



Your ref: 1824 - 39/40 UBS - PL4 - Disc...  
My ref: 20/07615/ADFULL

**Please reply to:**  
Tel No:

Ken Powell  
07866040188

Chris Doyle  
Wolff Architects  
16 Lambton Place  
London  
W11 2SH

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

5 January 2021

Dear Sir/Madam

## TOWN AND COUNTRY PLANNING ACT 1990

The City Council has considered the application referred to below and APPROVES the conditions which you have submitted pursuant to the original approval as detailed below:

### SCHEDULE

**Application No:** 20/07615/ADFULL

**Application Date:**

**Date Received:** 27.11.2020

**Date Amended:** 27.11.2020

**Plan Nos:** 1824-PL4-207 A; 1824-PL4-208; 1824-PL4-209; 1824-PL4-210; 1824-PL4-211;  
1824-PL4-213; 1824-PL4-215; 1824-PL4-217; 1824-PL4-218; 1824-PL4-230;  
1824-PL4-232; 1824-PL4-800; 1824-PL4-801; 1824-PL4-802; 1824-PL4-803;  
1824-PL4-804; 1824-PL4-805; 1824-PL4-806; 1824-PL4-807; 1824-PL4-808;  
1824-PL4-809; 1824-PL4-810; 1824-PL4-811; 1824-PL4-812;

**Address:** 39 Upper Brook Street, London, W1K 7QQ,

**Proposal:** Details of waste and recycling storage and detailed drawings at 1:5 and 1:20 of the new doors and windows pursuant to Conditions 2 and 7 of planning permission dated 31 January 2020 (RN: 19/08967).

### Schedule 1: **Approved development:**

Variation of Condition 1 of planning permission dated 15 August 2019 (RN: 19/04264/FULL) for: 'Amalgamation of 39 and 40 Upper Brook Street to create a single residential unit (Class C3) and separation of 24 Culcross Street (currently part of a single residential unit with 40 Upper Brook Street) to establish as a separate self-contained residential unit (Class C3) and external alterations to 39 Upper Brook Street including provision of a basement level, alterations to the existing rear terrace area at first floor level and replacement plant (including enclosure) at roof level'; NAMELY, new opening within the courtyard wall to connect the two spaces at the lower ground floor level; removal of the courtyard wall to create a uniform terrace at the lower ground floor level; removal of glazed brick nibs to the rear of 39 Upper Brook Street to be replaced to match the rear of 40 Upper Brook Street; replacement of metal railings at the rear of the terraces of 39 Upper Brook Street to glass to match adjoining balustrade at 40 Upper Brook Street; a new door opening to connect the study and first floor terrace; a flat roof for the fifth floor; a new boiler room is proposed to be installed at roof level to be the same height as the acoustic enclosure; a new grille at lower ground floor level in between the front lightwell and laundry room; and lowering of the basement by an additional 250mm to cater for plant requirements.

Yours faithfully

*Deirdra Armsby.*

**Deirdra Armsby**  
**Director of Place Shaping and Town Planning**

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

**Note:**

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



---

**Informative(s):**

- 1 This permission fully meets condition(s) 2 and 7; of the planning permission dated 31.01.2020 (19/08967/FULL). (I11AA)

**Note:**

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





# City of Westminster

## TOWN AND COUNTRY PLANNING ACT 1990 PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990

### Applicant's Rights and General Information

#### 1. Applicant's Rights (refusals and conditional approvals)

##### a) *Appeals to the Planning Inspectorate*

If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990). The Planning Inspectorate is an Executive Agency reporting to the Secretary of State for Communities and Local Government.

The time limits for submitting an appeal may vary. The period after the date of the City Council's decision within which an appeal must be received by the Secretary of State is:

- **28 days** in the case of an appeal against refusal of a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice.
- **8 weeks** in the case of an appeal against refusal of advertisement consent.
- **12 weeks** in the case of appeals made under s78(1) against refusal of any 'householder application' – that is,
  - refusal of an application for planning permission to alter or extend a house, or for works within the curtilage of a house.
  - Refusal to approve details submitted as required by a condition imposed on a permission granted for a householder application.
  - Refusal of prior approvals relating to dwelling houses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order.
- **12 weeks** in the case of 'minor commercial applications that is,
  - refusal of an application for development of an existing building or part of a building currently in use for any purposes in Classes A1, A2, A3, A4 and A5 where the proposal does not include a change of use, a change to the number of units, development that is not wholly at ground floor level and/or does not increase the gross internal area of the building.
  - Interested parties have no right to comment on an appeal with regards to a minor commercial development (specifically a shopfront).
- **6 months** in the case of all other appeals made under s78(1) or s20 of the above Acts relating to a decision on a planning application or listed building consent application. The 6 month time limit also applies to any appeal made under s78 (2) of the Act in respect of a failure to give a decision within the statutory period.

**Note:**

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



If you want to appeal, you must use the correct appeal form from the following list: Planning, Householder, Minor Commercial, Listed Building Consent or Certificate of Lawful Use or Development.

The Planning Inspectorate has an online appeals service: [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs). The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the application form and associated documents and the completed appeal documents. Please ensure that you only provide information, including personal information, that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure that you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal. Alternatively, you can obtain a form from the **Customer Support Team, Planning Inspectorate, 3/08a, Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN Tel: 0303 4440000**. An extension of time for lodging an appeal is unlikely to be granted except in special circumstances. There is a guide and other useful advice about appeals on line at [www.planningportal.gov.uk/planning/appeals/online/makeanappeal](http://www.planningportal.gov.uk/planning/appeals/online/makeanappeal)

#### **APPROVAL OF DETAILS:**

If your application has been granted and is subject to the approval of details reserved by condition please use the form 'Application For Approval Of Details Reserved By Condition' in order to discharge the relevant details. This form can be downloaded from the City Council's web site at [www.westminster.gov.uk/planning](http://www.westminster.gov.uk/planning)

### **b) Purchase Notices**

In certain circumstances the owner of a property has the right to serve a Purchase Notice on the City Council or the Department for Communities and Local Government. A Notice may be served if, following a refusal or a conditional approval, the owner considers the land cannot be put to a reasonably beneficial use in either its existing state or through development which has or would be permitted. A Purchase Notice would require the City Council to purchase the owner's interest in the land in accordance with the relevant provisions of the Acts (Part VI of the Town and Country Planning Act 1990 and Sections 32-37 of the Planning (Listed Buildings and Conservation Areas) Act 1990).

## **2. General information relating to all approvals**

### **a) Other legislative requirements**

This decision has been made by the City Council as the local planning authority. You are reminded of the need to comply with other relevant regulations and statutory provisions and respect the rights of other owners/occupiers provided by relevant property legislation.

**Transportation:** If your proposal involves works which affect the public highway you should consult the City Council as Highways Authority. This includes works to, over or below any carriageway, footway or public forecourt. You should contact the Highways Planning Team by email [highwaysplanning@westminster.gov.uk](mailto:highwaysplanning@westminster.gov.uk) or telephone 020 7641 3326. If your proposal is related to paving works and/or is associated with an agreement under Section 106 of the Town and Country Planning Act 1990 please telephone: 020 7641 2920.

**Highways Licensing:** For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761

#### **Note:**

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



2000.

**Building Control:** You are advised to contact Westminster District Surveyors immediately to find out whether your proposal will require consent under the Building Regulations: Tel: 020 7641 6500 Email :districtsurveyors@westminster.gov.uk.

Building Regulation forms and further information is available on the Council's web site: <http://www.westminster.gov.uk/services/environment/landandpremises/buildings/forms/>

**Land Drainage:** Where major works are involved, Land Drainage Consent may be required under the Water Resources Act 1991 and Thames Region Land Drainage By Laws 1981. You are advised to contact the Environment Agency, Apollo Court ,2 Bishop's Square Business Park, St Albans Road West Hatfield AL10 9EX Tel: 03708 506 506 or email:enquiries@environment-agency.gov.uk.

### ***b) Provision of access and facilities for disabled people***

Designing new buildings and adapting existing buildings to meet the needs of people with disabilities results in a safer and more convenient environment for all. General advice is available from planning and building control officers who can also direct you to appropriate sources of technical/specialist advice.

**Note:**

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

