

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 20 July 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	2 - 8 Rutland Gate, London, SW7 1AY		
Proposal	Partial demolition of existing building; remodelling of fourth floor and roof levels including openable glass roof; alterations to rear terraces at ground and fourth floor level and creation of terrace at fifth floor level; changes to fenestration; installation of plant machinery at basement, lower-ground and main roof levels; excavation to extend basement level 2; and associated external alterations.		
Agent	Richard Ward (DP9)		
On behalf of	Vision Perfect Global Limited		
Registered Number	21/01047/FULL	Date amended/ completed	3 March 2021
Date Application Received	19 February 2021		
Historic Building Grade	Unlisted		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

The application site is located on the west side of Rutland Gate, with its main frontage onto Kensington Road opposite Hyde Park. It lies within the Knightsbridge conservation area. Originally four mid-nineteenth century townhouses, 4-8a were demolished in the 1930s with the current building constructed in the 1980s to mimic the 1860s style.

In 2016, permission was granted for alterations and extensions in connection with the use of the building as 13 self-contained residential flats. The permission was not implemented and in 2019 a lawful development certificate was granted demonstrating that the entire property had been used as a single family dwellinghouse for a period exceeding 4 years.

The current proposals involve the refurbishment and partial demolition of the building to allow the remodelling of the facades and roofscape. A modern mansard is proposed with contemporary

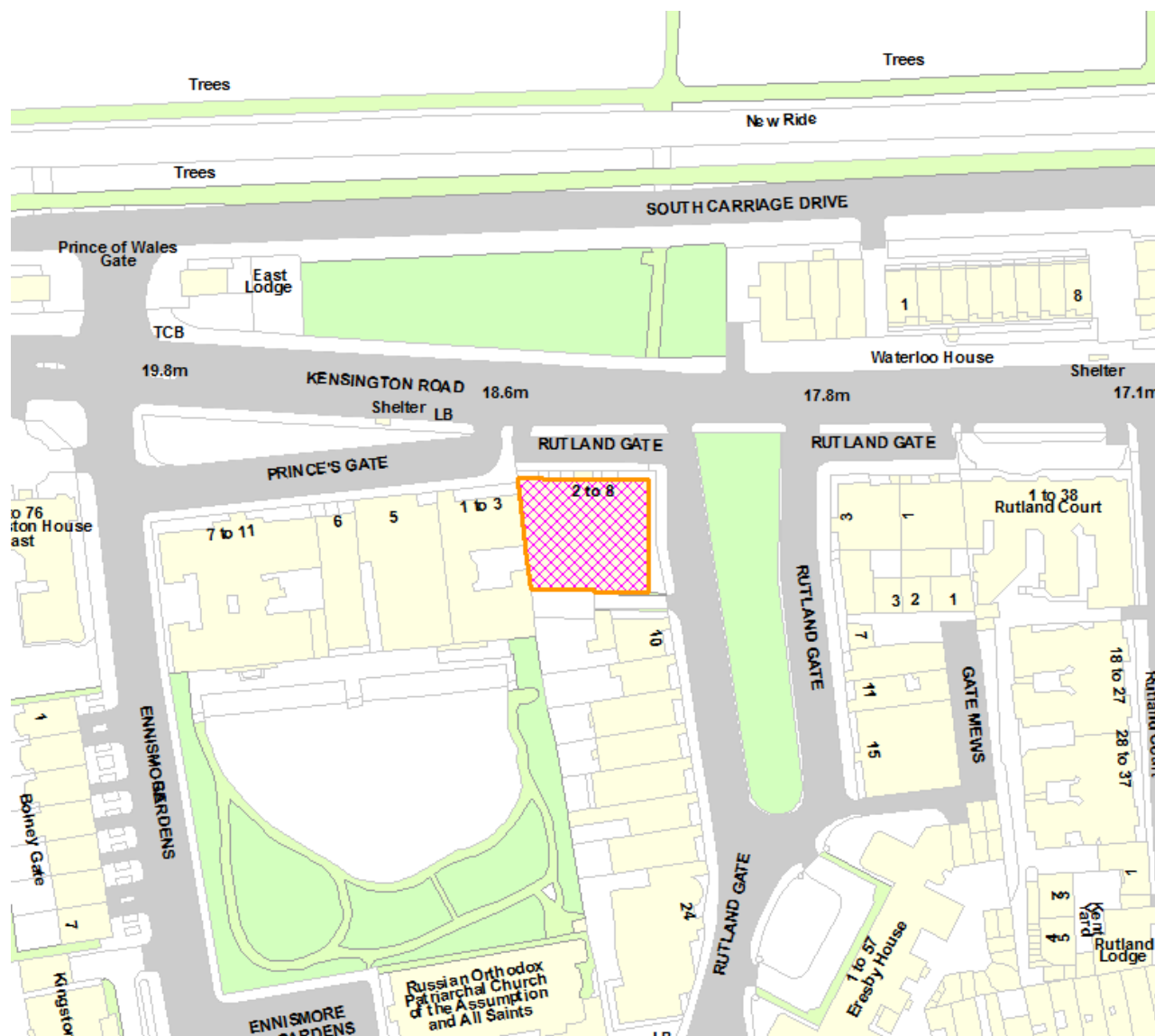
features, including an openable glazed top with metal framing, integrated photovoltaic panels and a section of green roof. Alterations are proposed to the ground and fourth floor terraces, along with the creation of a new terrace at fifth floor level to the rear. The existing basement level will also be extended. Associated works include the installation of plant machinery at basement and roof levels and alterations to fenestration.

The key issues for consideration are;

- The impact of the proposal on the character and appearance of the building and the Knightsbridge Conservation Area;
- The impact on the amenity of neighbouring residents;

The proposed development is considered to be acceptable and would accord with policies within Westminster's City Plan 2019 – 2040 (April 2021) and the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).

3. LOCATION PLAN



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4. PHOTOGRAPHS



2 – 8 Rutland Gate

CONSULTATIONS

HISTORIC ENGLAND

- Do not wish to offer any comments.

HISTORIC ENGLAND (ARCHAEOLOGY):

- No archaeological requirement

KNIGHTSBRIDGE NEIGHBOURHOOD FORUM:

Original Application

- The applicant has been an exemplar for community consultation and engagement prior to submitting the application. The Forum encourages the early approval of this application by Westminster, with full and appropriate conditions, so that works can get underway and complete with minimum inconvenience for neighbours.
- Westminster should refer to the latest adopted London Plan and the “intend to adopt” version of the City Plan 2019-2040.
- Pleased that the initial outline Construction Management Plan (CMP) confirms that the works will comply with the latest standards for Non-Road mobile Machinery for the Central Activities Zone. The forum encourages the use of all electric construction vehicles where possible. The outline construction plan should be updated to refer to the most recent Westminster and London Plan policies and any approval should include a condition requiring the final CMP be approved by the Council. It is assumed that a Construction logistics group will be established with approximately monthly meetings.
- Pleased that construction vehicle access will be limited to a pit lane north of the building line and would support the temporary alteration of a small part of the heritage wall to limit construction vehicle movements to this area.
- The Air Quality Assessment should comply with the requirements of the designated Air Quality Focus Areas (2016) referred to in the London Plan and City Plan. Forum pleased that all car parking spaces would be fitted with electric charging points and wonders whether hot water heating could be undertaken by electricity rather than gas heating and whether the applicant can minimise the possible impact of future transport emissions and movements.
- Supports the proposals for greening and encourages the use of mixed species that should be resilient to climate change, diseases and pests. Efforts to maximise gain in valued native birds and non-pest insects would be appreciated.
- The Forum would support the replacement of the railings and heritage lights on the boundary of the property with authentic-style heritage railings and lighting consistent with the heritage character of the area.
- WCC may wish to reference a number of policies in the Knightsbridge Neighbourhood Plan in any conditions.
- It should be noted that the basement excavation application for 20 Rutland Gate (RN:21/01454/FULL) which should be requested or required to consult the applicant for 2- 8 Rutland Gate (and vice versa) to minimise impact on the community.

Revised Application

- Continue to support the application as amended.
- Whilst the forum would like to see the transport emissions reduced, the applicant's commitment to refurbishing, not demolishing the building, the "single occupancy" use and the efforts proposed to move towards being a zero air emission building is welcomed.

KNIGHTSBRIDGE ASSOCIATION:

Original Application

- The association has had excellent communication with the applicant's agents, and they have addressed points raised at meetings prior to submission of the application.
- One point not previously commented on is that the design of the railings at ground and first floor should be more in keeping with heritage railings elsewhere e.g west side of the Upper Garden. Similarly lamps and railings on the boundary wall should be similar to the heritage ones on the boundary wall of the Upper Garden's north side.

Revised Application

- The dormer windows will now be more typical in design and have been reduced in width to single dormers.
- Provision of heritage style balustrades, railings and lamps is welcomed.

FRIENDS OF HYDE PARK AND KENSINGTON GARDENS:

- Support the application. The roof line remains lower than the neighbouring buildings. The finish and redesign of the façade of the building does not impact on the park.

ENVIRONMENTAL HEALTH

- No objection on air quality or noise nuisance grounds subject to the Council's standard conditions.
- A condition is recommended to ensure that the applicant signs up to the Code of Construction Practice.
- Informatives in relation to non-road mobile machinery and contaminated land recommended.

HIGHWAYS PLANNING MANAGER

- No objection to loss of two off-street parking spaces
- The provision of four internal cycle parking spaces is acceptable.
- The Construction Management Plan is considered to be acceptable in highways and transport terms.

TREE SECTION

- No objection. The tree report indicates that it should be possible to carry out the development without harm to the horse chestnut at 10 Rutland Gate, which is protected by virtue of being within the conservation area. Tree protection measures should be secured by condition.
- The proposals involve the removal of a bay and false acacia, the loss of these

trees would not be sufficient reason to refuse the proposals.

- Outline planting and green roof details have been submitted. More detail required about the planting and soil volume, this should be secured by condition.
- The applicant has committed to installing a rainwater harvesting system that will supply recycled water for irrigation purposes. The commitment is welcomed and this should be secured by condition.

PROJECT OFFICER (WASTE):

- No objection to the waste details submitted, a condition is recommended in order to ensure the continued provision of this facility.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 142

Total No. of replies: 3

No. of objections: 2

No. in support: 0

No. Neutral: 1

One neutral representation and two objections were received by nearby residential occupiers on the following grounds:

DESIGN

- The impact on the immediate townscape as a result of the increase in height is harmful and a reduction in the proposed height would address this concern. The harm could be avoided by reducing the overall height of the proposal and ensuring that the principal ridgeline should not exceed the height of the parapet of the adjoining building.
- The design of the proposed roof and upper storey is overly assertive and out of scale with the surroundings. The dormer window and upper storey design does not appear to be fully resolved and the glazed dome roof will be an incongruous and visually intrusive addition to the roofscape in private views from the penthouse.
- The amendments to the design of the dormer windows are an improvement on the previous proposal but remain unresolved in terms of their proportion, being rather overtly tall and narrow.
- The current proposals are harmful to the historic townscape relationship and would harm the heritage significance of nos. 1-7 Rutland Gate, which is listed Grade II and the character and appearance of the Knightsbridge Conservation Area.
- The height of the proposals significantly exceeds the height of the current building and also significantly exceeds the height of the previously consented planning application.
- Concern raised about the potential visual effects proposed glass dome at roof level, especially at night in terms of light spill in longer distance views. The roof would appear as a “halo” to the building and would draw further attention to the roof structure which is not in-keeping with its historic context. No details of how the area would be lit have been provided.

LAND USE

- Do not consider that the proposed increase in volume (around 20%) of the existing building is justified. The proposed increase in height of the building by 5 meters at roof level is excessive and is not required or necessary to optimise development density.

AMENITY

- The proposal will have an adverse impact upon the visual amenity of the Penthouse at 1- 3 Rutland Gate by way of a material change in outlook and sense of enclosure.
- Whilst the Sunlight and Daylight impact on the Penthouse may not be material, there are evidently adverse impacts upon other flats in the building.
- The acoustic report does not appear to measure from 1-3 Princes Gate as a noise sensitive property, request that additional testing is undertaken as part of the application.
- No detail is provided in relation to the potential noise impact of the proposed air source heat pumps and it is not clear where these terminate.

OTHER

- Further clarity on how the proposed green roof will be maintained should be provided. If the green roof is not maintained it could have a harmful impact on visual amenity. Conditions should be attached to ensure an appropriate design and a regular maintenance programme.
- The building is only 40 years old and the proposed demolition does not appear to represent a sustainable approach to the development of the existing building.
- Concern raised about construction traffic management. The traffic management plan appears to be superficial and the location is complex from a traffic management point of view.
- Concern raised about construction impact.
- A construction management plan and ground condition watching brief should be secured by condition
- A camera surveillance system was erected in Rutland Gate by the applicant, which was complained about by residents and allegedly did not have consent.
- The proposed height of the building has been calculated incorrectly. A comparison between the existing and proposed situations should be taken from the principal roof ridgeline and not the chimney pots: the proposals result in an increase of 5m when compared to the existing building.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

The application site is located on the west side of Rutland Gate, with its main frontage onto Kensington Road opposite Hyde Park. The building is not listed but falls within the Knightsbridge conservation area and is within the immediate setting of numerous designated heritage assets including the Royal Parks Conservation Area, Hyde Park (a Grade I Registered Park and Garden) and grade II listed buildings within the vicinity. The building maintains a close architectural relationship with 1-7 Rutland Gate, which is grade II listed and together they bookend the entrance of Rutland Gate.

The building itself was originally four mid-nineteenth century townhouses, which were demolished in the 1930s with the current building constructed in the 1980s to mimic the 1860s style. The current building consists of 5 floors above lower ground and two basement levels, with terraces at ground and fourth floor levels and parking at basement level 1.

5.2 Recent Relevant History

In 2016, conditional planning permission was granted for excavation to create a sub basement level, erection of a single storey rear and side extension incorporating car lift, remodelling of the fourth floor and fifth floor mansard roof storey, installation of plant machinery and external alterations to the front, side and rear all in connection with the use of the building as 13 self-contained residential flats (RN:16/01278/FULL). This permission has now expired.

In 2019, a lawful development certificate was granted demonstrating that the property had been used as a single family dwelling for a period exceeding 4 years (RN:19/08028/CLEUD).

6. THE PROPOSAL

Permission is sought to redevelop the existing single family dwelling which has fallen into a state of disrepair. The application includes:

- Partial demolition and refurbishment of the existing building, including the wholesale demolition and rebuild of the third, fourth and fifth floors, with the remodeling of the retained facades and new fenestration.
- Remodelling of roofscape, with a modern mansard incorporating contemporary features, including a predominantly glazed top with metal framing and integrated photovoltaic panels and green roof (sections of which are retractable).
- Extension of existing terrace at ground floor level and creation of terrace at fifth floor level;
- Provision of landscaping (biodiverse planting) at ground, fourth and fifth floor levels;
- Excavation to extend basement level 2;
- Installation of three internal lifts and plant machinery at basement, lower-ground and main roof levels.

	Existing (sqm)	Proposed (sqm)	Demolition (sqm)	New Build Floorspace (sqm)	Net Floorspace (sqm)
Residential (Class C3)	5,782	4,136	5,613	3,967	-169

7. DETAILED CONSIDERATIONS

7.1 Land Use

Westminster City Plan 2019 – 2040 (April 2021) Policy 8 (Housing delivery) states that the number of new homes built in Westminster will exceed 20,685 over the plan period and that no new homes in Westminster will exceed 200 sqm Gross Internal Area (GIA), except where it is necessary to protect a heritage asset.

The proposals involve a reduction in residential floorspace from 5,782 sqm to 4,136 sqm (-169). As the lawful use of building is a single family dwelling and there is not a “new” home being created, the 200 sqm restriction does not apply and the size of the home is considered to be acceptable in this instance.

City Plan Policy 9 (Affordable Housing) states that there will be no net loss of affordable housing across the city. All residential proposals will provide a minimum of 35% of the total residential units as affordable housing on-site if they are proposing 1,000 sqm or more residential floorspace (for sale or rent).

The proposals are for modifications to an existing family dwelling and affordable housing therefore cannot be sought in this instance.

7.2 Townscape and Design

Legislation and Policy

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

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

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

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

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.

In chapter 16 at paragraph 193 the NPPF makes clear: “When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

Paragraph 194 states: “Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification....”

Paragraph 196 states: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Finally, paragraph 197 states: The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Within the newly adopted City Plan 2019-2040 (April 2021) there are a number of relevant policies and some of the key ones are:

Policy 1 is Westminster’s spatial strategy and seeks to support intensification and growth, while at the same time integrating with existing townscape and protecting the city’s heritage assets.

Policy 38 which sets out design principles, requiring exemplary standards of high quality, sustainable and inclusive urban design and architecture. Development should respond to its context, place people at the heart of design to create inclusive places, incorporate sustainable design and promote excellence in contemporary design.

Policy 39 relates to Westminster’s heritage and how it will be valued, and that development should optimise the positive role of the historic environment. The policy also seeks to preserve the setting of designated heritage assets, including listed buildings and Registered Parks and Gardens and supports the conservation of non-designated heritage assets. Parts B, I, K, Q and R, are of most relevance.

Policy 40 relates to townscape and architecture, requiring development to be sensitively designed having regard to the surrounding townscape. Part F explains that new development affecting strategic and local views will contribute positively to their characteristics, composition, and significance.

Policy 43 relates to public realm and requiring development to contribute to well-design, clutter-free public realm, integrating high-quality soft landscape as part the streetscape design. The policy promotes inclusive and accessible public realm.

Within the Knightsbridge Neighbourhood Plan 2018 -2037 (December 2018) there are a number of relevant policies and some of the key ones are:

Policy KBR 1 relates to character, design and materials, requiring proposals for new development or the redevelopment of existing buildings to contribute towards the local distinctiveness of Knightsbridge. Demonstrating high quality, sustainable and inclusive design and architecture that respects the relevant Character Area or Conservation Area.

Policy KBR 3 relates to boundary railings and walls and states that proposals for development in Conservation Areas are encouraged to restore heritage features such as railings, walls or columns in keeping with the area, particularly in terms of style, scale, colour and materials.

Policy KBR 9 relates to roofscapes and balconies and requires that in new developments, plant should be provided within basement levels or concealed within the roof area or roof space of buildings.

Consideration

The current building exhibits some architectural oddities and is not strictly a facsimile of an 1860s terrace, with poor detailing and contemporary features such as dormers. It makes a modest positive contrition to the character and appearance of the Knightsbridge conservation area.

The proposals include the partial demolition and refurbishment of the existing building, including the wholesale demolition of the third, fourth and fifth floors, with fenestration alterations and remodelling on the retained facades. The partial demolition of the building, as opposed to its wholesale loss and redevelopment, would in partly correspond with the City Council's sustainability agenda.

An objection has been received on the grounds that the proposed increase in the height of the building would be harmful to the historic townscape and would harm the heritage significance of nos. 1-7 Rutland Gate, which is listed Grade II, and the character and appearance of the Knightsbridge Conservation Area.

Rutland Gate and the Knightsbridge Conservation Area are characterised by the dominance of traditional mid-late nineteenth century, stucco fronted villas and terraces.

The classical architectural approach taken to the remodelling of the facades responds relatively positively the prevailing 1860s townscape of Rutland Gate, though its scale is more akin to larger scale buildings which characterise Kensington Road. The site is a transition point in scale, and the development has been modelled to reflect this.

The current building has a visual relationship with no. 1-7 Rutland Gate, which with the site, bookends Rutland Gate at its eastern end. The proposals do present an increase in height and bulk over the scheme approved in 2016. However, it is considered that the height of the proposals corresponds to the general building height of the area and its massing is not considered excessive in this context, particularly as read against the neighbouring, taller buildings along Prince's Gate and Kensington Road. In key townscape views the proposals are compatible with the scale and character of the area, and not felt to be visually dominant or harmful.

The fenestration details are however not entirely in-keeping with either 1-7 Rutland Gate, or other neighbouring mid-nineteenth century terraces, which generally feature multi paneled traditionally proportioned sashes. The scheme features 1 over 1 sash windows with uncharacteristic, raised meeting rails, which appear out of character. The applicant's reluctance to alter the fenestration details to address officer concerns is unfortunate and weakens the scheme.

The objector has also raised concern about the proposed dormer windows and upper storey design, stating that they do not appear to be fully resolved and that the glazed dome roof will be an incongruous and visually intrusive addition to the roofscape in private views and longer distance views from within Hyde Park, especially at night where the roof would appear as a "halo" to the building.

The proposals include a remodelled roofscape, with a modern mansard incorporating contemporary features, including a predominantly glazed top with metal framing, green roof and integrated photovoltaic panels. Sections of which are retractable. The central section of the roof is also sucked to contain plant, avoiding unsightly rooftop clutter. During the application the dormers were revised to address officers' concerns that they were too assertive and failed to respond successfully to the classical proportions of the facade. As a result, the previously proposed wide dormers have been replaced by narrower more vertical dormers, changing the proportionality of the roofscape.

The glass top to the roof is unconventional and has the potential to be visually conspicuous and prominent, particularly from within Hyde Park, which is a grade I registered Park and Garden. Views from along Kensington Road and from within Hyde Park have been assessed. The verified views would suggest that the glass top may be glimpsed from the east, but not appreciably. It would also not appear apparent from public vantage points from within the Park.

The proposals intend for internal lights at sixth floor level to be directed to provide downward light, which will to some extent mitigate against some emission of light to

avoid a halo effect. A condition to secure further details of the light fittings, glare shields, cowls and blinds at 6th floor level is suggested.

The proposals intend to reinstate traditional railings and lamps, details of which are secured by condition to ensure they are appropriately detailed to maintain the character and appearance of the streetscape.

Terraces and external landscaping proposals provide greening, which is welcome, however the avoidance of visual clutter would be necessary to prevent a detrimental impact on visual amenity, therefore a condition is suggested to restrict high-level paraphernalia.

The proposals are considered acceptable from a townscape and design perspective, mindful of policies 38, 39, 40 and 43 of the Westminster's City Plan, and KBR1, KBR3 and KBR9 of the Knightsbridge Neighbourhood Plan, and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, notably Sections 16, 66 and 72 and the requirements set out in Chapters 12 and 16 of the NPPF.

7.3 Residential Amenity

City Plan Policy 7 (Managing development for Westminster's people) seeks to protect and where appropriate enhance amenity, by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.

Knightsbridge Neighbourhood Plan Policy KBR 40 (Healthy People) states that the design of development should ensure that public health is maintained and improved and that development which is likely to have a significant adverse effect on human health will be refused planning permission.

Sunlight and Daylight

A daylight and sunlight report has been submitted with the application to assess the impact on nearby residential accommodation located to the west and south of the site, along Princes Gate and Rutland Gate Respectively (1-3 Princes Gate, 10 Rutland Gate, 12 Rutland Gate, 14 Rutland Gate and 6 Rutland Gate).

Recommended standards for daylight and sunlight in residential accommodation are set out in the Building Research Establishment (BRE) publication "Site layout planning for daylight and sunlight" (second edition 2011). The applicant has undertaken a daylight and sunlight assessment in accordance with the BRE guidelines.

With regard to daylight, Vertical Sky Component (VSC) is the most commonly used

method for calculating daylight levels and is a measure of the amount of sky visible from the centre point of a window on its outside face. This method does not need to rely on internal calculations, which means it is not necessary to gain access to all the affected properties. If the VSC achieves 27% or more, then the BRE guide advises that the windows have the potential to provide good levels of daylight. If however, the light received by an affected window, with the new development in place, is both less than 27% and would be less than 0.8 of its former value (i.e. a loss of 20%) then the reduction in light to that room will be noticeable. Where rooms are served by more than one window of the same size, any loss of light to these individual windows can be considered as an average.

The No-Sky Line (NSL) method has also been used, which measures the daylight distribution within a room, calculating the area of working plane inside the room that has a view of the sky. The BRE advises that a room may be adversely affected if the area of the room beyond the NSL is less than 80% of its former value.

In terms of sunlight, the BRE guidelines state that if any window receives more than 25% of the Annual probable Sunlight Hours (APSH) including at least 5% during the winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight beyond this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% of the original sunlight hours either over the whole year or just in the winter months and has a reduction in sunlight received over the whole year greater than 4% of APSH, then the occupants of the existing building will notice the loss of sunlight. Windows are tested if they face 90 degrees of due south.

In terms of daylight, 178 of the 180 windows assessed would comply with BRE guidelines for VSC (98.9%). The two windows that would experience a loss in VSC slightly over 20% are both located at 1-3 Princess Gate:

Floor	Window	Room Use	Existing %	Proposed %	Loss	Loss %
5	W18/ Fifth	Bedroom	13.7	10.2	3.5	25.5
6	W17/ Sixth	Bedroom	20.7	16.1	4.6	22.2

Both windows serve bedrooms, which are not considered to be main habitable rooms. The losses only marginally breach BRE guidelines and it is not considered that the application could reasonably be refused on this basis.

In terms of daylight distribution, 93 of the 97 rooms assessed would comply with BRE guidelines for NSL (95.9%). The 4 windows that would experience a loss in NSL beyond BRE guidelines are located at 1-3 Princess Gate:

Floor	Window	Room Use	Existing %	Proposed %	Loss sqm	Loss %
4	W12/ Fourth	Kitchen	13.9	11	0.5	21.2
4	W16/ Fourth	Bedroom	36.3	29	1.3	20.1
5	W12/ Fifth	Kitchen	40.4	24	3.0	40.5
5	W15/ Fifth	Bedroom	66.2	51.2	2.0	22.7

The losses to windows W12/Fourth, W16/Fourth and W15/Fifth range from 20.1% to 22.7%, only slightly beyond the 20% parameter suggested as noticeable by the BRE guidelines. Whilst window W12/fifth would experience a loss of 40.5%, an NSL value which can be considered typical for a dense urban environment will be retained. This room is also served by a further window which faces out into the lightwell and complies with BRE guidelines. It is considered that the losses in NSL are acceptable.

In relation to sunlight, 112 of the 113 windows assessed for APSH will fully comply with BRE guidelines. The window that would not meet the guidelines, W1/fifth, is located at 1-3 Princes Gate, which serves a bedroom on the fifth floor:

Floor	Window	Room Use	Existing Annual	Existing Winter	Proposed Annual	Proposed Winter	% loss Annual	% Loss Winter
5	W1/fifth	Bedroom	35	7	28	4	20	42.9
5	W2/fifth	Bedroom	30	3	27	3	10	0

The window does not achieve BRE compliance due to a reduction in winter months, however annually it will still achieve 28% which is in excess of the BRE recommended 25% parameter. The room is served by another window (W2/fifth) which is fully compliant and the room as a whole will achieve BRE compliance.

Overall, the scheme demonstrates good levels of compliance with BRE guidelines in terms of daylight and sunlight and given that the guidelines are to be interpreted flexibly in appropriate circumstances, the proposals are considered acceptable in daylight and sunlight terms.

Sense of Enclosure

A nearby residential occupier has objected to the proposals on the grounds that they will have an adverse impact upon the visual amenity of the Penthouse flat at 1-3 Rutland Gate by way of a material change in outlook and sense of enclosure.

An increase in sense of enclosure occurs where development would have an adverse overbearing effect that would result in an unduly oppressive living environment.

The overall height of the building will increase from 41.68m to 46.48m (43.656m to 46.980m at highest point inc. chimneys). The proposed roof structure curves upwards and away from the properties at 1-3 Rutland Gate. The highest part of the roof immediately in front of the large double doors/windows serving an open plan reception/living/dining area and terrace to this penthouse would be approx. 8.4m away rising to a maximum height of approx. 3m above the floor level of the penthouse.

In order to reduce the impact of the new roof on the occupiers of the penthouse, the section of roof opposite the windows will have no glass covering, only structure beams over a roof garden below, in an attempt to improve visual amenity.

Whilst the new roof will be visible from the penthouse, given that the open plan reception/living/dining area is served by a further 8 windows on the north elevation and 2 rooflights, it is considered that the application could not reasonably be refused on the grounds of increased sense of enclosure or loss of outlook to this property.

Privacy and Noise

The proposals involve the creation of a roof terrace to the rear of the property at fifth floor level measuring approx. 22.5sqm, given its size and position on the east of the building away from the properties at 1-3 Rutland Gate, it is considered that the terrace would not lead to unacceptable overlooking or loss of privacy over the existing situation. The size of the existing terrace at first floor level will also be increased from approx. 70 sqm to approx. 80.6 sqm, given the size of the increase and proposed landscaping, it is unlikely to lead to a loss of privacy over the existing situation.

An openable rooflight measuring approx. 54.4sqm is proposed. The rooflight would be located to the front of the property in the middle of the roof. Given the residential use of the building, it is considered that the rooflight is unlikely to cause an unacceptable amount of noise or loss of privacy to nearby properties.

The proposed alterations to the fenestration would not have a detrimental effect on the amenity of neighbours in terms of overlooking.

Noise from plant machinery is dealt with below in section 8.7.

7.4 Transportation/Parking

London Plan Policy T6.1 (Residential parking) states that new residential development should not exceed maximum parking standards.

City Plan Policy 27 (Parking) states that the parking standards in the London Plan will apply to all developments. All new parking spaces should provide active provision for electric charging vehicles. Where sites are redeveloped, existing parking provision must be reduced to meet the parking standards in the London Plan unless there is site specific justification to re-provide an element of the existing parking.

The site is located within the Central Activities Zone, where the maximum parking standard for new residential development is car free. Given that the proposals are for the

refurbishment and extension of an existing family dwelling, not new residential development, the reduction in parking spaces from 8 to 6 is welcomed. The spaces will provide active provision for electric charging vehicles, which will be secured by condition.

The proposals include the provision of 4 cycle parking spaces at basement level, a condition is recommended to secure this provision.

7.5 Economic Considerations

No economic considerations are applicable for a development of this size

7.6 Access

The main pedestrian access to the property will remain on the north elevation of the building. A level access route will be provided on the east elevation of the building, differences in level will be overcome by shallow ramps within the building. Internally, two passenger lifts will provide the primary means of access through the building, with level access provided throughout.

The entrance to the basement level car park will remain on the east elevation of the building (ramp extended to reduce gradient within building). A service and delivery entrance will be retained adjacent to the car park ramp, which would also provide access to the existing UKPN station at basement level.

7.7 Other UDP/Westminster Policy Considerations

Energy Strategy

Policy SI 2 (Minimising greenhouse gas emissions) states that major development should be net zero-carbon and that a minimum on-site reduction of at least 35 per cent beyond Building Regulations is required. Residential development should achieve 10 per cent through energy efficiency measures. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

1. Be Lean – use less energy and manage demand during operation;
2. Be Clean – exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly;
3. Be Green - maximise opportunities for renewable energy by producing, storing and using renewable energy on-site;
4. Be Seen - monitor, verify and report on energy performance.

City Plan Policy 36 (Energy) states that the council promote zero carbon development and expects all development to reduce on-site energy demand and maximise the use of low carbon energy sources to minimise the effects of climate change.

City Plan Policy 38 (Design principles) states that development will enable the extended lifetime of buildings and spaces and respond to the likely risks and consequences of climate change by incorporating principles of sustainable design. Residential conversions and extensions of 500 sqm (GIA) of residential floorspace will aim to achieve “Excellent” in BREEAM domestic refurbishment or equivalent standard.

The submitted Sustainability and Energy Statement states that the applicant is committed to reducing CO₂ emissions through fabric improvements and new highly efficient building services equipment. A number of measures are proposed to reduce energy use through on-site renewable energy technologies including Air Source Heat Pumps (ASHP) providing heating/cooling and a Solar Photovoltaic Roof Glazing System installed at main roof level.

The measures the applicant proposes would exceed the 10% reduction required to be achieved through energy efficiency measures (33%) and the minimum on-site reduction. The proposed measures are welcomed and will be secured by condition. The measures the applicant proposes would meet the requirement for an on-site reduction of at least 35% baseline of part L of the current Building regulations and so is acceptable in this respect. The proposed measures are welcomed and will be secured by condition.

The applicant has provided a BREEM pre-assessment which confirms that the proposals have the potential to achieve a rating of “Excellent”. It is recommended that this be secured by condition.

A nearby residential occupier has raised concern that the proposed demolition does not appear to represent a sustainable approach to the development of the building. The applicant has provided an addendum to the Sustainability and Energy Statement which states that the following approaches will be adopted to reduce the embodied carbon of the demolition:

- A pre-demolition audit to identify and categorise the demolition materials into dedicated waste streams to assist in the waste management strategy;
- Waste management strategy will be based on the principles of a Circular Economy and the DEFRA 2011 Waste Hierarchy to ensure that reuse, recycling and recovery opportunities are optimised. It is expected that at least 90% of the non-hazardous demolition materials will be recycled and therefore diverted from landfill/incineration
- The demolition contractor will be encouraged to adopt best practice in terms of onsite energy use and vehicle journeys to minimise carbon associated with the demolition process.

The proposals will also lead to a reduction in carbon emissions when compared to the existing building due to fabric improvements. Accordingly, the partial demolition of the building is considered to be acceptable.

Measures to prevent the overheating of the heavily glazed roof storey have been incorporated such as low solar transmittance glazing, a PV integrated glazing system, openable roof panels to enable natural and cross ventilation and bespoke blinds.

Air Quality

City Plan Policy 32 (Air Quality) states that Major developments should be at least Air Quality Neutral and that Air Quality Assessments will be required.

Policy KBR34 (Healthy Air) states that all development must aim to be at least “air quality neutral” and not cause or contribute to worsening air quality. On major development this should be demonstrated through an air quality assessment and, if necessary, proposed mitigation measures.

The applicant has submitted an Air Quality Assessment. The report demonstrates that during the operational phase of the development the overall effect on air quality will be “not significant”.

The assessment of the impact of the construction phase concludes that with site specific mitigation measures in place, the significance of dust effects from demolition, earthworks, construction and trackout are considered to be “not significant”. As a major development, the site will have to comply with the Council’s Code of Construction Practice and a site-specific Site Environmental Management Plan will be required and agreed with the council prior to starting works.

The Air Quality Neutral Assessment shows that the development will not be air quality neutral with respect to transport emissions. However, there is to be a reduction in car parking spaces (from 8 to 6) and the remaining spaces will all benefit from electric vehicle charging points. This is considered to be acceptable mitigation and accordingly Environmental Health have raised no objection on air quality grounds.

Biodiversity and Trees

City Plan Policy 34 (Green Infrastructure) states that developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme. Developments should achieve biodiversity net gain, wherever feasible and appropriate.

The proposals include the creation of a green roof at main roof level and the introduction of biodiverse planting to the entrance of the building and the terraces at ground, fourth and fifth floor levels. The applicant states that the final selection of plant species will seek to include species from the London Biodiversity Action Plan plant species list including those of value for nectaring or foraging invertebrates, to enhance the site for birds. A condition is recommended to ensure that further details of the planting and maintenance are provided.

The applicant has committed to installing a rainwater harvesting system that will supply recycled water for irrigation purposes. The commitment is welcomed and a condition is recommended to secure this.

The submitted tree report indicates that it should be possible to carry out the development without harm to the horse chestnut tree at 10 Rutland Gate, which is protected by virtue of being in a conservation area. The Council’s arboricultural officer raises no objection subject to a condition to secure tree protection measures.

Plant Machinery

The proposals involve the installation of plant machinery at lower-ground, basement and roof level.

City Plan Policy 33 (Local environmental impacts) states that development should prevent adverse effects of noise and vibration and improve the noise environment in compliance with the council's noise thresholds.

A nearby residential occupier has objected on the grounds that the submitted acoustic report does not include all necessary information relating to noise sensitive properties and the impact of the proposed plant machinery. Environmental Health have reviewed the submitted information and have raised no objection to the proposals on noise and nuisance grounds, subject to the Council's standard noise and vibration conditions.

7.8 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.

7.9 Neighbourhood Plans

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

7.10 London Plan

This application raises no strategic issues.

7.11 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.

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

During the course of this application a notice was served relating to the proposed imposition of pre-commencement conditions to secure the applicant's adherence to the City Council's Code of Construction Practice and approval of a method statement explaining the measures they will take to protect the trees on and close to the site. The applicant has agreed to the imposition of the conditions.

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

7.13 Environmental Impact Assessment

7.14 Other Issues

The proposals involve the extension of the existing basement level by 166 sqm, underneath the existing building. City Plan Policy 45 relates to basement developments.

These parts of the policy relate to structural stability; surface water and sewerage flooding; minimising the impact at construction and occupation stages; protecting heritage assets and conserving the appearance of the of the appearance of the existing building, garden setting and the surrounding area.

The applicant has provided a flood risk assessment and an assessment of existing structures and geology for this site, which have informed the structural methodology statement prepared by an appropriately qualified structural engineer. These documents have been reviewed by Building Control who advise that the structural methodology proposed is appropriate for the ground conditions that are likely to be on this site and the likelihood of local flooding or adverse effects on the water table has been found negligible. The basement is to be constructed using piles which is considered to be appropriate for this site, as are the proposals to safeguard adjacent properties during construction. Accordingly, it is considered that as far as is reasonable and practicable at this stage, the applicant has satisfactorily investigated the site and surmised the likely existing ground conditions and provided a suitable structural methodology report in light of it.

The purpose of the structural methodology report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act. Therefore, we are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the draft decision letter.

Nearby residential occupiers have objected on construction impact grounds (including construction traffic) and the Knightsbridge Neighbourhood Forum have requested a condition requiring a final construction management plan is provided and construction logistics group formed.

Policy KBR22 of the KNP states that proposals should be designed in a way that minimises their impacts on amenity, public health and the environment through dust and emissions, light pollution, noise and vibration during deconstruction and construction. Appropriate mitigation for such impacts will be sought through the use of planning conditions, Construction Management Plans or section 106 agreements.

The City Council adopted its Code of Construction Practice (CoCP) at the end of July 2016 and if permission is granted the applicants will be required to comply with the CoCP. This is a fundamental shift in the way the construction impacts of developments are dealt with relative to the position prior to July 2016. Previously conditions were attached to planning permissions requiring Construction Management Plans to help protect the amenity of neighbours during construction. The CoCP expressly seeks to move away from enforcement via the planning system. It recognises that there is a range of regulatory measures available to deal with construction impacts, and that planning is the least effective and most cumbersome of these. The Environmental Inspectorate has been resourced in both numbers and expertise to take complete control over the monitoring of construction impacts.

A condition is recommended requiring evidence to be submitted of compliance with the CoCP. This must be submitted before work starts on site, subject to which the proposals are considered acceptable. This condition is consistent with environmental protection legislation and will help to alleviate disturbance to neighbours. An informative is also recommended to encourage the applicant to join the considerate constructors scheme.

Historic England (Archaeology) have considered the proposals with reference to information held in the Greater London Historic Environment Record and have concluded that the proposals are unlikely to have a significant effect on heritage assets of archaeological interest and that no further assessment or conditions are required.

The proposed basement extension would have no external manifestations and would not impact on the character and appearance of the existing building or surrounding area.

Part B 1-5

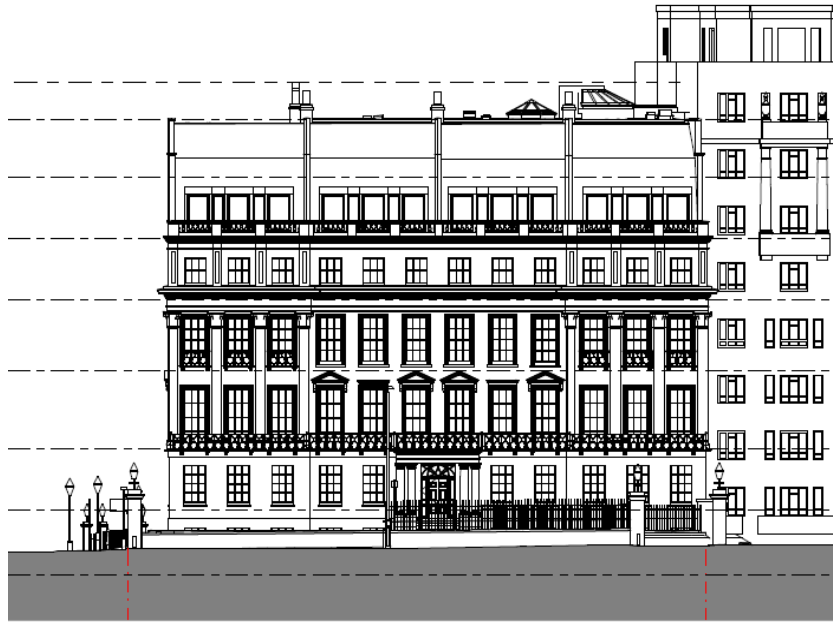
These parts of the policy relate to the extent and depth of basements. The proposed basement would extend the existing sub-basement level and would be fully contained underneath the existing building, in compliance with Part B 1-5.

Overall, the proposed basement is considered to comply with City Plan Policy 45 and KNP Policy KBR22.

(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: IAN CORRIE BY EMAIL AT icorrie@westminster.gov.uk

8. KEY DRAWINGS

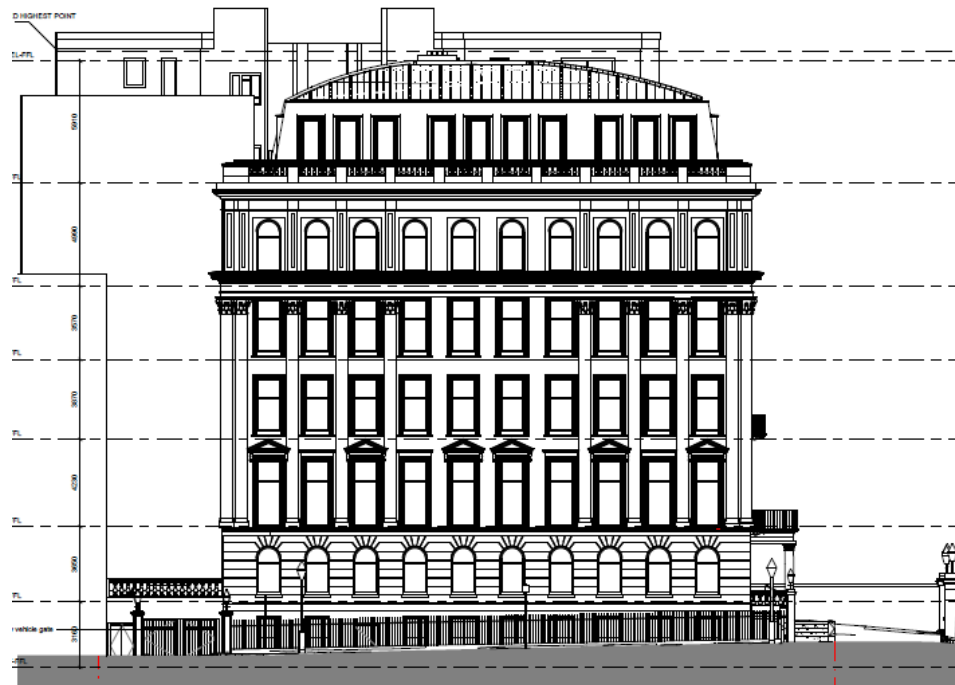
Existing North ElevationProposed North Elevation

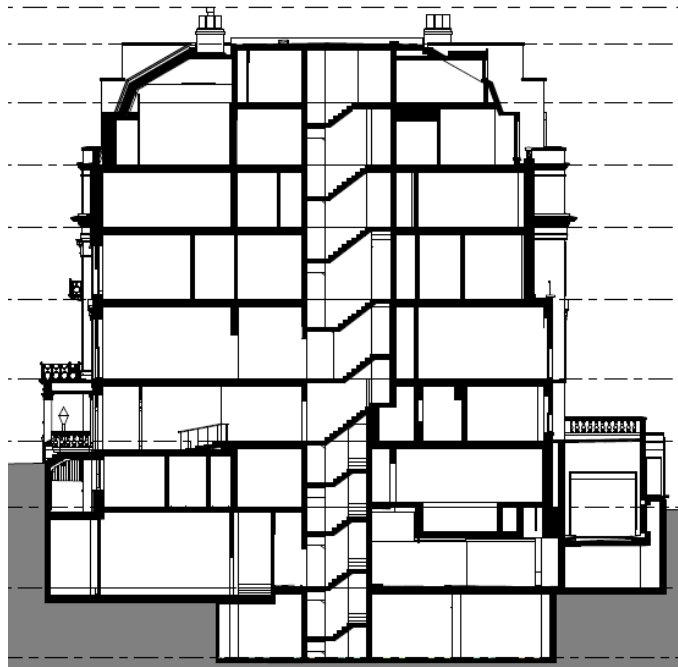
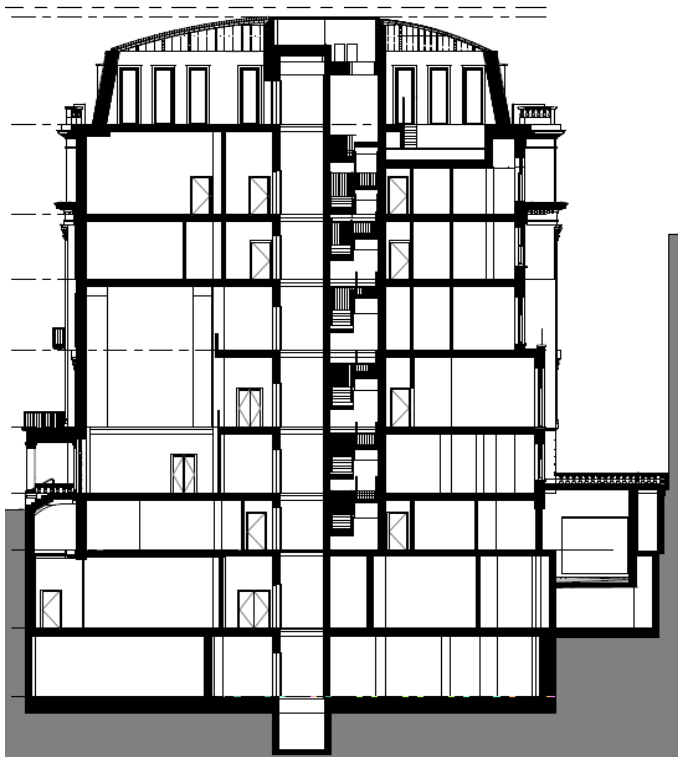
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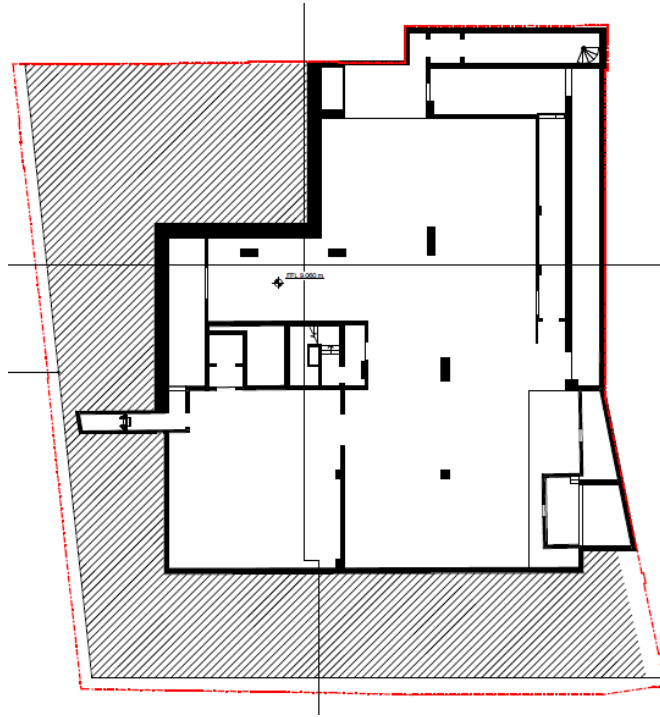
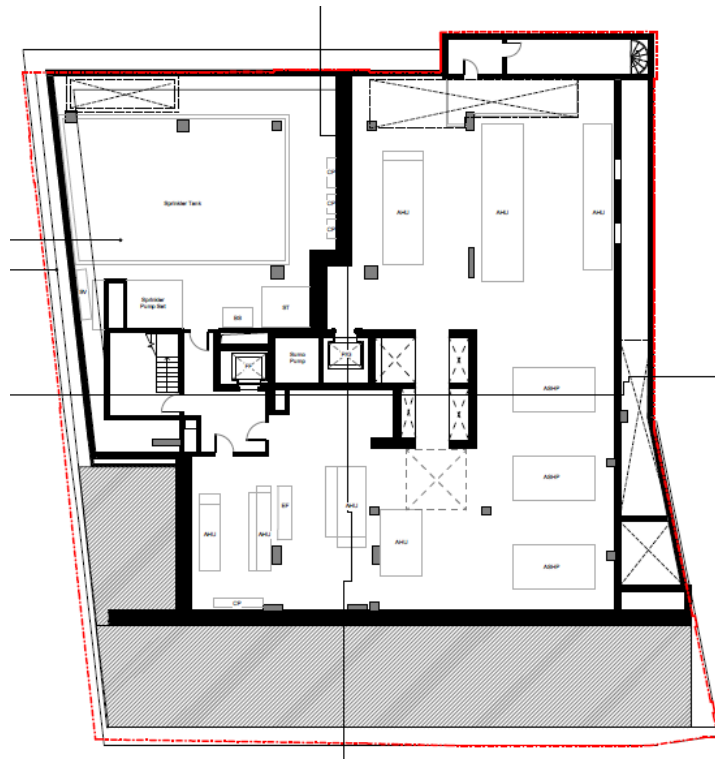


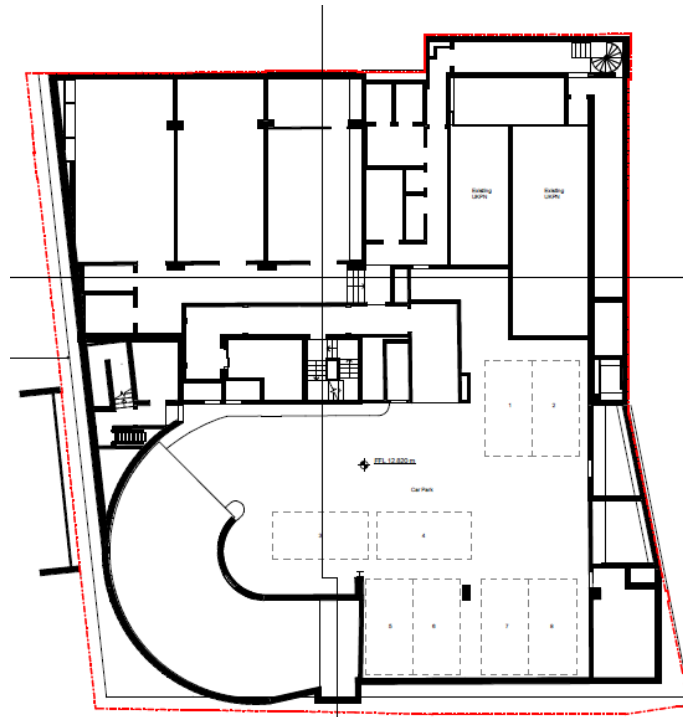
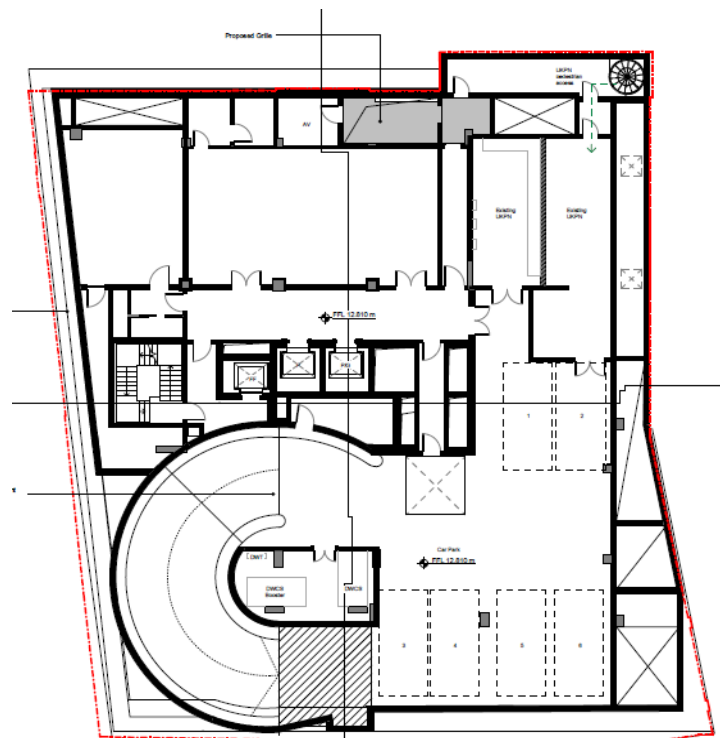
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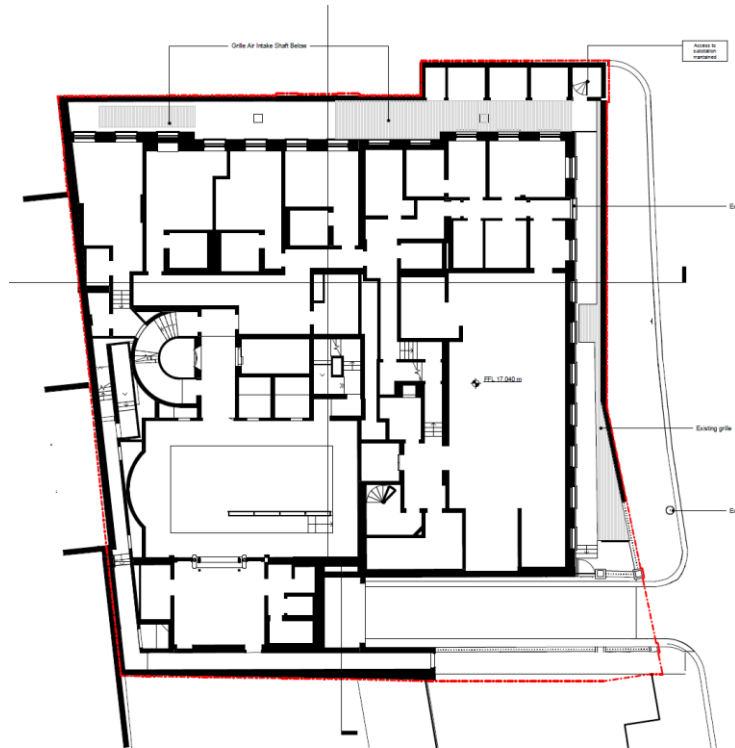
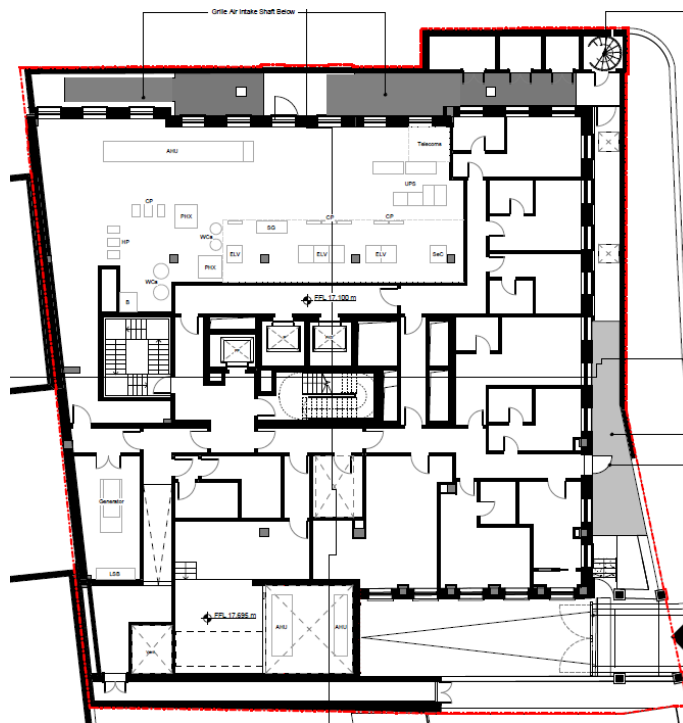


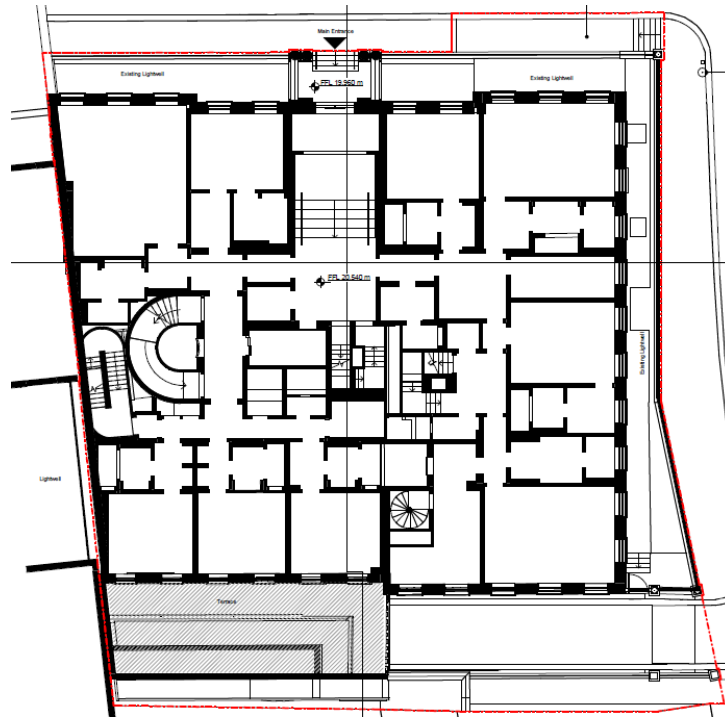
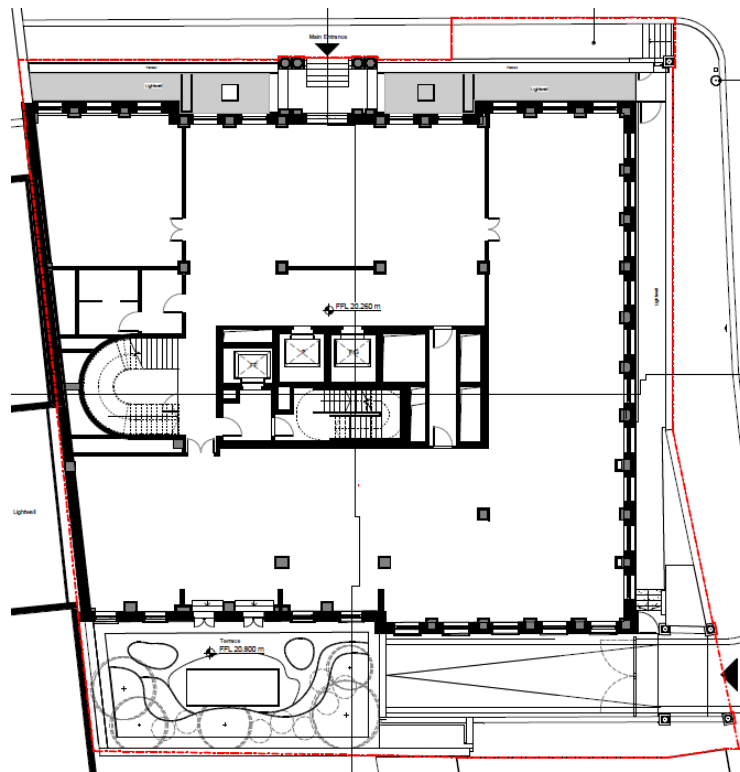
Existing East ElevationProposed East Elevation

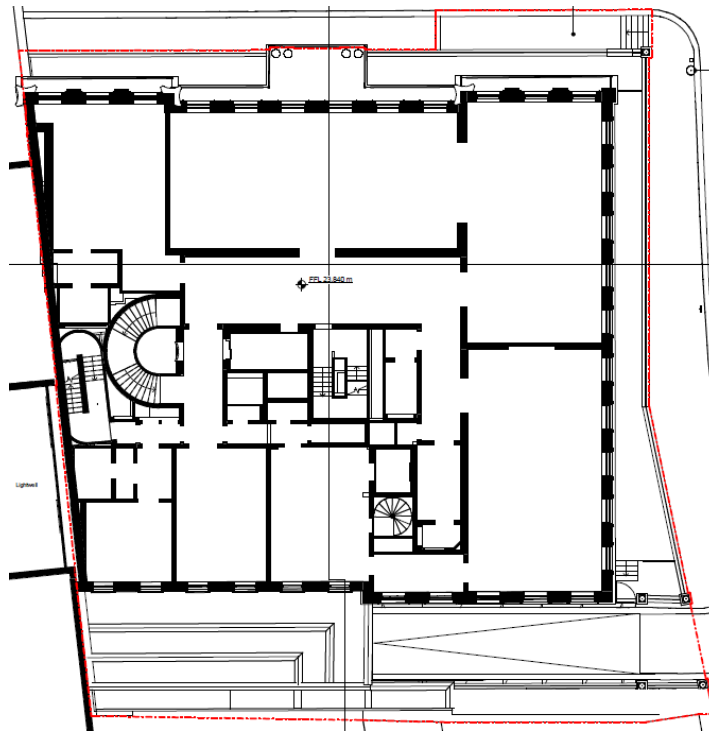
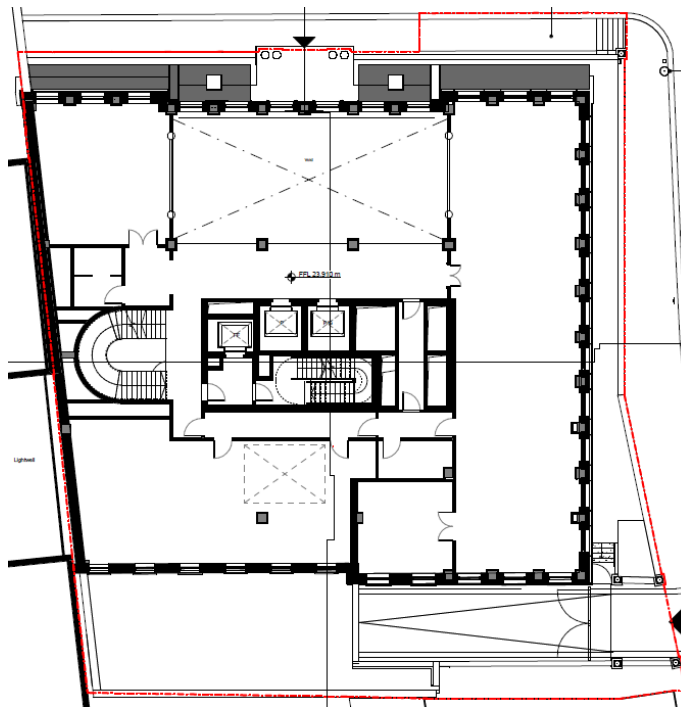
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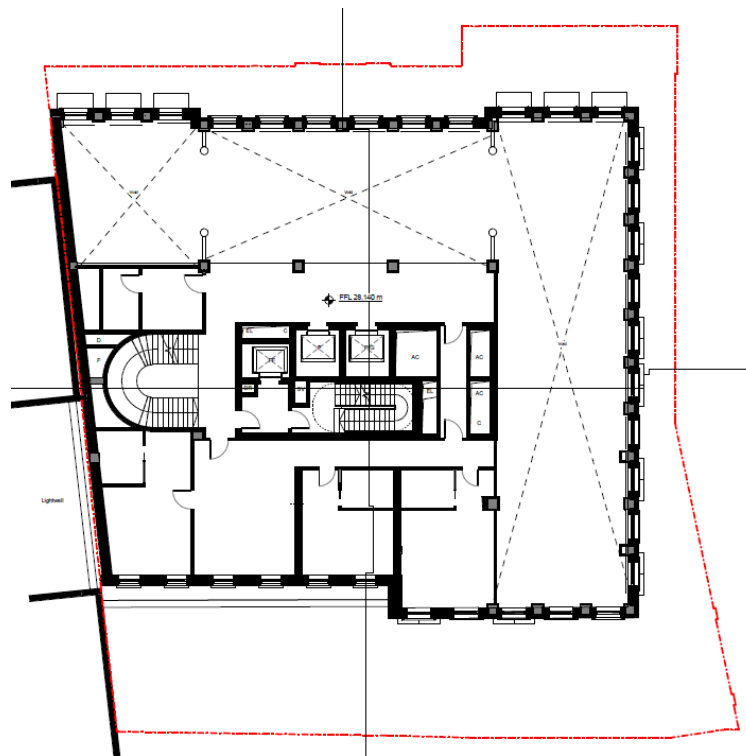
Existing Basement Level 2Proposed Basement Level 2

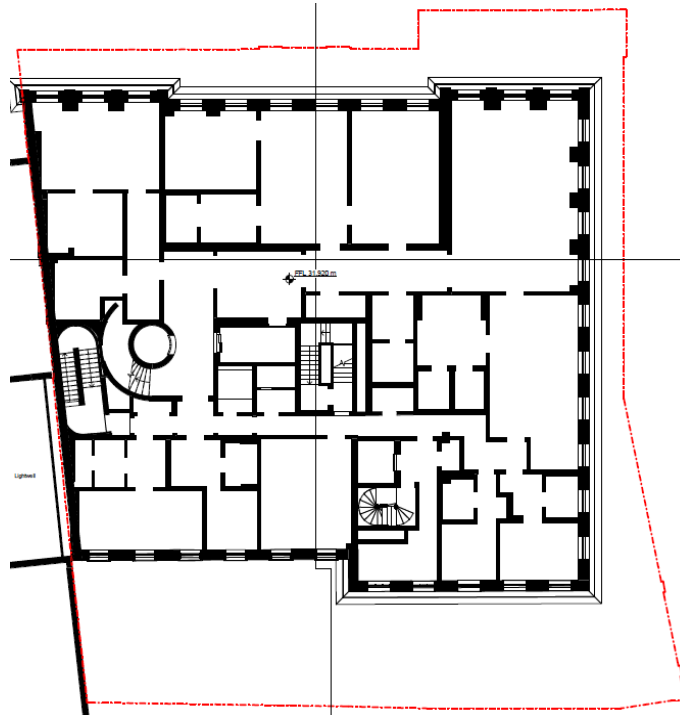
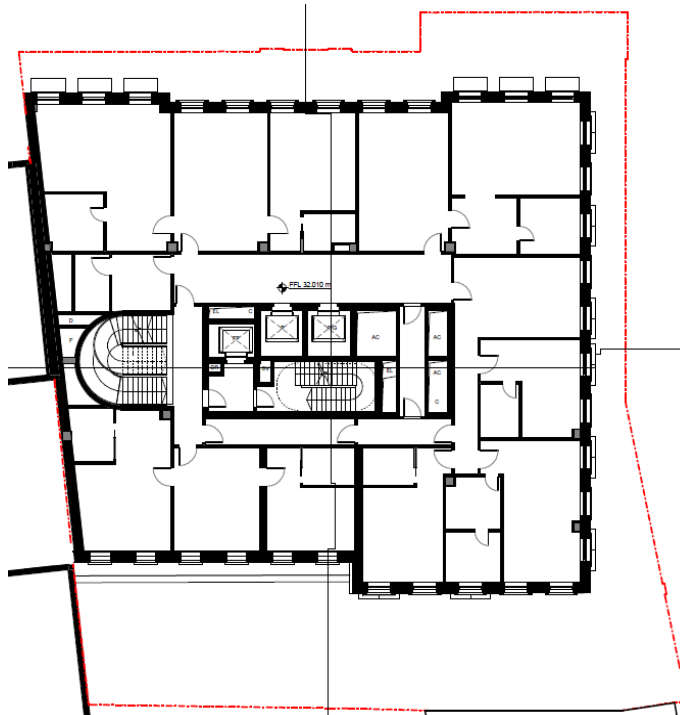
Proposed Basement Level 1Proposed Basement Level 1

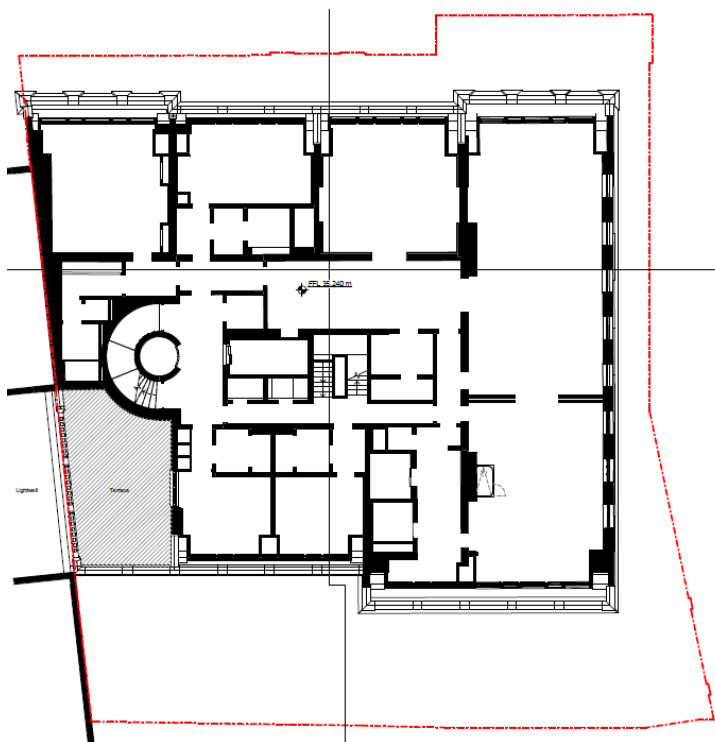
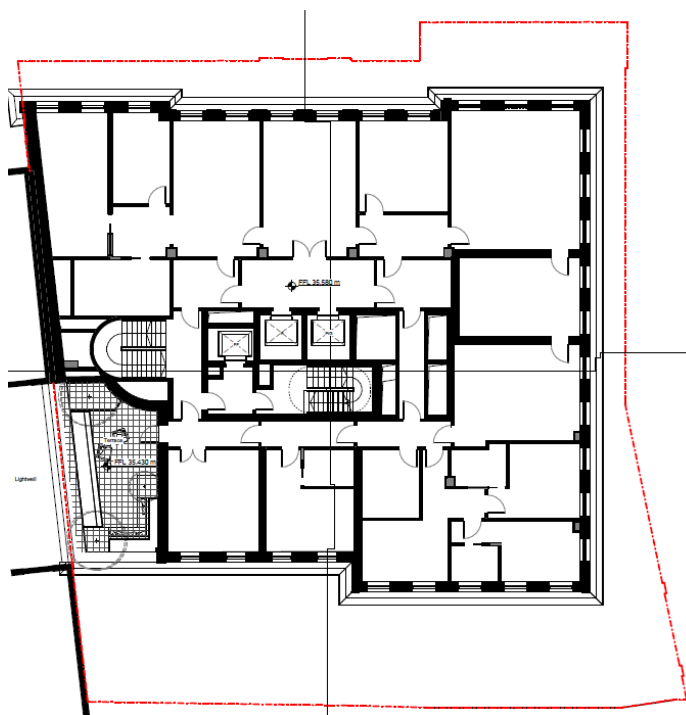
Existing Lower Ground Floor LevelProposed Lower Ground Floor Level

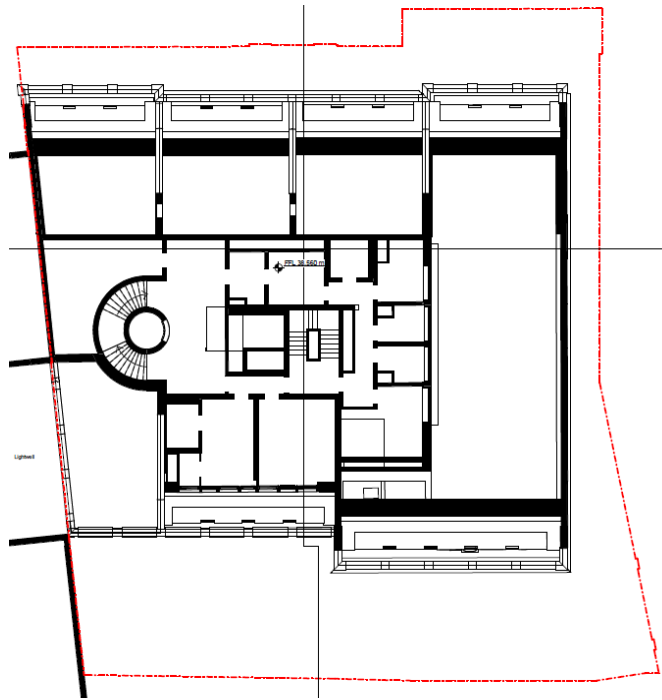
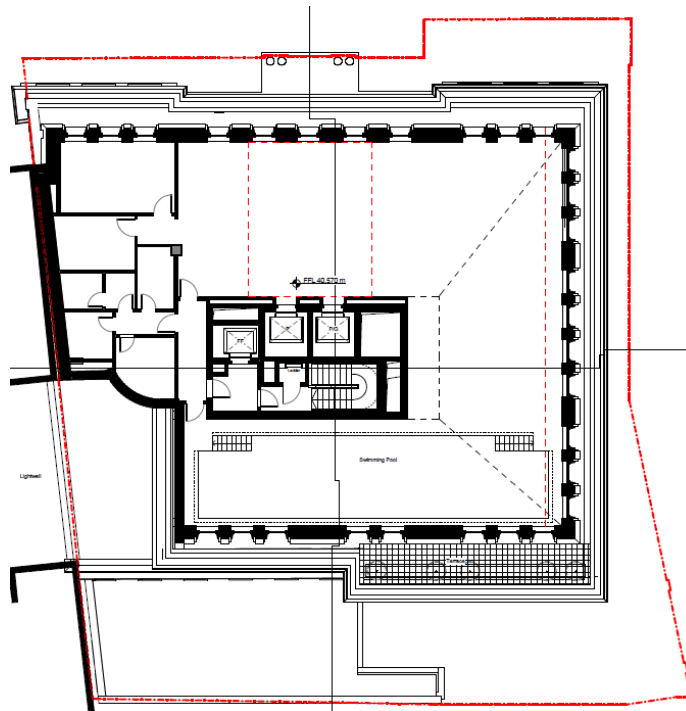
Existing Ground Floor LevelProposed Ground Floor Level

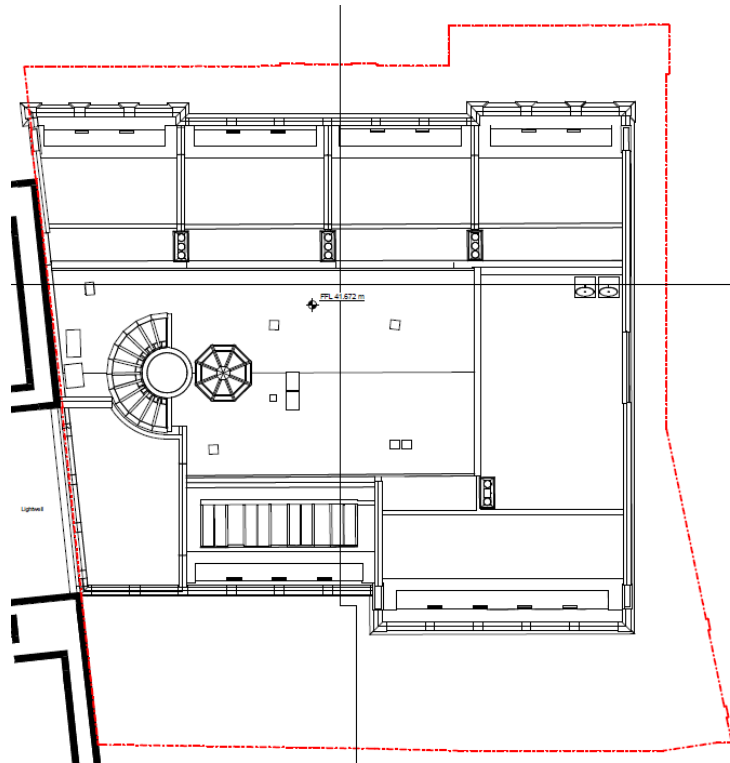
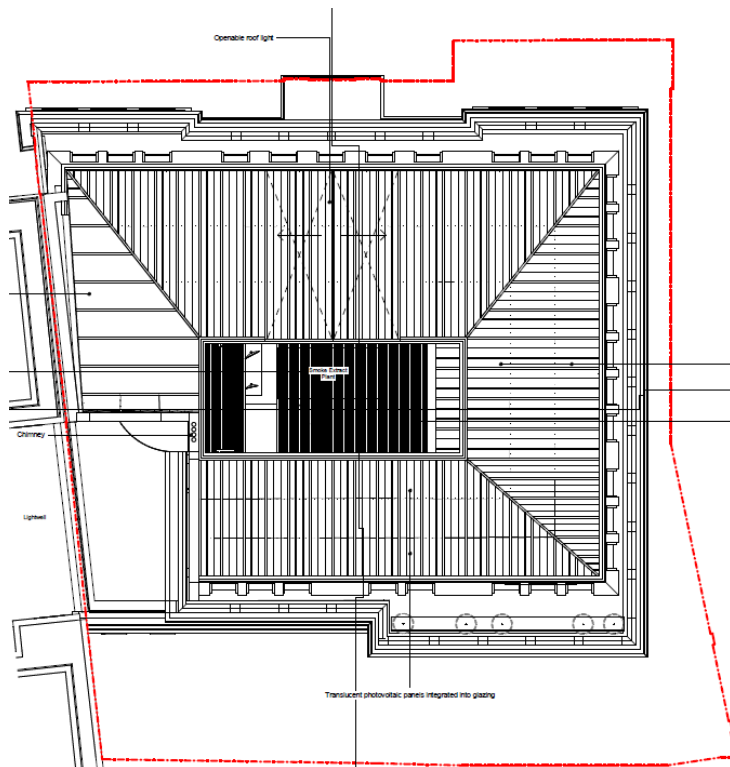
Existing First Floor LevelProposed First Floor Level

Existing Second Floor LevelProposed Second Floor Level

Existing Third Floor levelProposed Third Floor Level

Existing Fourth Floor LevelProposed Fourth Floor Level

Existing Fifth Floor LevelProposed Fifth Floor Level

Existing Roof LevelProposed Roof Level

DRAFT DECISION LETTER

Address: 2 - 8 Rutland Gate, London, SW7 1AY

Proposal: Partial demolition of existing building; remodeling of fourth floor and roof levels including openable glass roof; alterations to rear terraces at ground and fourth floor level and creation of terrace at fifth floor level; changes to fenestration; installation of plant machinery at basement, lower-ground and main roof levels; excavation to extend basement level 2; and associated external alterations.

Reference: 21/01047/FULL

Plan Nos: RUTG-SQP-ZZ-ZZ-DR-A-PL251 Rev. P1; RUTG-SQP-ZZ-RF-DR-A-PL051 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL200 Rev. P2; RUTG-SQP-ZZ-B2-DR-A-PL201 Rev. P2; RUTG-SQP-ZZ-B1-DR-A-PL202 Rev. P2; RUTG-SQP-ZZ-LG-DR-A-PL203 Rev. P2; RUTG-SQP-ZZ-00-DR-A-PL204 Rev. P1; RUTG-SQP-ZZ-01-DR-A-PL205 Rev. P1; RUTG-SQP-ZZ-02-DR-A-PL206 Rev. P1; RUTG-SQP-ZZ-03-DR-A-PL207 Rev. P1; RUTG-SQP-ZZ-04-DR-A-PL208 Rev. P1; RUTG-SQP-ZZ-05-DR-A-PL209 Rev. P2; RUTG-SQP-ZZ-RF-DR-A-PL210 Rev. P3; RUTG-SQP-ZZ-ZZ-DR-A-PL221 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL222 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL223 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL224 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL231 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL232 Rev. P2; RUTG-SQP-ZZ-LG-DR-A-PL281 Rev. P1; RUTG-SQP-ZZ-LG-DR-A-PL282 Rev. P3; RUTG-SQP-ZZ-ZZ-DR-A-PL301 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL302 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL303 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL304 Rev. P2; RUTG-SQP-ZZ-ZZ-DR-A-PL305 Rev. P2; RUTG-SQP-ZZ-B2-DR-A-PL101 Rev. P1; RUTG-SQP-ZZ-B1-DR-A-PL102 Rev. P1; RUTG-SQP-ZZ-LG-DR-A-PL103 Rev. P1; RUTG-SQP-ZZ-00-DR-A-PL104 Rev. P1; RUTG-SQP-ZZ-01-DR-A-PL105 Rev. P1; RUTG-SQP-ZZ-02-DR-A-PL106 Rev. P1; RUTG-SQP-ZZ-03-DR-A-PL107 Rev. P1; RUTG-SQP-ZZ-04-DR-A-PL108 Rev. P1; RUTG-SQP-ZZ-05-DR-A-PL109 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL110 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL121 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL122 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL123 Rev. P1; RUTG-SQP-ZZ-ZZ-DR-A-PL124 Rev. P1; External Noise Assessment dated 19 February 2021; Sustainability & Energy Statement dated 17 February 2021; Sustainability & Energy Statement Addendum dated June 2021; Landscape Design & Access Statement dated February 2021; External Noise Assessment dated 19 February 2021.

For Information:

Planning Statement dated February 2021; Design and Access Statement dated February 2021; Draft Construction Management Plan dated February 2021; Statement of Community Involvement dated February 2021; Arboricultural Report: Tree Management Plan and Species Selection dated 9 February 2021; Air Quality Assessment dated February 2021; Ecological Advice Note dated February 2021; Structural Methodology Statement dated February 2021; Flood Risk Assessment and Drainage Report dated February 2021; Daylight and Sunlight Assessment dated 18 February 2021; Heritage Statement dated February 2021; Ground Movement Assessment - Existing Buildings dated February 2021; Crime Prevention Statement dated 17 February 2021; Ground Investigation Report dated December

2020; Transport Statement dated 16 February 2021; BREAM Pre-Assessment dated 12 May 2021; Arboricultural Report for Planning Purposes dated June 2021; Assessment of Residential Amenity Impact on the Penthouse dated 10 May 2021; Design and Access Statement Post Submission Addendum dated May 2021; Revised Townscape and Visual Impact Assessment dated May 2021; Letter from GIA dated 2 February 2021; Revised Air Quality Assessment dated 12 May 2021; Appendix A – Checklists.

Case Officer: Ian Corrie

Direct Tel. No. 07866038370

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	<p>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:</p> <ul style="list-style-type: none"> 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. <p>You must carry out piling, excavation and demolition work only:</p> <ul style="list-style-type: none"> o between 08.00 and 18.00 Monday to Friday; and o not at all on Saturdays, Sundays, bank holidays and public holidays. <p>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)</p>
	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) and KBR22 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).
3	You must apply to us for approval of samples (photos) of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

	<p>Reason:</p> <p>To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and KBR1 and KBR9 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).</p>
4	<p>You must apply to us for approval of details of the following parts of the development:</p> <ul style="list-style-type: none"> i) New windows, elevations, and sections (scaled 1:10); ii) Dormer windows, elevation and sections showing frames (Scaled 1:10); iii) Detailed drawings of the new railings and lamps; iv) Detailed drawings of the new balustrades v) Details of the new metal handrail (5th floor level) vi) Details of the design and finish of the light-well grills vii) Detailed drawings, including sections of the glass roof viii) Material samples for the new roof, including slate, glass and details of the photovoltaic panels <p>You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details (C26DB)</p>
	<p>Reason:</p> <p>To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and KBR1, KBR3 and KBR9 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).</p>
5	<p>You must apply to us for approval of details of the following parts of the development:</p> <p>- light fittings, glare shields, cowls and blinds at 6th floor level.</p> <p>You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details (C26DB)</p>
	<p>Reason:</p> <p>To protect the privacy and environment of people in neighbouring properties and make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in Policies 7, 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and KBR1, KBR9 and KBR40 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).</p>
6	<p>You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)</p>

	<p>Reason:</p> <p>To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and KBR9 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).</p>
7	<p>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)</p>
	<p>Reason:</p> <p>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) and KBR22 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).</p>
8	<p>(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.</p> <p>(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.</p> <p>(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.</p>

	<p>Your submission of a noise report must include:</p> <p>(a) A schedule of all plant and equipment that formed part of this application;</p> <p>(b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;</p> <p>(c) Manufacturer specifications of sound emissions in octave or third octave detail;</p> <p>(d) The location of most affected noise sensitive receptor location and the most affected window of it;</p> <p>(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;</p> <p>(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;</p> <p>(g) The lowest existing LA90, 15 mins measurement recorded under (f) above;</p> <p>(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)</p>
	<p>Reason:</p> <p>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), KBR40 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) 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)</p>
9	<p>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)</p>
	<p>Reason:</p> <p>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), KBR40 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) and the draft Noise Technical Guidance Note (November 2019). (R48AB)</p>
10	<p>The emergency plant and generators hereby approved shall only be used for the purpose of public safety and life critical systems and shall not be used for backup equipment for commercial uses such as Short Term Operating Reserve (STOR). The emergency plant and generators shall be operated at all times in accordance with the following criteria:</p> <p>(1) Noise emitted from the emergency plant and generators hereby permitted shall not</p>

	<p>increase the minimum assessed background noise level (expressed as the LA90, 15 mins over the testing period) by more than 10 dB one metre outside any premises.</p> <p>(2) The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation.</p> <p>(3) Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays. (C50AC)</p>
	<p>Reason:</p> <p>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), KBR40 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) 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)</p>
11	<p>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)</p>
	<p>Reason:</p> <p>To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021), KBR40 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) and the draft Noise Technical Guidance Note (November 2019). (R49AB)</p>
12	<p>Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number RUTG-SQP-ZZ-LG-DR-A-PL282 Rev. P3 prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the building. (C14FC)</p>
	<p>Reason:</p> <p>To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021) and KBR21 of the Knightsbridge Neighbourhood Plan 2018 -2037 (December 2018). (R14CD)</p>
13	<p>You must provide each cycle parking space shown on the approved drawings prior to</p>

	occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC)
	Reason: To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021) and KBR27 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) (R22FB)
14	You must provide six Electric Vehicle Charging Points at basement level 1 before you start to use any part of the development. You must then retain the Electric Charging Points in working order.
	Reason: To make sure that the development provides infrastructure for electric charging vehicles and reduces transport emissions as set out in Policy 27 and 32 of the City Plan 2019 - 2040 (April 2021) and KBR27 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018). (R22AC)
15	You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application: -Green Roof; -Landscaping (biodiverse planting) at ground, fourth and fifth floor levels. You must not remove any of these features. (C43FA)
	Reason: To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021) and KBR37 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) . (R43FC)
16	You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the Green Roof and landscaping (biodiverse planting) at ground, fourth and fifth floor levels to include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)
	Reason: To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021) and KBR37 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018) . (R43FC)

17	You must apply to us for approval of details of the depth and area and overall volume of the new soils on the ground floor roof terrace, including details of the drainage layer and other components, the soil specification and profile, and the way that the proposed areas of soil will be connected. You must not start any work on this part of the proposals until we have approved what you have sent to us. You must then carry out the work according to the approved details.
	Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policies 34 and 45 of the City Plan 2019 - 2040 (April 2021) and KBR37 and KBR38 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018). (R30DB)
18	You must apply to us for approval of detailed drawings of a hard and soft landscaping 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 landscaping and planting within 1 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 3 years of planting them, you must replace them with trees of a similar size and species. (C30CC)
	Reason: To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021) and KBR37 and KBR38 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).
19	Pre Commencement Condition. You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC)
	Reason: To make sure that the trees on the site are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021) and KBR38 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018). (R31AD)
20	You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application, which include:

	<p>-Air Source Heat Pumps -Solar Photovoltaic Roof Glazing System,</p> <p>You must not remove any of these features, unless we have given you our permission in writing. (C44AA)</p>
	<p>Reason: To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and KBR35 and KBR36 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018). (R44AD)</p>
21	<p>You must apply to us for approval of detailed drawings (including specifications) showing provision of rainwater harvesting system.</p> <p>You must not occupy the property or start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to these details and thereafter retain the rainwater harvesting system in working order.</p>
	<p>Reason: To make sure that the development provides adequate environmental sustainability features and minimises water consumption as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and KBR35 and KBR39 of the Knightsbridge Neighbourhood Plan 2018 - 2037 (December 2018).</p>
22	<p>The development shall achieve a BREEAM rating of 'Excellent' or any such national measure of sustainability that replaces that scheme of the same standard.</p> <p>A post construction certificate confirming this standard under BREEAM has been achieved must be issued by the Building Research Establishment, and submitted for approval by the Local Planning Authority within 6 months of completion on site.</p>
	<p>Reason: To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 – 2040 (April 2021) and KBR35 and KBR36 of the Knightsbridge Neighbourhood Plan. (R44BD)</p>

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have

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

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

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

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

- 3 The applicant is required to ensure that all non-road mobile machinery used during the demolition and/or construction phase meet the appropriate emission standards. Further information can be found at the following link: <http://nrmm.london/nrmm> . The environmental sciences team can provide further information and can be contacted at: environmentalsciences2@westminster.gov.uk .
- 5 As this development involves demolition activities on site, we recommend that you survey the buildings thoroughly before demolition begins, to see if asbestos materials or other contaminated materials are present. If you find any unexpected contamination while developing the site, you must contact:
Environmental Sciences Team
Westminster City Council
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Email: environmentalsciences2@westminster.gov.uk

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

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

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

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

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

- 7 This site and adjacent properties are in a conservation area, and some trees in neighbouring properties are protected by Tree Preservation Orders (TPOs). By law you must notify us of works to trees in conservation areas at least 6 weeks in advance of carrying out tree works, and for trees protected by TPOs, you must apply to us for our consent for tree works.

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.