



City of Westminster

Gordon Chard - Director of Planning and City Development

Your ref: REBECCA ADAMS/2309
My ref: PT/04/00783/FULL
TP/21775

Please reply to: Andy Webber
Direct Tel. No: 020 7641 5963
Direct Fax No: 020 7641 2338

Craven Hill Ltd
c/o MRJ Rundell And Associates
31-37 Hoxton Street
London
N1 6NL

Development Planning Services
Department of Planning and City Development
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Date: 20 May 2004

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990 PERMISSION FOR DEVELOPMENT (CONDITIONAL)

The City Council has considered your application and permits the development referred to below subject to the conditions set out and in accordance with the plans submitted. Unless any other period is stated in the Schedule this permission, by virtue of Section 91(1) of the Town and Country Planning Act 1990 is subject to a condition that the development shall be commenced within 5 years of the date of this decision.

Your attention is drawn to the enclosed Statement of Applicant's Rights and General Information.

SCHEDULE

Application No: 04/00783/FULL **Application Date:** 27.01.2004

Date Received: 03.02.2004 **Date Amended:** 03.02.2004

Plan Nos: P2309/102,301,302,303, 304,305,306, 307,308,309,310,004.

Address: Land To Rear Of 21-23 , Craven Hill, London,

Proposal: Erection of new dwelling to include basement, ground, first floor and second floor.

See next page for conditions/reasons.

Yours faithfully

Gordon Chard
Director of Planning and City Development



Condition(s):

1 You must not use the premises as:

(a) temporary sleeping accommodation as defined in Section 25 of the Greater London Council (General Powers) Act 1973 as amended by the Greater London Council (General Powers) Act 1983; or

(b) holiday accommodation under either a tenancy agreement or any other form of accommodation contract. (C08AA)

Reason: To make sure the property provides permanent domestic accommodation as set out in H 2 of the Unitary Development Plan, H 2 of our Replacement Unitary Development Plan (Second Deposit version) and H 2 of our Pre-Inquiry Unitary Development Plan. (R08AA)

2 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays and bank holidays.

Noisy work must not take place outside these hours unless we have agreed that there are very special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AA)

Reason: To protect the environment of neighbouring residents. This is as set out in SC 19 of our Unitary Development Plan, ENV 6 of our Replacement Unitary Development Plan (Second Deposit version) and ENV 6a of our Pre-Inquiry Unitary Development Plan. (R11AA)

3 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building without our permission. This is despite the provisions of Classes A of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995 (or any order that may replace it). (C21EA)

Reason: To protect the privacy and environment of people in neighbouring properties. This is as set out in H 10, SC 13, and SC 19 of our Unitary Development Plan, ENV 6 and ENV 12 of our Replacement Unitary Development Plan (Second Deposit version) and ENV 6a and ENV 12 of our Pre-Inquiry Unitary Development Plan. (R21BA)

4 The proposed window to bedroom 2 on the first floor shall be completed with 6mm white diffused glass and fixed shut, which shall be permanently retained to satisfaction of the City Council as Local Planning Authority.

Reason: To protect the privacy and environment of people in neighbouring properties. This is as set out in H 10, SC 13, and SC 19 of our Unitary Development Plan, ENV 6 and ENV 12 of our

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Replacement Unitary Development Plan (Second Deposit version) and ENV 6a and ENV 12 of our Pre-Inquiry Unitary Development Plan. (R21BA)

5 The flat roof at first floor level shown on drawing No. P2309/303 shall not be used as a terrace or sitting out area

Reason:To protect the privacy and environment of people in neighbouring properties. This is as set out in H 10, SC 13, and SC 19 of our Unitary Development Plan, ENV 6 and ENV 12 of our Replacement Unitary Development Plan (Second Deposit version) and ENV 6a and ENV 12 of our Pre-Inquiry Unitary Development Plan. (R21BA)

6 The rear door shown at ground floor level facing Leinster Mews shown on plan number P2309/302 shall only be used as a means of escape in the event of an emergency or for access to carry out maintenance. The area between the south elevation of the dwelling hereby approved and the rear of 9 and 10 Leinster Mews shall not be used for storage purposes.

Reason:In order to safeguard the amenities of adjoining residential properties from noise and disturbance. This is in accordance with policy H10 and SC19 of our adopted Unitary Development Plan and policy ENV6 of both versions of our Replacement Unitary Development Plan.

7 You must apply to us for approval of samples of the facing materials you will use, including glazing. You must not start work until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BB)

Reason:To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in DES 1 and DES 5 or DES 6 or both and DES 7 or both, of our Unitary Development Plan, DES 1 and DES 5 or DES 6 or both and DES 9 of our Replacement Unitary Development Plan (Second Deposit version), and DES 1 and DES 5 or DES6 or both and DES 9 of our Pre-Inquiry Unitary Development Plan. (R26BC)

8 You must apply to us for approval of drawings at a scale of 1:50 of the following parts of the development:- bin store enclosure, boundary treatment (including any new gates to Craven Hill Gardens), rooflights and dormer windows. You must not start work until we have approved what you have sent us.

You must then carry out the work according to these drawings. (C26CB)

Reason:To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in DES 1 and DES 5 or DES 6 or both and DES 7 or both, of our Unitary Development Plan, DES 1 and DES 5 or DES 6 or both and DES 9 of our Replacement Unitary Development Plan (Second Deposit version), and DES 1 and DES 5 or DES6 or both and DES 9 of our Pre-Inquiry Unitary Development Plan. (R26BC)

9 The provision for the storage of waste and recyclable material, as shown on drawing number P2309/302, is to be made permanently available and used for no other purpose.

Reason:To protect the environment and provide suitable storage for waste and materials for recycling as set out in SC 15 of our Unitary Development Plan, STRA 33 and ENV 11 of our Replacement Unitary Development Plan (Second Deposit version) and STRA 33 and ENV 10 of our Pre-Inquiry Unitary Development Plan. (R14BA)

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10 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

Reason:To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in DES 1 and DES 5 or DES 6 or both and DES 7 or both, of our Unitary Development Plan, DES 1 and DES 5 or DES 6 or both and DES 9 of our Replacement Unitary Development Plan (Second Deposit version), and DES 1 and DES 5 or DES6 or both and DES 9 of our Pre-Inquiry Unitary Development Plan . (R26BC)

11 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in DES 1 and DES 5 or DES 6 or both and DES 7 or both, of our Unitary Development Plan, DES 1 and DES 5 or DES 6 or both and DES 9 of our Replacement Unitary Development Plan (Second Deposit version), and DES 1 and DES 5 or DES6 or both and DES 9 of our Pre-Inquiry Unitary Development Plan . (R26BC)

12 The soft landscaping works must be carried out in accordance with plan number P2306/004 within 3 months of completing the development (or within any other time limit we agree to in writing). If you remove any trees or find that they are dying, severely damaged or diseased within one year of planting them, you must replace them with trees of a similar size and species.

Reason:To improve the appearance of the development and to make sure that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in DES 7, DES 9, DES 12 and DES 16(E) of our Unitary Development Plan, ENV 14 and DES 1(A) of our Replacement Unitary Development Plan (Second Deposit version) and DES 9, ENV 14 and DES 1(A) of our Pre-Inquiry Unitary Development Plan. (R30CB)

13 You must apply to us for approval of samples of the granite setts shown on drawing number P2309/004. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BB)

Reason:To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in DES 1 and DES 5 or DES 6 or both and DES 7 or both, of our Unitary Development Plan, DES 1 and DES 5 or DES 6 or both and DES 9 of our Replacement Unitary Development Plan (Second Deposit version), and DES 1 and DES 5 or DES6 or both and DES 9 of our Pre-Inquiry Unitary Development Plan . (R26BC)

14 You must apply to us for approval of the details of how you will protect the tree to remain on site as shown on drawing P2309/301, 302, 303, 304, 305, and 306. You must do this before any work begins and you must protect the trees throughout all building work including demolition and site clearance, by using fences or other suitable enclosures.

Reason:To make sure that the trees on the site are adequately protected during building works. This is as set out in DES 12 of our Unitary Development Plan, ENV 14 of our Replacement Unitary

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Development Plan (Second Deposit version) and ENV 14 of our Pre-Inquiry Unitary Development Plan. (R31AA)

15 You must provide a maximum of 2 car parking spaces with additional landscaping which must be shown on drawings to be submitted to and approved by the local planning authority. These spaces must be provided prior to the occupation of the dwelling and must be retained and used for the parking of vehicles of people living in the residential part of this development. (C22BA)

Reason:To provide parking spaces for people living in the residential part of the development as set out in TRANS 25 and SC 11 of our Unitary Development Plan, TRANS 23 and TRANS 24 of our Replacement Unitary Development Plan (Second Deposit version) and TRANS 23 and TRANS 24 of our Pre-Inquiry Unitary Development Plan. (R22BA)

16 (a) Unless and until the 'maximum noise level' and 'measurement location' are fixed under (b), the plant / machinery hereby permitted shall be operated so as to ensure that any noise generated does not exceed the external background noise level (without the plant / machinery hereby permitted operating) at any time outside any residential property (to be referred to as the 'receptor location/s').

(b) If the 'maximum noise level' and 'measurement location' have been fixed under this condition, the plant hereby permitted shall be operated so as to ensure that any noise generated does not exceed the 'maximum noise level' when measured at the 'measurement location'.

For the purposes of fixing the 'maximum noise level' and the 'measurement location' details of the following noise scheme shall be submitted to and approved in writing by the City Council, namely a scheme including:

i) A suitable location accessible to the applicant and City Council, close to the plant/ machinery hereby permitted, for measuring noise emitted by it (to be referred to as the 'measurement location'); and

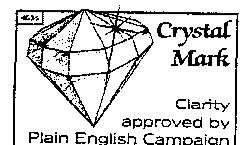
ii) Results of monitoring at the 'measurement location' and 'receptor location/s' when external background noise levels are at their quietest. The results of the monitoring shall determine the highest noise level (to be referred to as the 'maximum noise level') emitted by the plant /machinery hereby permitted when measured at the 'measurement location' which does not exceed the external background noise level at any time (without the plant/ machinery hereby permitted operating) at the 'receptor location/s'. The results shall be provided as the maximum sound levels over a 5-minute period expressed as L_{max} L_{Aeq} and un-weighted octave band frequency spectra.

Reason:To ensure that the plant/machinery hereby permitted which is outside the Central Activities Zone (CAZ), not on a CAZ Frontage and not in a Stress Area will be designed and operated so that noise generated by the plant/machinery hereby permitted will not exceed the background noise outside the nearest noise sensitive property.

This is required in order to protect nearby occupiers of noise sensitive properties and the area generally from excessive noise and disturbance as set out in SC 19 of our Unitary Development Plan, ENV 6 of our Replacement Unitary Development Plan (Second Deposit version) and ENV 6b of our Pre-Inquiry Unitary Development Plan.

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17 The plant/machinery hereby permitted shall be operated so as to ensure that there is no perceptible noise or vibration transmitted through the structure to adjoining premises.

Reason: To safeguard the amenity of occupiers of adjoining premises by preventing noise and vibration nuisance as set out in SC 19 of our Unitary Development Plan, ENV 6 of our Replacement Unitary Development Plan (Second Deposit version) and ENV 6b of our Pre-Inquiry Unitary Development Plan.

Informative(s):

1 Planning legislation requires that an application for planning permission should be determined in accordance with the City Council's development plan unless material considerations indicate otherwise. The application was considered in relation to the policies of the adopted City of Westminster Unitary Development Plan 1997 and the Replacement Unitary Development Plan (2nd deposit version and pre inquiry version). We also took account of representations received and all other material considerations, including Supplementary Planning Guidance, but there were no issues of sufficient weight to override the decision to grant permission.

This informative is only intended as a summary of the reasons for grant of planning permission. For further detail on the decision, you can see the application report by contacting 020 7641 2513 (telephone) or 020 7245 5510 (fax). Reports of applications presented to Planning and Development Committee and Planning Applications Sub-Committee can also be seen by visiting the City Council's web site www.westminster.gov.uk. The adopted and replacement Unitary Development Plans can be viewed either at the City Council's One Stop Services offices (City Hall, 62 Victoria Street, London, SW1 or 91-93 Church Street, London, NW8 or 317 Harrow Road, London, W9) or on the City Council's web site www.westminster.gov.uk.

This application has been determined principally with regard to the policies in the following chapters of the adopted and replacement plans:

[Note: AD = Adopted UDP & RE = Replacement UDP (2nd Deposit & Pre-inquiry versions)]

AD: Part 1- Strategic Policies.

RE: Part 1- Our Vision & Strategy for promoting & controlling development in Westminster.

2 AD: Chapt. 3 - Housing

3 AD: Chapt. 7 - Transport

4 AD: Chapt. 9 - Conservation & Design

5 AD: Chapt. 10 - Standards & Controls

6 RE: Chapt. 3 - Housing

7 RE: Chapt. 4 - Transport

8 RE: Chapt. 9 - Environment

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- 9 RE: Chapt. 10 - Urban Design & Conservation
- 10 Please contact our Director of Cleansing Services on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 11 You must get planning permission for any tanks, equipment, lift motor rooms, railings or other additions to the property. (I21AA)
- 12 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 13 To meet condition 14; the minimum protection we normally expect is plywood boarding at least 1.2 metres high. The boarding should go around the tree at a distance from the trunk which will keep machinery away from the branches. If this is not possible there should be at least two metres between the trunk of the tree and the boarding. (I33AA)
- 14 Please contact our Tree Officer on 020 7641 2618 or 020 7641 2922 to arrange a site inspection before you start digging foundations near the Plane tree referred to in condition 14. (I34AA)
- 15 Under Section 25 of the Greater London Council (General Powers) Act 1973 you need planning permission to use residential premises as temporary sleeping accommodation. To make sure that the property is used for permanent residential purposes, it must not be let for financial gain as sleeping accommodation for less than 90 nights in a row. This applies to both new and existing residential accommodation.
- Also, under condition 1; of this permission you cannot use the property as holiday accommodation for any period if there is a tenancy agreement or any other form of accommodation contract. (I38AA)
- 16 Please make sure that the street name and street number are clearly displayed on the building. This is a condition of the London Building (Amendment) Act 1939. If you would like more information, you can contact Mr R Gangadeen on 020 7641 7064. (I54AA)
- 17 You are advised that any references in this decision letter to our Pre Inquiry Unitary Development Plan also include the subsequent Schedule of Modifications May 2004

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