No. 07866038763

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
- 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 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 the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

- 4 You must apply to us for approval of detailed drawings of a planting scheme which includes the number, size, species and position of trees and shrubs. 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 planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within of planting them, you must replace them with trees of a similar size and species. (C30BC)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R30BD)

- 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 The design and structure of the building 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 Environmental Supplementary Planning Document (May 2021). (R49BB)

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

the substation to be brick clad with painted concrete band

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26AE)

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, sitenquiries@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 The EV charging points should be available 24 hours per day and the equipment should be maintained to provide a continuous service.

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.

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