



Your ref:
My ref: 21/08160/COOUT

Please reply to:
Tel No:

Rupert Handley
07866036401

Kirsty Turner
Savills
33 Margaret Street
London
W1G 0JD

Town Planning & Building Control
Westminster City Council
PO Box 732
Redhill, RH1 9FL

30 June 2023

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992
PERMISSION FOR DEVELOPMENT OUTLINE (CONDITIONAL)

The City Council has considered your outline 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(as amended) is subject to a condition that the development shall be commenced within 3 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: 21/08160/COOUT **Application Date:**
Date Received: 23.11.2021 **Date Amended:** 20.01.2023

Plan Nos: SITE WIDE PLANS
10527-BPA-SW-ZZ-DR-A-P0001-Site Location Plan
10527-BPA-SW-ZZ-DR-A-P0002-Existing Site plan
10527-BPA-SW-ZZ-DR-A-P0003-Existing Site Levels

EXISTING BUILDING PLANS (SITE A)

10527-BPA-SA-B1-DR-A-P4100-Site A - Existing Basement Plan
10527-BPA-SA-00-DR-A-P4101-Site A - Existing Ground Floor Plan
10527-BPA-SA-01-DR-A-P4102-Site A - Existing First Floor Plan
10527-BPA-SA-02-DR-A-P4103-Site A - Existing Second Floor Plan
10527-BPA-SA-03-DR-A-P4104-Site A - Existing Third Floor Plan
10527-BPA-SA-03-DR-A-P4105-Site A - Existing Fourth Floor Plan

EXISTING BUILDING PLANS (SITE B)

10527-BPA-SB-B1-DR-A-P4110-Site B - Existing Basement Plan
10527-BPA-SB-00-DR-A-P4111-Site B - Existing Ground Floor Plan
10527-BPA-SB-01-DR-A-P4112-Site B - Existing First Floor Plan
10527-BPA-SB-02-DR-A-P4113-Site B - Existing Second Floor Plan
10527-BPA-SB-03-DR-A-P4114-Site B - Existing Third Floor Plan

EXISTING BUILDING PLANS (SITE C)

10527-BPA-SC-B1-DR-A-P4120-Site C - Existing Basement Plan
10527-BPA-SC-00-DR-A-P4121-Site C - Existing Ground Floor Plan
10527-BPA-SC-01-DR-A-P4122-Site C - Existing First Floor Plan
10527-BPA-SC-02-DR-A-P4123-Site C - Existing Second Floor Plan
10527-BPA-SC-03-DR-A-P4124-Site C - Existing Third Floor Plan

EXISTING SITE SECTIONS

10527-BPA-SA-ZZ-DR-A-P4200-Site A - Existing Sections A-A B-B
10527-BPA-SB-ZZ-DR-A-P4210-Site B - Existing Sections A-A B-B
10527-BPA-SC-ZZ-DR-A-P4220-Site C - Existing Section A-A
10527-BPA-SC-ZZ-DR-A-P4221-Site C - Existing Section B-B

EXISTING SITE ELEVATIONS (SITE A)

10527-BPA-SA-ZZ-DR-A-P4300-Site A - Existing North West and North East Elevations
10527-BPA-SA-ZZ-DR-A-P4301-Site A - Existing South West and South East Elevations

EXISTING SITE ELEVATIONS (SITE B)

10527-BPA-SB-ZZ-DR-A-P4310-Site B - Existing North West and North East Elevations
10527-BPA-SB-ZZ-DR-A-P4311-Site B - Existing South West and South East Elevations

EXISTING SITE ELEVATIONS (SITE C)

10527-BPA-SC-ZZ-DR-A-P4320-Site C - Existing North West (Boscobel Street) Elevation
10527-BPA-SC-ZZ-DR-A-P4321-Site C - Existing North East (Penfold Street) Elevation
10527-BPA-SC-ZZ-DR-A-P4322-Site C - Existing South East (Church Street) Elevation
10527-BPA-SC-ZZ-DR-A-P4323-Site C - Existing South West (Venables Street) Elevation

DEMOLITION (SITE A)

10527-BPA-SA-ZZ-DR-A-P0100-Site A - Demolition plan P02

PROPOSED GA PLANS (SITE A)

10527-BPA-SA-B1-DR-A-P6101- Proposed Basement Plan Site A-P04
10527-BPA-SA-00-DR-A-P6102 - Proposed Ground Floor Plan Site A-P04
10527-BPA-SA-0M-DR-A-P6103 - Proposed Mezzanine Plan Site A-P04
10527-BPA-SA-01-DR-A-P6104 - Proposed First Floor Plan Site A-P04
10527-BPA-SA-02-DR-A-P6105 - Proposed Second Floor Plan Site A-P04
10527-BPA-SA-03-DR-A-P6106 - Proposed Third - Fifth Floor Plan Site A-P04
10527-BPA-SA-06-DR-A-P6109 - Proposed Sixth Floor Plan Site A-P04
10527-BPA-SA-07-DR-A-P6110 - Proposed Seventh Floor Plan Site A-P04
10527-BPA-SA-08-DR-A-P6111 - Proposed Eighth Floor Plan Site A-P04
10527-BPA-SA-09-DR-A-P6112 - Proposed Ninth Floor Plan Site A-P04
10527-BPA-SA-10-DR-A-P6113 - Proposed Tenth Floor Plan Site A-P04
10527-BPA-SA-11-DR-A-P6114 - Proposed Eleventh Floor Plan Site A-P04
10527-BPA-SA-12-DR-A-P6115 - Proposed Twelve Floor Plan Site A-P04

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10527-BPA-SA-13-DR-A-P6116 - Proposed Thirteenth Floor Plan Site A-P04
10527-BPA-SA-RF-DR-A-P6117- Proposed Roof Plan Site A-P04

PROPOSED GA SECTIONS (SITE A)

10527-BPA-SA-ZZ-DR-A-P6200 - Proposed Section A Site A-P04
10527-BPA-SA-ZZ-DR-A-P6210 - Proposed Section B Site A-P04
10527-BPA-SA-ZZ-DR-A-P6211- Proposed Section C Block A2 Site A-P04
10527-BPA-SA-ZZ-DR-A-P6212- Proposed Section D Site A-P04

PROPOSED GA ELEVATIONS (SITE A)

10527-BPA-SA-ZZ-DR-A-P6300 - Proposed North West Elevation Site A-P04
10527-BPA-SA-ZZ-DR-A-P6301 - Proposed Block A1 North East Elevation-P04
10527-BPA-SA-ZZ-DR-A-P6302- Proposed Block A2 North East Elevation-P04
10527-BPA-SA-ZZ-DR-A-P6303- Proposed South East Elevation Site A-P04
10527-BPA-SA-ZZ-DR-A-P6304- Proposed Block A1 South West Elevation Site A-P04
10527-BPA-SA-ZZ-DR-A-P6305- Proposed Block A2 Edgware Road Elevation Site A-P04

PROPOSED SITEWIDE ELEVATIONS (SITE A, B, C)

10527-BPA-SA-ZZ-DR-A-P6350 - Proposed North West and North East Elevations-P02
10527-BPA-SA-ZZ-DR-A-P6351 - Proposed North East and South East Elevations-P02
10527-BPA-SA-ZZ-DR-A-P6352- Proposed South West and South West Elevations-P02

PROPOSED BLOCK PLANS (SITE A)

A1-1

10527-BPA-SA-00-DR-A-P6400 - Proposed Ground Floor Block A1-1 plan-P04
10527-BPA-SA-0M-DR-A-P6401 - Proposed Mezzanine Floor Block A1-1 plan-P04
10527-BPA-SA-01-DR-A-P6402 - Proposed First Floor Block A1-1 plan-P04
10527-BPA-SA-02-DR-A-P6403 - Proposed Second Floor Block A1-1 plan-P04
10527-BPA-SA-03-DR-A-P6404 - Proposed Third-Fifth Floor Block A1-1 plan-P04
10527-BPA-SA-06-DR-A-P6407 - Proposed Sixth Floor Block A1-1 plan-P04
10527-BPA-SA-07-DR-A-P6408 - Proposed Seventh Floor Block A1-1 plan-P04
10527-BPA-SA-08-DR-A-P6409 - Proposed Eighth Floor Block A1-1 plan-P04
10527-BPA-SA-09-DR-A-P6410 - Proposed Ninth Floor Block A1-1 plan-P04
10527-BPA-SA-10-DR-A-P6411 - Proposed Tenth Floor Block A1-1 plan-P04

A1-2

10527-BPA-SA-00-DR-A-P6416 - Proposed Ground Floor Block A1-2 plan-P04
10527-BPA-SA-0M-DR-A-P6417 - Proposed Mezzanine Floor Block A1-2 plan-P04
10527-BPA-SA-01-DR-A-P6418 - Proposed First Floor Block A1-2 plan-P04
10527-BPA-SA-02-DR-A-P6419 - Proposed Second Floor Block A1-2 plan-P04
10527-BPA-SA-03-DR-A-P6420 - Proposed Third-Seventh Floor Block A1-2 plan-P04
10527-BPA-SA-08-DR-A-P6425 - Proposed Eighth Floor Block A1-2 plan-P04
10527-BPA-SA-09-DR-A-P6426 - Proposed Ninth Floor Block A1-2 plan-P04
10527-BPA-SA-10-DR-A-P6427 - Proposed Tenth Floor Block A1-2 plan-P04

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10527-BPA-SA-11-DR-A-P6428 - Proposed Eleventh Floor Block A1-2 plan-P04

A1-3

10527-BPA-SA-00-DR-A-P6432 - Proposed Ground Floor Block A1-3 plan-P04
10527-BPA-SA-0M-DR-A-P6433 - Proposed Mezzanine Floor Block A1-3 plan-P04
10527-BPA-SA-01-DR-A-P6434 - Proposed First-Fifth floor Block A1-3 plan-P04
10527-BPA-SA-06-DR-A-P6439 - Proposed Sixth Floor Block A1-3 plan-P04
10527-BPA-SA-07-DR-A-P6440 - Proposed Seventh Floor Block A1-3 plan-P04
10527-BPA-SA-08-DR-A-P6441 - Proposed Eighth Floor Block A1-3 plan-P04
10527-BPA-SA-09-DR-A-P6442 - Proposed Ninth Floor Block A1-3 plan-P04
10527-BPA-SA-10-DR-A-P6443 - Proposed Tenth Floor Block A1-3 plan-P04
10527-BPA-SA-11-DR-A-P6444 - Proposed Eleventh Floor Block A1-3 plan-P04
10527-BPA-SA-12-DR-A-P6445 - Proposed Twelfth Floor Block A1-3 plan-P04
10527-BPA-SA-13-DR-A-P6446 - Proposed Thirteenth Floor Block A1-3 plan-P04

A1-4

10527-BPA-SA-00-DR-A-P6448 - Proposed Ground Floor Block A1-4 plan-P04
10527-BPA-SA-0M-DR-A-P6449 - Proposed Mezzanine Floor Block A1-4 plan-P04
10527-BPA-SA-01-DR-A-P6450 - Proposed First Floor Block A1-4 plan-P04
10527-BPA-SA-02-DR-A-P6451 - Proposed Second-Fifth Floor Block A1-4 plan-P04
10527-BPA-SA-06-DR-A-P6455 - Proposed Sixth Floor Block A1-4 plan-P04
10527-BPA-SA-07-DR-A-P6456 - Proposed Seventh Floor Block A1-4 plan-P04
10527-BPA-SA-08-DR-A-P6457 - Proposed Eighth Floor Block A1-4 plan-P04
10527-BPA-SA-09-DR-A-P6458 - Proposed Ninth Floor Block A1-4 plan-P04

A2-1

10527-BPA-SA-00-DR-A-P6464 - Proposed Ground Floor Block A2-1 plan-P04
10527-BPA-SA-01-DR-A-P6466 - Proposed First Floor Block A2-1 plan-P04
10527-BPA-SA-02-DR-A-P6467 - Proposed Second-Fifth Floor Block A2-1 plan-P04
10527-BPA-SA-06-DR-A-P6471 - Proposed Sixth Floor Block A2-1 plan-P04
10527-BPA-SA-07-DR-A-P6472 - Proposed Seventh Floor Block A2-1 plan-P04
10527-BPA-SA-08-DR-A-P6473 - Proposed Eighth Floor Block A2-1 plan-P04
10527-BPA-SA-09-DR-A-P6474 - Proposed Ninth Floor Block A2-1 plan-P04
10527-BPA-SA-10-DR-A-P6475 - Proposed Tenth Floor Block A2-1 plan-P04

A2-2

10527-BPA-SA-00-DR-A-P6480 - Proposed Ground Floor Block A2-2 plan-P04
10527-BPA-SA-0M-DR-A-P6481 - Proposed Mezzanine Floor Block A2-2 plan-P04
10527-BPA-SA-01-DR-A-P6482 - Proposed First-Sixth Floor Block A2-2 plan-P04
10527-BPA-SA-07-DR-A-P6488 - Proposed Seventh Floor Block A2-2 plan-P04

PROPOSED BAY STUDIES (SITE A)

10527-BPA-SA-ZZ-DR-A-P2450 - Proposed Bay Study A1-1 Church Street-P02
10527-BPA-SA-ZZ-DR-A-P2460 - Proposed Bay Study A1-3 Penfold St-P02
10527-BPA-SB-ZZ-DR-A-P2465 - Proposed Bay Study A1-3 Courtyard-P02
10527-BPA-SB-ZZ-DR-A-P2470 - Proposed Bay Study A2-1 Edgware Road-P02

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10527-BPA-SB-ZZ-DR-A-P2475 - Proposed Bay Study A2-1 New Street Gardens-P02

PROPOSED COMPONENT DRAWINGS

10527-BPA-SA-ZZ-DR-A-P2200 - Proposed Recessed Balcony Component-P01

10527-BPA-SA-ZZ-DR-A-P2201 - Proposed Projecting Balcony Component-P01

10527-BPA-SA-ZZ-DR-A-P2202 - Proposed Balcony CGI-P01

PROPOSED TENURE PLANS (SITE A)

10527-BPA-SA-ZZ-DR-A-P3100 - Proposed Tenure Plans Sheet 1-P04

10527-BPA-SA-ZZ-DR-A-P3101 - Proposed Tenure Plans Sheet 2-P04

10527-BPA-SA-ZZ-DR-A-P3102 - Proposed Tenure Plans Sheet 3-P04

PROPOSED CGIs (SITE A)

10527-BPA-SA-ZZ-DR-A-P5101 - CGI 1-P01

10527-BPA-SA-ZZ-DR-A-P5102 - CGI 2-P01

10527-BPA-SA-ZZ-DR-A-P5103 - CGI 3-P01

10527-BPA-SA-ZZ-DR-A-P5104 - CGI 4-P01

10527-BPA-SA-ZZ-DR-A-P5105 - CGI 5-P01

10527-BPA-SA-ZZ-DR-A-P5106 - CGI 6-P01

PARAMETER PLANS (SITES B AND C)

10527-BPA-SW-ZZ-DR-A-P2100 - Existing Structures Demolition-P01

10527-BPA-SW-ZZ-DR-A-P2101 - Site Levels-P01

10527-BPA-SW-ZZ-DR-A-P2102 - Maximum Building Footprint-P01

10527-BPA-SW-ZZ-DR-A-P2103 - Ground Floor Uses-P02

10527-BPA-SW-ZZ-DR-A-P2104 - Typical Floor Uses-P01

10527-BPA-SW-ZZ-DR-A-P2105- Maximum Building Heights-P01

10527-BPA-SW-ZZ-DR-A-P2110- Basement Extents-P01

LANDSCAPE PLANS (SITE WIDE)

10527-CAM-SW-00-DR-L-00001P2 General Arrangement - Ground Floor Landscape Plan

10527-CAM-SW-01-DR-L-00011P2 General Arrangement - Podium Landscape Plan

10527-CAM-SW-00-DR-L-00021P2 General Arrangement - Site Wide Landscape Hierarchy

10527-CAM-SW-00-DR-L-00031P2 General Arrangement - Site Wide Vehicle and Cycle Parking

10527-CAM-SW-00-DR-L-00041P2 General Arrangement - Site Wide Areas of Hard Surface

10527-CAM-SW-00-DR-L-00051P2 General Arrangement - Site Wide Tree Strategy

10527-CAM-SW-00-DR-L-00061P2 General Arrangement - Site Wide Planting Strategy

10527-CAM-SW-00-DR-L-00071P2 General Arrangement - Site Wide Urban Greening Factor

10527-CAM-SW-00-DR-L-00081P2 General Arrangement - Site Wide Play Strategy

10527-CAM-SW-00-DR-L-00091P2 General Arrangement - Site Wide Section Location

GROUND LEVEL LANDSCAPE PLANS (SITE A)

10527-CAM-SA-00-DR-L-00101P3 General Arrangement - Site A Ground Floor Landscape Plan

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10527-CAM-SA-00-DR-L-00106P3 General Arrangement - Site A Ground Floor Landscape Hierarchy
 10527-CAM-SA-00-DR-L-00111P3 General Arrangement - Site A Ground Floor Levels
 10527-CAM-SA-00-DR-L-00116P3 General Arrangement - Site A Ground Floor Areas of Hard Surface
 10527-CAM-SA-00-DR-L-00121P3 General Arrangement - Site A Ground Floor Boundary Treatments, Steps & Structures
 10527-CAM-SA-00-DR-L-00126P4 General Arrangement - Site A Ground Floor Growing Medium Formation
 10527-CAM-SA-00-DR-L-00131P3 General Arrangement - Site A Ground Floor Tree Planting Plan
 10527-CAM-SA-00-DR-L-00136P3 General Arrangement - Site A Ground Floor Planting Plan
 10527-CAM-SA-00-DR-L-00141P3 General Arrangement - Site A Ground Floor Furniture & Fixtures

- Equalities Impact Assessment (January 2023 Rev) and Addendum (February 2023 Rev)
- 10527-ARC-SA-XX-RP-YY-0001 - Tree Survey Report and Arboricultural Impact Assessment (February 2023 Rev)
- Statement of Community Involvement (November 2021 Rev) and Addendum (January 2023)
- 10527-MXF-ZZ-XX-RP-J-51001 - Energy Assessment For Planning (February 2023 Rev)
- 10527-MXF-ZZ-XX-RP-Y-22000 - Sustainability Statement Planning Issue (February 2023 Rev)
- 10527-MXF-ZZ-XX-RP-Y-22001 - Circular Economy Statement, Written Evidence (February 2023 Rev)
- 43871- 43871 - Flood Risk Assessment and Foul & Surface Water Drainage Strategy (September 2021 Rev)
- 10527-MXF-ZZ-XX-RP-J-55000-PO3 - Utilities Assessment (November 2021 Rev)
- 10527-MXF-SA-XX-RP-Y-10001-P5- Acoustic Statement For Planning (February 2023 Rev)
- 43871/3500 R001/rev1- Phase 1 and 2 Ground Condition Assessment (November 2021 Rev)
- RPS/27305 - Archaeological Desk-based Assessment (January 2023 Rev)
- 13794 Rel 17- Daylight And Sunlight Report (February 2023 Rev)
- Whole Life Carbon Assessment (February 2023 Rev)
- 10527-MXF-ZZ-XX-RP-E-31000-PO5- External Lighting Assessment For Planning (February 2023 Rev)
- Supplementary CAVAT Assessment (February 2023 Rev)
- Biodiversity Net Gain Report (January 2022 Rev) and Ecology/BNG Addendum (February 2023 Rev)
- 10527-ARC-SA-XX-RP-EC-0001- Ecological Assessment (November 2021 Rev) and Ecology/BNG Addendum (February 2023 Rev)
- 330510045/500 - Air Quality Environmental Statement Addendum (February 2023 Rev)
- 330510045/AQPS/RevB- Air Quality Positive Statement (February 2023 Rev)
- 330510045- Waste Management Strategy (February 2023 Rev)PODIUM LEVEL LANDSCAPE PLANS (SITE A)
- 10527-CAM-SA-01-DR-L-00151P2 General Arrangement - Site A Podium Landscape Plan
- 10527-CAM-SA-01-DR-L-00156P2 General Arrangement - Site A Podium Landscape Hierarchy

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10527-CAM-SA-01-DR-L-00161P2 General Arrangement - Site A Podium Levels
10527-CAM-SA-01-DR-L-00166P2 General Arrangement - Site A Podium Areas of Hard Surface
10527-CAM-SA-01-DR-L-00171P2 General Arrangement - Site A Podium Boundary Treatments, Steps & Structures
10527-CAM-SA-01-DR-L-00176P2 General Arrangement - Site A Podium Growing Medium Formation
10527-CAM-SA-01-DR-L-00181P2 General Arrangement - Site A Podium Tree Planting Plan
10527-CAM-SA-01-DR-L-00186P2 General Arrangement - Site A Podium Planting Plan
10527-CAM-SA-01-DR-L-00191P2 General Arrangement - Site A Podium Furniture & Fixtures

COMBINED LANDSCAPE PLANS (SITE A)

10527-CAM-SA-00-DR-L-00201P4 General Arrangement - Site A Response to Existing Trees
10527-CAM-SA-00-DR-L-00206P3 General Arrangement - Site A Summary of Ecological Enhancements
10527-CAM-SA-00-DR-L-00211P2 General Arrangement - Site A Play Strategy
10527-CAM-SA-00-DR-L-00216P1 General Arrangement - Site A Urban Greening Factor
10527-CAM-SA-XX-DR-L-00221P2 General Arrangement - Site A Section Location

LANDSCAPE SECTIONS (SITE WIDE)

10527-CAM-SW-00-DR-L-00092P1 Section A-A - Church Street
10527-CAM-SW-00-DR-L-00093P1 Section B-B - Penfold Street

LANDSCAPE SECTIONS (SITE A)

10527-CAM-SA-XX-DR-L-00222P3 Section A-A - Site A
10527-CAM-SA-XX-DR-L-00223P2 Section B-B - Site A
10527-CAM-SA-XX-DR-L-00224P2 Section C-C - Site A
10527-CAM-SA-XX-DR-L-00225P2 Section D-D - Site A

LANDSCAPE PARAMETER PLANS (SITES B & C)

10527-CAM-SW-ZZ-DR-L-P2110 Application Boundaries
10527-CAM-SW-ZZ-DR-L-P2111 Circulation Routes
10527-CAM-SW-ZZ-DR-L-P2112 Open Space

PHASING PLAN

10527-CAM-SW-00-DR-L-01351 - Phasing Plan

DOCUMENTS

10527-SW-DC-Design Code (March 2023 Rev C)

For information only:

SCHEDULES

10527-BPA-XX-ZZ-SC-A-00100-Masterplan Accommodation Schedule

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10527_BPA-SA-ZZ-SC-A-0010_Proposed GIA areas
10527-BPA-SW-ZZ-SC-A-0112-Hybrid application proposed area schedule
10527-BPA-XX-ZZ-SC-A-00100-Masterplan Accommodation Schedule

DOCUMENTS

- Development Specification (November 2021 Rev)
- 10527-SA-DC-Design Access Statement (November 2021 Rev) and Addendum (February 2023 Rev)
- 211111 330510045_Church Street Transport Assessment Final (November 2021 Rev) and Addendum (February 2023 Rev)
- 10039359-ARC-XX-ZZ-RP-FS-0001-PO3 Block A1 Fire Safety Statement (February 2023 Rev)
- 10039359-ARC-XX-ZZ-RP-FS-0002-PO3 Block A2 Fire Safety Statement (February 2023 Rev)
- 10039359-ARC-XX-ZZ-RP-FS-0003-PO3 Outline Fire Safety Statement (February 2023 Rev)
- Health Impact Assessment (January 2023 Rev) and Addendum (February 2023 Rev)
- 43871/3500 R003/revP04 - Structural Method Statement - Basement Impact Assessment (August 2021 Rev)
- 10527-MXF-ZZ-XX-RP-M-20000-PO5 - Ventilation and Extraction Statement (February 2023 Rev)
- Estate Management Strategy (January 2023 Rev)
- Signed Draft Appendix A checklist from WCC Code of Construction Practice (for Level 1 and 2 major schemes) (January 2023 Rev)
- Signed Draft Appendix A checklist from WCC Code of Construction Practice (for basements) (January 2023 Rev)
- Environmental Statement (November 2021 Rev) and Statement of Conformity (February 2023 Rev)
- Planning Statement (February 2023 Rev)
- Estate Regeneration Statement (November 2021 Rev) and Addendum (January 2023 Rev)
- Financial Viability Statement (November 2021 Rev) and Addendum (February 2023 Rev)

Address: Land Bound By Edgware Rd, Boscobel St, Penfold St, Church St, Salisbury St And Broadley St (including Venables St And Part Of Penfold St) (Sites A, B And C) And Public Highway On Church Street, London, ,

Proposal: Hybrid planning application consisting of:

An application for full planning permission for SITE A, for the demolition of all buildings on Site A and erection of mixed-use buildings providing ground floor flexible commercial use floorspace (use class E), a library (use class F1), market storage (use class B8), residential units (Use Class C3), landscaped amenity space, disabled car parking, cycle parking, market infrastructure and associated works; and

An application for outline permission for SITES B, C and Church Street Market (all matters reserved) for:

1. The demolition of buildings and structures;
2. The erection of buildings and works of alteration to existing buildings for the following uses:
 - a) Flexible Commercial Floorspace (Use Class E);
 - b) Community Floorspace (Use Class F1 and F2);
 - c) Public houses, wine bars, or drinking establishments Floorspace (Use Class Sui Generis);
 - d) Market Storage (Use Class B8), and

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- e) Residential Floorspace (Use Class C3) and ancillary residential facilities.
3. Associated infrastructure;
4. Streets, open spaces, landscaping and public realm;
5. Car, motorcycle and bicycle parking spaces and delivery/servicing spaces;
6. New pedestrian and vehicular access;
7. Market infrastructure and ancillary facilities;
8. Utilities including electricity substations; and
9. Other works incidental to the proposed development.

See next page for conditions/reasons.

Yours faithfully



Deirdra Armsby
Director of Town Planning & Building Control

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 to arrange a preliminary discussion.

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Condition(s):**SITE WIDE - (Sites A, B and C)**

- 1 The commencement of Site A as shown on phasing drawing 10527-CAM-SW-00-DR-L-01351 must be begun not later than the expiration of three years from the date of this permission.

The first application for approval of Reserved Matters for the outline element (Sites B, C and Church Street Market) shall be made to the Local Planning Authority no later than three years from the date of this permission. The last application for Reserved Matters shall be made no later than ten years from the date of this permission.

The commencement of each phase of development subject of a reserved matters application shall begin before the expiration of three years from the date of the approval of that phase.

Reason:

To comply with the provisions of Section 91(1)(a) and (3) of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted relating to the outline component:
- Site B / Phase 2
 - Site C / Phase 3
 - Public Realm and Church Street Market / Phase 1/2/3/4
- as shown on Masterplan phasing drawing 10527-CAM-SW-00-DR-L-01351 shall be carried out in accordance with the Development Specification, Parameters Plans and Design Code and other documents listed on this decision letter, and any drawings or documents approved subsequently by the City Council as local planning authority pursuant to any conditions and reserved matters on this decision letter.

Reason:

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

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

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and

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- o not at all on Saturdays, Sundays, bank holidays and public holidays.

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

Reason:

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

- 4 Sites A, B and C shall be constructed to achieve or exceed the BREEAM 'Excellent' standard for the 'Wat 01' water category or equivalent.

Reason:

The site is in an area of serious water stress requiring water efficiency opportunities to be maximised to mitigate the impacts of climate change and enhance the sustainability of the development in accordance with Policy 38(D) in the City Plan 2019 - 2040, Policy SI5 in the London Plan 2021 and our Environmental Supplementary Planning Document (2022).

- 5 All residential units shall be constructed to achieve mains water consumption of 105 litres or less per head per day (excluding allowance of up to five litres for external water consumption) using the fittings approach.

Reason:

The site is in an area of serious water stress requiring water efficiency opportunities to be maximised to mitigate the impacts of climate change and enhance the sustainability of the development in accordance with Policy 38(D) in the City Plan 2019 - 2040, Policy SI5 in the London Plan 2021 and our Environmental Supplementary Planning Document (2022).

- 6 During construction of Sites A, B and C, continued market trading shall be managed in accordance with the Operational Arrangement Strategy as set out within the Estate Regeneration Statement (November 2021), or in accordance with another Strategy as submitted and approved by the Local Planning Authority.

Reason:

To ensure the market continues to support the local community in accordance with Policies E9 C(5) of the London Plan (March 2021) and 6 of the City Plan 2019-2040 (April 2021)

- 7 A minimum of 10% of all residential units shall be wheelchair accessible.

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Reason:

In accordance with The Mayor's Housing SPG (2016), Policy D7 of the London Plan (March 2021) and Policy 12 of the City Plan (April 2021)

- 8 **Prior to the first occupation of Site A, B and C**, details of foul water shall be agreed first with the Local Planning Authority in consultation with Thames Water of either:
- Foul water capacity exists off site to serve the development; or
 - A development and infrastructure phasing plan has been agreed with the Local Planning Authority; or
 - All foul water network upgrades required to accommodate the additional flows from the development have been completed.
- The foul water strategy shall then be implemented in accordance with the agreed strategy prior to occupation.

Reason:

Network reinforcements may be required to accommodate the proposed development. Any reinforcement works identified will be necessary to avoid sewerage flooding and/or potential pollution incidents.

- 9 **Prior to the first occupation of Site A, B and C**, details of surface water capacity shall be agreed first with the Local Planning Authority in consultation with Thames Water of either:
- Surface water capacity exists off site to serve the development; or
 - A development and infrastructure phasing plan has been agreed with the Local Planning Authority; or
 - All surface water network upgrades required to accommodate the additional flows from the development have been completed.
- The foul water strategy shall then be implemented in accordance with the agreed strategy prior to occupation.

Reason:

Network reinforcements may be required to accommodate the proposed development. Any reinforcement works identified will be necessary to avoid sewerage flooding and/or potential pollution incidents.

- 10 **Prior to the first occupation of Site A, B and C**, details of water network upgrade shall be provided that demonstrate either:
- All water network upgrades required to accommodate the additional demand to serve the development have been completed; or
 - A development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.
- Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

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Reason:

The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development.

- 11 Customers shall not be permitted within the Class E, F or Sui Generis premises before 06:00 or after 00:00 each day.

Reason:

To protect the living conditions and environment of people in the area as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021)

SITE A

- 100 The development hereby permitted related to the detailed component (Site A / Phase 1 as shown on Masterplan phasing drawing 10527-CAM-SW-00-DR-L-01351) shall be carried out in accordance with the detailed 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.

- 101 **Pre Commencement Condition.** Prior to the commencement of any:

- (i) demolition, and/or
- (ii) earthworks/piling and/or
- (iii) construction

on Site A (except for the demolition as approved under prior approval application referenced 23/00183/COAPAD), 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.

Reason:

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

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- 102 **Pre commencement condition.** No demolition of the existing buildings (except for the demolition as approved under prior approval application referenced 23/00183/COAPAD) shall take place until a Construction Logistics Plan (CLP) to manage all the freight vehicle movements to and from the site has been submitted to and approved by the City Council in consultation with Transport for London in association with the demolition of the existing buildings and the construction of the new development. The development shall be carried out in accordance with this approved CLP at all times.

Reason:

To ensure that demolition and construction works do not have an adverse impact on public safety and the transportation networks, and to ensure that the impact is minimised.

- 103 **No piling shall take place** until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works has been submitted to and approved by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/cause failure to local underground infrastructure.

- 104 **Prior to any ground works (excluding demolition),** you must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

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Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021).

105 **Land Use**

The market storage, facilities and parking at ground floor level of Block A2 shall be retained and maintained for the lifetime of the development and only used as ancillary storage for Church Street Market.

Reason:

To support the operation and function of the market as set out in Policies 6 and 29 of the City Plan (April 2021) and Policy E9 of the London Plan (March 2021).

106 You must use ground floor retail units for the following uses within Class E

E(a) Display or retail sale of goods, other than hot food

E(b) Sale of food and drink for consumption (mostly) on the premises, subject to suitable ventilation arrangements as secured by condition 109

E(c) Provision of: E(c)(i) Financial services,

E(c)(ii) Professional services (other than health or medical services), or

E(c)(iii) Other appropriate services in a commercial, business or service locality

No more than 60% of the floorspace of these units shall be used for uses falling within Class E(b)

You must not use it for any other purpose, including any within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended September 2020 (or any equivalent class in any order that may replace it). (C05AC)

Reason:

We cannot grant planning permission for unrestricted use in this case because it would not meet Policy 13 and 14 of the City Plan 2019 - 2040 (April 2021).

107 **Prior to occupation**, details of the layout of the library and frontage shall be submitted to and approved to the Local Planning Authority to demonstrate that the majority of the frontage will remain open and unobstructed. The layout of the library shall be implemented in accordance with these details and retained as such thereafter.

Reason:

To protect the character and vitality of the Church Street District Centre, in accordance with

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Policy 14 of the City Plan (April 2021)

- 108 You must provide 206 x 2/3/4/5 bed residential units unless a revised mix is submitted to and agreed in writing by the City Council as Local Planning Authority.

Reason:

To ensure a suitable provision of family sized accommodation in accordance with Policy 10 of the City Plan (April 2021)

- 109 There shall be no primary cooking within any Class E commercial units, such that no raw or fresh food is cooked on the premises unless detailed drawings of the design, construction and insulation of a suitable ventilation system and any associated equipment have been submitted and approved by the Local Planning Authority. Any application must clearly identify which unit the cooking facilities relate. The ventilation system must then be installed and maintained in accordance with those details unless otherwise agreed first by the Local Planning Authority in writing.

Reason:

The plans do not include any kitchen extractor equipment. For this reason we cannot agree to unrestricted use as people using neighbouring properties would suffer from cooking smells. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R05ED)

- 110 **Prior to first occupation of the retail and community uses**, a retail and community use strategy and Operational Management Plan shall be provided for approval to the Local Planning Authority, setting out the use and operational management of each use. The development shall be carried out in accordance with this approved Plan.

Reason:

To ensure the character and vitality of the Church Street District Centre, to protect the amenity of adjacent occupiers and to mitigate impacts on the public high, in accordance with Policies 6, 7, 13, 14, 24, 25, 29, 33, 38C of the City Plan (April 2021)

- 111 You must provide a minimum of 1,774sqm of children's playspace (as a mixture of children's playspace and playable space) **prior to first occupation of any residential units**.

Reason:

To provide opportunities for play and recreation in accordance with Policy S4 of the London Plan (March 2021).

- 112 The library as shown on drawing 10527-BPA-SA-00-DR-A-P6102 P-04 shall only be used as a

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public library.

Reason:

We cannot grant planning permission for unrestricted Class F use in this case because it would not meet Policy 17 of the City Plan 2019 - 2040 (April 2021).

113 **Design and Heritage**

Pre Commencement Condition. No demolition or development (except for the demolition as approved under prior approval application referenced 23/00183/COAPAD) shall take place in site A until a stage 1 written scheme of investigation (WSI) for site A has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021). (R32BD)

- 114 A. You must apply to us for approval of a detailed written and photographic specification of the facing materials you proposed to use for Site A, including annotated versions of the approved elevations and roof plans which demonstrate the location and usage of each of those materials.
- B. You must apply to us for approval of detailed drawings at 1:5 and 1:20 and/or other visual design details as applicable, of the typical bay details of all new facades of Sites A1 and A2, to include the following:
- i. typical window types;
 - ii. typical external door types;
 - iii. typical shopfront / non-residential façade types, including illumination and retail signage zone design;

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- iv. cills and reveals;
- v. location, size and design mitigation of movement joints;
- vi. external rainwater goods and façade drainage;
- vii. step backs in façades;
- viii. interfaces with windows;
- ix. built boundary treatments, garden structures, and hard landscaping;
- x. ventilation and other services terminations to the façade and publicly visible roofs;
- xi. balconies including soffits, balustrades and methods of drainage;
- xii. railings, balustrades and privacy screens;
- xiii. the external lighting of communal areas and building facades;
- xiv. estate way-finding signage.

C. Subject to the satisfactory discharge of Parts A and B of this condition you must prepare on-site for our inspection a 3sq.m trial panel(s) which demonstrates in final detail the application of the approved materials and details to the approved façade designs of Site A, to include as a minimum a demonstration of:

- i. the ground to first floor façade fronting Church Street;
- ii. a typical section of the secondary west, east and south facades; and
- iii. a typical section of the tertiary rear (courtyard) facades.

You must not start work on the relevant parts of the development until we have approved in writing what you have sent us. You must then carry out the work in accordance with the approved specification.

Reason:

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

- 115 **Prior to occupation**, you must apply to us for approval of a scheme of public art for the development of Site A, which is appropriate to the scale and significance of the development and to be located on, within or immediately adjacent to the site. You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the flats, you must carry out the scheme according to the approved details. You must maintain the approved public art and keep it on this site. You must not move or remove it.

Reason:

To make sure that the art is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38, 40 and 43 of the City Plan 2019 - 2040 (April 2021).

- 116 **Prior to occupation**, a lighting strategy including their design and location for any external lighting shall be submitted and approved by the local planning authority to include details of timings. The development shall be carried out in accordance with the approved lighting strategy.

Reason:

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To reduce the risk of anti-social behaviour, to ensure a satisfactory appearance, and to minimise disruption to future and neighbouring residents in accordance with policies 38, 39 and 40 in the adopted City Plan (April 2021) and the Mayors Women's Night Safety Charter.

117 **Environment & Sustainability**

You must apply to us for approval of an updated version of the Whole Life Carbon Assessment hereby approved at each of the following stages of development:

- a) Prior to commencement of any construction works.**
- b) Within 3 months of first occupation of the development.

Where the updated assessment submitted pursuant to part b above identifies that changes to the design, procurement or delivery of the approved development will result in an increase in embodied carbon (A1-A5) above 841kgCO₂e/m² and/or Whole Life Carbon (A1-C4, excluding B6 & B7 including sequestered carbon) above 1,178CO₂e/m², which are the benchmarks established by your application stage Whole Life Carbon assessment, you must identify measures that will ensure that the additional carbon footprint of the development will be minimised.

You must not commence any construction works until we have approved the updated assessment you have sent us. You must then carry out works, as permitted by the relevant part of the condition, in accordance with the updated version of the Whole Life Carbon assessment that we have approved.

The post construction assessment submitted for our approval pursuant to (b) shall demonstrate how the development has been completed in accordance with the updated benchmarks identified in the updated assessment submitted pursuant to part (a).

Reason:

To ensure the development minimises carbon emissions throughout its whole life cycle in accordance with Policy SI2 in the London Plan 2021, Policy 38 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Whole Life-Cycle Carbon Assessments' (March 2022).

- 118 **Prior to the commencement of any construction works** and following completion of RIBA Stage 4, a detailed Circular Economy Statement including a site waste management plan (or updated version of the approved Circular Economy Statement that reaffirms the approved strategy or demonstrates improvements to it), shall be submitted to us and approved by us in writing. The Circular Economy Statement must be prepared in accordance with the GLA Circular Economy Guidance and demonstrate that the development has been designed to meet the relevant targets set out in the guidance. The end-of-life strategy included in the statement shall include the approach to storing detailed building information relating to the structure and materials of the new building elements (and of the interventions to distinguish the historic from the new fabric). The development shall be carried out in accordance with the

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details we approve and shall be operated and managed throughout its life cycle in accordance with the approved details.

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 119 **Prior to the occupation of the development**, a post construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 120 The development shall be carried out in accordance with the approved Energy Strategy (prepared by Max Fordham dated February 2023) and Sustainability Statement (prepared by Max Fordham dated February 2023). The energy efficiency and sustainability measures set out therein shall be completed and made operational prior to the first occupation of the development and retained for the lifetime of the development.

The development shall achieve regulated carbon dioxide emission savings of no less than 67% for the residential part of the development and 151% for the non-domestic units, against the Target Emissions Rate of Part L of Building Regulations (2021) as set out in the approved Energy Strategy.

Within 3 months of first occupation of the development, a post completion verification report shall be submitted to and approved in writing by us to confirm that the above minimum standard has been achieved and that all of the approved energy efficiency and sustainability measures have been implemented.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the

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Environmental Supplementary Planning Document (February 2022).

- 121 **Within 6 months of first occupation**, you must submit a monitoring report that demonstrates whether the measures implemented to prevent overheating have limited internal heat levels in accordance with the approved strategy for our written approval.

Where the monitoring report identifies that internal heating levels exceed those proposed in the approved strategy, the report must set out appropriate mitigation measures. Where the monitoring report that we approve identifies the need for mitigation measures, these must be implemented within 3 months of the date of our decision letter, unless we agree an alternative timeframe in writing.

Thereafter you must operate the development in accordance with the approved strategy, including any mitigation measures set out in the monitoring report, for the lifetime of the development.

Reason:

To ensure the development is designed and operated to minimise the risk of internal overheating and is an energy efficient building in accordance with Policy SI4 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 122 The library and Class E units hereby approved shall achieve a BREEAM rating of 'Excellent' or higher or an equivalent independent measure of energy performance and sustainability. Where the performance of the development is measured using BREEAM, it shall achieve not less than the total credits for each of the Energy, Materials and Waste categories in the BREEAM Pre-Assessment hereby approved.

A post completion certificate (or equivalent certification) confirming that the development has been completed in accordance with the required BREEAM rating and has maintained or exceeded the approved total credit scores for each of the Energy, Materials and Waste categories, shall be submitted to us for our approval **within three months of first occupation of the library or Class E units** (or other timeframe as agreed first by the Local Planning Authority).

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 123 The mitigation measures identified in the Flood Risk Assessment and Foul & Surface Water Drainage Strategy must be provided prior to occupation, and these shall include blue/green roofs, permeable paving and below ground attenuation. These features must be provided and

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maintained for the lifetime of the development.

Reason:

To minimise the impact of the proposed development of surface water flooding and to ensure that the SUD's are provided in accordance with policy 35 in the City Plan (April 2021) and the adopted Environmental Supplementary Planning Document 2022

124 **Greening and Biodiversity**

Pre Commencement Condition. You must apply to us for approval of a method statement and tree protection plan explaining the measures you will take to protect the trees on and close to Site A. You must not start any demolition, site clearance or building work (except for the demolition as approved under prior approval application referenced 23/00183/COAPAD), 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.

Reason:

To protect trees and the character and appearance of the site as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021). (R31CD)

125 **Pre Commencement Condition.** You must apply to us for our approval of details of an auditable system of arboricultural site supervision and record keeping prepared by a qualified Arboricultural consultant, or someone who has the level of qualifications and experience needed to be registered. The details of such supervision must include:

- o identification of individual responsibilities and key personnel.
- o induction and personnel awareness of arboricultural matters.
- o supervision schedule, indicating frequency and methods of site visiting and record keeping
- o procedures for dealing with variations and incidents.

You must not start any demolition, site clearance or building work (except for the demolition as approved under prior approval application referenced 23/00183/COAPAD), and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then adhere to the approved supervision schedule.

You must produce written site supervision reports after each site monitoring visit, demonstrating that you have carried out the supervision and that the tree protection is being provided in accordance with the approved scheme. If any damage to trees, root protection areas or other breaches of tree protection measures occur then details of the incident and any mitigation/amelioration must be included You must send copies of each written site supervision record to us within five days of the site visit.

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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). (R31AD)

- 126 You must apply to us for approval of detailed drawings of a hard (to include play equipment) and soft landscaping scheme including a planting scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of the same size and species, (or alternative sizes and species which we agree to in writing).

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 S4 of the London Plan (March 2021)

- 127 You must apply to us in writing for permission if you want to remove any trees which you have shown that you were going to keep on Arboricultural Impact Assessment Report January 2023 plans 10527-ARC-SA-XX-RP-YY-0002 rev P02 sheets 1, 2, 3, 4, and 5. If any trees which you have shown that you were going to keep die or become seriously damaged or diseased within five years of you completing the development, you must replace them. You must plant the replacement trees in the same place or in any other place we agree to in writing. You must apply to us for our approval of the size and species of the replacement trees, and you must plant the replacement trees within 12 months of removing the original tree or trees. You must also replace any replacement tree which dies, is removed or becomes seriously damaged or diseased within five years of the date we give our approval for the replacement trees, in the next planting season with another of the same size and species as the one that was originally planted, (or alternative sizes and species which we agree to in writing).

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). (R30AD)

- 128 **Prior to occupation of any residential units:**
(a) Notwithstanding the proposed soil arrangements on General Arrangement - Site A Ground Floor Growing Medium Formation 10527-CAM-SA-00-DR-L-00126 P4, General Arrangement - Site A Podium Growing Medium Formation 10527-CAM-SA-01-DR-L-00176 and section A-A site A 10527-CAM-SA-XX-DR-L-00222 P4 and section CC site A 10527-CAM-SA-XX-DR-L-

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00224 P1 you must provide a strategy and details to indicate how soil volumes within the landscaped courtyards to block A1 and A2 are better connected to each other in order to maximise the soil volumes for root growth, to provide long lived sustainable planting and to minimise the requirements for irrigation.

(b) You must provide details of the soil for all landscaped areas. The details shall include plan and section drawings showing the soil depth and volumes across each area and the drainage layer and confirming total soil volumes in each area and the way that the proposed areas of soil will be connected. You must include a specification for the soil in these areas and a methodology for importing and laying the soil.

You must not start work on the landscaping until we have approved what you have sent us. You must then carry out the work according to the submitted details.

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). (R30AD)

129 **Prior to occupation of any residential units:**

You must apply to us for approval of details of semi-intensive (as a minimum requirement) green roofs to include details of the construction, depth and specification of the substrate, the number, size, species and density of the proposed planting, and details of irrigation and maintenance, including a bio-diversity management plan. You must not start work on the relevant parts of the development until we have approved what you have sent 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 Policy 34 of the City Plan 2019 - 2040 (April 2021). (R30AD)

- 130 You must apply to us for approval of details of a maintenance regime and sustainable irrigation and rainwater harvesting system for the soft landscaping. You must not start work on this part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the details approved and thereafter retain and maintain the irrigation system for the duration of the development.

Reason:

To reduce its environmental impact, improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policies 34 and 35 of the City Plan 2019 - 2040 (April 2021).

- 131 The development shall achieve an urban greening factor of at least 0.4 and a report confirming this must be submitted to and approved by the City Council **within three months of the**

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completion of the development.

Reason:

To ensure carbon emissions have been minimised and to ensure the provision of green infrastructure in accordance with policies 34, 36 and 38 in the adopted City Plan (April 2021).

- 132 **Prior to occupation**, details of bird and bat boxes and invertebrate features in accordance with the ecology assessment shall be submitted to and approved by the City Council. The approved features must be installed prior to occupation and maintained for the lifetime of the development.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021).

- 133 **Amenity**

Prior to first use of the communal garden to Block A2, details of screening to the boundary with the properties on Edgware Road shall be submitted and approved by the Local Planning Authority. The screen shall be retained and maintained thereafter.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 134 **Prior to occupation of any residential units**, an Operational Management Plan shall be provided to the Local Planning Authority setting out how the communal gardens to block A1 and A2 will be managed. This should include issues such as security, hours and maintenance. The gardens will then be managed in accordance with these details.

Reason:

To protect the environment of people living within and adjacent to the development. This is as set out in Policies 7, 33 and 38 of the City Plan 2019-2040 (April 2021).

- 135 The main roofs of the buildings must not be used for sitting out or for any other purpose. You can however use the roofs to escape in an emergency or during maintenance works.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

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136 **Environmental Sciences**

(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 or suitable justification has been submitted to and approved first by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

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Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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)

- 137 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 138 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:

- Noise emitted from the emergency plant and generators hereby permitted shall not 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.
- The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation.
- Testing of emergency plant and generators hereby permitted may be carried out only for up to **15 minutes** 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.

Reason:

Emergency energy generation plant is generally noisy, so in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby. (R50AC)

- 139 **Prior to occupation**, you must apply to us for approval of details of a supplementary acoustic

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report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 136 & 137 of this permission. You must not occupy the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

140 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial uses 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial uses 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, 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 including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;
- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

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Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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. (R47AC)

- 141 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

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) and the Environmental Supplementary Planning Document (February 2022). (R49AB)

- 142 The design of the separating wall and/or floor structure should be such that the received value in the residential habitable spaces, with music playing, should be 10 dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq & LFM_{ax} in the octave bands of 63 Hz & 125 Hz.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 143 **Prior to the commencement of any construction works** (above ground floor level), you must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the sound insulation will be sufficient to protect residential from external noise and that the development will comply with the Council's noise criteria set out in Conditions 140, 141 and 142 of this permission. You must not 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 the details approved before the residential units are occupied and thereafter retain and maintain.

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Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

144 **Prior to commencement of development** (save for demolition, below ground works and temporary works) details of a system of mechanical ventilation, shall be submitted to and approved in writing by the Local Planning Authority. The ventilation system shall be capable of ensuring that:

- a) A system of air quality filtration is installed and or inlets are positioned so that that they are drawing air of a sufficient quality so that the National Air Quality Objectives and WHO guideline levels for Nitrogen Dioxide (NO₂) and Particulate Matter (PM_{10/2.5}) are not exceeded within air quality sensitive properties.
- b) The residential internal noise levels for the noise sensitive properties do not exceed the noise levels specified in condition C49AA/C49BB
- c) The mechanical ventilation is designed in compliance with the current Technical Memorandum produced by CIBSE to prevent overheating to the residential apartments when the windows are closed

The approved system shall be installed and operational before occupation of sensitive uses the system shall be checked and maintained in accordance with the manufacturer's specification and retained unless otherwise agreed by the local planning authority.

Reason:

Because existing external ambient Air quality levels exceed the National air quality objectives and WHO Guideline Levels, and Policy 32

145 **Highways and Waste**

Prior to occupation, details of long (including a minimum of 20% parking via Sheffield Stands) and short stay cycle parking shall be submitted for approval by the Local Planning Authority for all uses. The cycle parking shall then be provided as approved prior to occupation and retained for the life of the development. All long stay cycle parking must be secured, weather proof, accessible and within the development site. All short stay cycle parking must be within the development site.

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

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- 146 **Prior to occupation**, you must apply to the Local Planning Authority for approval of a Servicing Management Plan for the servicing of the development. The plan should identify a process to minimise of deliveries. This plan should give further comfort over how the developer would ensure that:
- i) Deliveries are consolidated as far as possible
 - ii) Encourage and facilitate deliveries by zero emission vehicles
 - iii) process, internal storage locations and scheduling of deliveries
- The plan must be followed and maintained for life of development, unless a revised strategy is approved (in writing) by the Local Planning Authority.

Reason:

To ensure that all of the uses within the building are appropriately serviced in accordance with Policy 29 of the City Plan 2019-2040 (April 2021)

- 147 Should a use falling within Use Class E(d), E(e), E(f) or F be proposed, you must apply to us for approval of a Travel Plan, **within 6 months of occupation**. The Travel Plan must include details of:
- (a) A comprehensive survey of all users;
 - (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
 - (c) Targets set in the Plan to reduce car journeys;
 - (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new use is occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for our written approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems. (C45AB)

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R45AC)

- 148 All non-refuse vehicles must enter and exit the site in forward gear.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policies 7, 27, 29, 33 and 38 of the City Plan 2019-2040.

- 149 You must hang all doors or gates so that they do not open over or across the road or pavement.

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Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

- 150 **Prior to occupation of the development** each van and car parking space shall have an active Electric Vehicle Charging Point. The charging point shall be retained and maintained for the lifetime of the development.

Reason:

To provide electric vehicle charging for people using the development in accordance with Policy 27 of the City Plan 2019-2040 (April 2021)

- 151 Car parking shall be provided for White Badge holder residential occupant use only, and not for staff or commuter car parking. A maximum of 1 space shall be allocated/used per unit (but not sold). Car parking to be provided prior to occupation and thereafter maintained for the life of the development.

Reason:

In accordance with Policy 29 of the City Plan (April 2021)

- 152 No delivery service shall operate from the development.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policies 7, 27, 29, 33 and 38 of the City Plan 2019-2040.

- 153 **Prior to commencement of any construction works** (above ground floor level), you must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately for each of the proposed uses (namely: a) retail b) library and c) residential). You must not start work on the relevant part of the development until the Local Planning Authority has approved what has been submitted in writing. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the development. You must not use the waste and recycling store for any other purpose. (C14GB)

Reason:

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). (R14CD)

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- 154 All canopies and structures over the highway must maintain 2.6m vertical clearance to allow pedestrians safe passage, and be at least 1m from kerb edge to allow sufficient clearance from vehicles, and 5.3m clearance must be provided over the carriageway.

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021).

- 155 **Other**

Prior to occupation, details of amendments or wind mitigation shall be provided to the Local Planning Authority to demonstrate how the environment of:

- a) the easternmost entrance to the retail unit at the northern corner of Site A;
- b) the top two north-eastern facing balconies at the northern corner of both block A1 and A2

The amendments or mitigation measures shall be **implemented prior to occupation** and maintained thereafter.

Reason:

To improve the environment of users of the development in accordance with Policy 7, 33 and 41 of the City Plan 2019-2040 (April 2021)

- 156 **Prior to occupation**, details of digital connectivity, maintenance and future upgrading, shall be provided and approved by the Local Planning Authority. Any features shall be implemented prior to occupation and retained and maintained thereafter.

Reason:

To meet existing and future digital infrastructure, information and communications technology requirements, in accordance with Policy 19 of the City Plan (April 2021)

- 157 You must submit an addendum to the Equalities Impact Assessment **prior to commencement of any construction**. The addendum will refresh the Equalities Impact Assessment submitted with the application and update the current position on how the identified impacts summarised in Table 9-2 have been assessed, monitored and/or resolved.

Reason:

To make sure the development does not result in undue discrimination in accordance with Equality Act 2010 and the associated Public Sector Equality Duty (PSED)

SITE B

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200 For Site/Phase B of the outline component of this hybrid application as shown on drawing 10527-CAM-SW-00-DR-L-01351, details of the following matters (reserved matters) shall be submitted to the City Council, and no work except demolition, ground and enabling work shall start within the relevant phase until the City Council as local planning authority has given its approval to all of these details in writing:

- a) Appearance;
- b) Means of Access;
- c) Landscaping;
- d) Layout;
- e) Scale;

You must then carry out the development in line with what we have approved and in accordance with the Reserved Matters Application Specification.

Reason:

The application is for outline planning permission only. We need to be satisfied with the details of the proposal before any development work starts. (R01AA)

201 **Pre Commencement Condition.** Prior to the commencement of any:

- (i) demolition, and/or
- (ii) earthworks/piling and/or
- (iii) construction

on site B you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

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

202 **No piling shall take place** until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works has been submitted to and approved by the local planning authority in consultation with Thames Water. Any piling must be undertaken in

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accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/cause failure to local underground infrastructure.

- 203 **Prior to commencement of development** (except for demolition, ground and enabling works) an updated Design Code, or a confirmation statement of adherence to the design code, shall be submitted to and approved by the City Council.

Reason:

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

- 204 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021).

- 205 **Land Use**

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Prior to commencement of works (except for demolition, ground and enabling work), a market storage management plan shall be submitted to and approved by the Local Planning Authority. The approved plan shall then be adhered to for the remainder of development (Sites B and C) unless otherwise agreed first by the Local Planning Authority.

Reason:

To ensure the market continues to support the local community in accordance with Policies E9 of the London Plan (March 2021) and 6 of the City Plan 2019-2040 (April 2021)

- 206 There shall be no primary cooking within any commercial units, such that no raw or fresh food is cooked on the premises unless detailed drawings of the design, construction and insulation of a suitable ventilation system and any associated equipment have been submitted and approved by the Local Planning Authority. Any application must clearly identify which unit the cooking facilities relate. The ventilation system must then be installed and maintained in accordance with those details unless otherwise agreed first by the Local Planning Authority in writing.

Reason:

The application is in outline therefore no details of any kitchen extraction for any of the future uses have been provided at this stage in order to protect the amenities of future occupiers and neighbouring residents. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R05ED)

- 207 **Prior to commencement** (except for demolition, ground and enabling work), a retail, commercial and community use strategy and Operational Management Plan (OMP) shall be submitted to and approved by the local Planning Authority, setting out the uses and operational management of each use. The development shall be carried out in accordance with the approved OMP.

Reason:

To ensure the character and vitality of the Church Street District Centre, to protect the amenity of adjacent occupiers and to mitigate impacts on the public high, in accordance with Policies 6, 7, 13, 14, 24, 25, 29, 33, 38C of the City Plan (April 2021)

- 208 **Prior to commencement** (except for demolition, ground and enabling work), details of children's playspace shall be submitted and approved by the Local Planning Authority, to demonstrate how they will be delivered to meet London Plan standards for Sites A, B and C, when taken as a whole. The approved children's play space shall then be provided in accordance with these details prior to occupation.

Reason:

To provide opportunities for play and recreation in accordance with Policy S4 of the London

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Plan (March 2021).

- 209 **Prior to commencement** (except for demolition, ground and enabling work), details shall be submitted and approved by the Local Planning Authority to demonstrate a minimum of 25% of residential accommodation shall be provided as family housing and a maximum of 10% of homes as studios. The family housing shall then be provided and retained for the lifetime of the development.

Reason:

To ensure accommodation is well designed and accessible in accordance with Policy 12 of the City Plan (April 2021).

- 210 **Prior to commencement** (except for demolition, ground and enabling work), details shall be submitted and approved by the Local Planning Authority to demonstrate 10% of all residential units will be 'wheelchair user dwellings' and that all other dwellings are 'accessible and adaptable dwellings' in accordance with the most up to date Building Regulations.

Reason:

To ensure the standard of accommodation meets a suitable provision of family sized accommodation is provided in accordance with Policy 10 of the City Plan (April 2021).

211 **Design & Heritage**

Prior to occupation, you must apply to us for approval of a scheme of public art for the development of Site B, which is appropriate to the scale and significance of the development and to be located on, within or immediately adjacent to the site. You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the flats, you must carry out the scheme according to the approved details. You must maintain the approved public art and keep it on this site. You must not move or remove it.

Reason:

To make sure that the art is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38, 40 and 43 of the City Plan 2019 - 2040 (April 2021).

212 **Environment & Sustainability**

Pre-Commencement Condition. A Whole Life Carbon Assessment shall be submitted and approved by the Local Planning Authority, in accordance with latest technical guidance. This phase of development shall then be implemented in accordance with the approved details.

Reason:

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To ensure the development minimises carbon emissions throughout its whole life cycle in accordance with Policy SI2 in the London Plan 2021, Policy 38 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Whole Life-Cycle Carbon Assessments' (March 2022).

- 213 **Pre-Commencement Condition.** A Circular Economy Assessment shall be submitted and approved by the Local Planning Authority, in accordance with latest technical guidance. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 214 **Prior to the occupation of the development,** a post construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 215 **Pre-Commencement Condition.** You must apply to us for approval of (a) An Energy Strategy and (b) A Sustainability Assessment in accordance with latest technical guidance. You must not start works until the details have been approved by the Local Planning Authority. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

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- 216 **Pre-Commencement Condition.** You must apply to us for approval of evidence to demonstrate a minimum 10% Be Lean reduction against Part L 2021 for residential and minimum 15% reduction for non-residential floorspace.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 217 **Pre-Commencement Condition** (except for demolition, ground and enabling work). An Overheating Strategy and dynamic overheating analysis for both domestic and non-domestic spaces shall be submitted to and approved by the Local Planning Authority, in accordance with latest technical guidance and methodologies and to demonstrate measures to reduce the building's cooling demand to lower than notional. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development is designed and operated to minimise the risk of internal overheating and is an energy efficient building in accordance with Policy SI4 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 218 All commercial units shall achieve a BREEAM rating of 'Excellent' or higher or an equivalent independent measure of energy performance and sustainability. Where the performance of the development is measured using BREEAM, it shall achieve not less than the total credits for each of the Energy, Materials and Waste categories in the BREEAM Pre-Assessment hereby approved.

A post completion certificate (or equivalent certification) confirming that the development has been completed in accordance with the required BREEAM rating and has maintained or exceeded the approved total credit scores for each of the Energy, Materials and Waste categories, shall be submitted to the Local Planning Authority for approval **within three months of first occupation** of the commercial units (or other timeframe as agreed first by the Local Planning Authority).

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 219 **Prior to commencement** (except for demolition, ground and enabling work). A Flood Risk

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Assessment and Foul & Surface Water Drainage Strategy shall be provided and approved by the Local Planning Authority, in accordance with latest technical guidance and methodologies. This phase of the development shall then be implemented in accordance with the approved details.

Reason:

To minimise the impact of the proposed development of surface water flooding and to ensure that the SUD's are provided in accordance with policy 35 in the City Plan (April 2021) and the adopted Environmental Supplementary Planning Document 2022.

220 **Pre-commencement condition.** You must apply to us for approval with roof layouts to show the location of PV panels, and details of how the number of PV panels has been maximised.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

221 **Greening and Biodiversity**

Pre-Commencement Condition (except for demolition, ground and enabling work). You must apply to us for approval of details of Urban Greening / Biodiversity net gain in accordance with latest guidance and methodologies. This phase of the development shall not begin until these details have been approved by the Local Planning Authority, and then implemented in accordance with the approved details.

Reason:

To ensure the provision of green infrastructure in accordance with policies 34, 36 and 38 in the adopted City Plan (April 2021).

222 **Environmental Sciences**

(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 or suitable justification has been submitted to and approved first 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.

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(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
include Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of include(e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan-2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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)

223 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

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(2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan-2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 224 **Prior to occupation**, you must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Conditions 222 & 223 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 225 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial uses 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 permitted hours of use. The activity-specific noise level should be expressed as LaeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial uses 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 permitted hours of use. The activity-specific noise level should be expressed as LaeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, 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 including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected

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window of it;

(b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; include Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

(d) The lowest existing LA90, 15 mins measurement recorded undinclude(c) aincludee;

(e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;

(f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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. (R47AC)

- 226 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night unless otherwise agreed first by the Local Planning Authority. (C49AA)

Reason:

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) and the Environmental Supplementary Planning Document (February 2022). (R49AB)

- 227 The design of the separating wall and/or floor structure should be such that the received value in the residential habitable spaces, with music playing, should be 10 dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq & LFMax in the octave bands of 63 Hz & 125 Hz.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

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(R49BB)

- 228 **Prior to commencement of construction works (above ground floor level)**, you must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the sound insulation will be sufficient to protect residential from external noise and that the development will comply with the Council's noise criteria set out in Conditions 225, 226 and 227 of this permission. You must not 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 the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 229 **Prior to commencement of development** (except for demolition, ground and enabling work), an Air quality positive statement shall be submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with this statement.

Reason:

Because existing external ambient Air quality levels exceed the National air quality objectives and WHO Guideline Levels, and Policy 32 of the City Plan (April 2021)

230 **Highways**

Prior to commencement of development (except for demolition, ground and enabling work) you must apply to us for approval of details of secure cycle storage. You must not start any work on this part of the development until we have approved in writing what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation and make it available at all times to everyone using the development. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021).

- 231 Should a use falling within Use Class E(d), E(e), E(f) or F be proposed, you must apply to us for approval of a Travel Plan, **within 6 months of occupation**. The Travel Plan must include details of:

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- (a) A comprehensive survey of all users;
- (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
- (c) Targets set in the Plan to reduce car journeys;
- (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new use is occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for our written approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems. (C45AB)

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R45AC)

- 232 **Prior to commencement of development** (except for demolition, ground and enabling work), a Servicing Management Plan shall be submitted for approval. It shall be complied with for the lifetime of the development.

Reason:

To ensure that all of the uses within the building are appropriately serviced in accordance with Policy 29 of the City Plan (April 2021).

- 233 **Prior to commencement** (except for demolition, ground and enabling work), details of how waste is to be stored on site and how materials for recycling will be stored separately will be submitted to and approved by the Local Planning Authority. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the development. You must not use the waste and recycling store for any other purpose. (C14GB)

Reason:

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)

- 234 **Other**

Prior to commencement (except for demolition, ground and enabling work), a fire strategy shall be provided and approved by the Local Planning Authority (in consultation with the Health and Safety Executive where necessary), in accordance with latest technical guidance and

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methodologies. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure that development proposals achieve the highest standards of fire safety to ensure the safety of all building users in accordance with Policy 12 of the City Plan 2019 - 2040 (April 2021).

- 235 **Prior to the commencement of development**, you must submit an addendum to the Equalities Impact Assessment. The addendum will refresh the Equalities Impact Assessment submitted with the application and update the current position on how the identified impacts summarised in Table 9-2 have been assessed, monitored and/or resolved.

Reason:

To make sure the development does not result in undue discrimination in accordance with Equality Act 2010 and the associated Public Sector Equality Duty (PSED)

SITE C

- 300 For Phase C of the outline component of this hybrid application as shown on drawing 10527-CAM-SW-00-DR-L-01351, details of the following matters (reserved matters) shall be submitted to the City Council, and no work except demolition, ground and enabling work shall start within the relevant phase until the City Council as local planning authority has given its approval to all of these details in writing:

- a) Appearance;
- b) Means of Access;
- c) Landscaping;
- d) Layout;
- e) Scale.

You must then carry out the development in line with what we have approved and in accordance with the Reserved Matters Application Specification.

Reason:

The application is for outline planning permission only. We need to be satisfied with the details of the proposal before any development work starts. (R01AA)

- 301 **Pre Commencement Condition.** Prior to the commencement of any:

- (i) demolition, and/or
- (ii) earthworks/piling and/or
- (iii) construction

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on site C you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

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

- 302 **No piling shall take place** until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works has been submitted to and approved by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason:

The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/cause failure to local underground infrastructure.

- 303 **Prior to commencement of development** (except for demolition, ground and enabling works) an updated Design Code, or a confirmation statement of adherence to the design code, shall be submitted to and approved by the City Council.

Reason:

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

- 304 **Pre Commencement Condition.** You must carry out a detailed site investigation to find out if the building or land are contaminated with dangerous material, to assess the contamination that is present, and to find out if it could affect human health or the environment. This site investigation must meet the water, ecology and general requirements outlined in 'Contaminated Land Guidance for Developers submitting planning applications' - produced by Westminster City Council in January 2018.

You must apply to us for approval of the following investigation reports. You must apply to us

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and receive our written approval for phases 1, 2 and 3 before any demolition or excavation work starts, and for phase 4 when the development has been completed but before it is occupied.

Phase 1: Desktop study - full site history and environmental information from the public records.

Phase 2: Site investigation - to assess the contamination and the possible effect it could have on human health, pollution and damage to property.

Phase 3: Remediation strategy - details of this, including maintenance and monitoring to protect human health and prevent pollution.

Phase 4: Validation report - summarises the action you have taken during the development and what action you will take in the future, if appropriate.

Reason:

To make sure that any contamination under the site is identified and treated so that it does not harm anyone who uses the site in the future. This is as set out in Policy 33(E) of the City Plan 2019 - 2040 (April 2021).

305 **Land Use**

Prior to commencement of works (except for demolition, ground and enabling work), a market storage management plan shall be submitted to and approved by the Local Planning Authority. The approved plan shall then be adhered to for the remainder of development unless otherwise agreed first by the Local Planning Authority.

Reason:

To ensure the market continues to support the local community in accordance with Policies E9 of the London Plan (March 2021) and 6 of the City Plan 2019-2040 (April 2021)

- 306 There shall be no primary cooking within any commercial units, such that no raw or fresh food is cooked on the premises unless detailed drawings of the design, construction and insulation of a suitable ventilation system and any associated equipment have been submitted and approved by the Local Planning Authority. Any application must clearly identify which unit the cooking facilities relate. The ventilation system must then be installed and maintained in accordance with those details unless otherwise agreed first by the Local Planning Authority in writing.

Reason:

The plans do not include any kitchen extractor equipment. For this reason we cannot agree to unrestricted use as people using neighbouring properties would suffer from cooking smells. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R05ED)

- 307 **Prior to commencement** (except for demolition, ground and enabling work), a retail,

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commercial and community use strategy and Operational Management Plan (OMP) shall be submitted to and approved by the local Planning Authority, setting out the uses and operational management of each use. The development shall be carried out in accordance with the approved OMP.

Reason:

To ensure the character and vitality of the Church Street District Centre, to protect the amenity of adjacent occupiers and to mitigate impacts on the public high, in accordance with Policies 6, 7, 13, 14, 24, 25, 29, 33, 38C of the City Plan (April 2021)

- 308 **Prior to commencement** (except for demolition, ground and enabling work), details of children's playspace shall be submitted and approved by the Local Planning Authority, to demonstrate how they will be delivered to meet London Plan standards for Sites A, B and C, when taken as a whole. The approved children's play space shall then be provided in accordance with these details prior to occupation.

Reason:

To provide opportunities for play and recreation in accordance with Policy S4 of the London Plan (March 2021).

- 309 **Prior to commencement** (except for demolition, ground and enabling work), details shall be submitted and approved by the Local Planning Authority to demonstrate a minimum of 25% of residential accommodation shall be provided as family housing and a maximum of 10% of homes as studios. The family housing shall then be provided and retained for the lifetime of the development.

Reason:

To ensure accommodation is well designed and accessible in accordance with Policy 12 of the City Plan (April 2021).

- 310 **Prior to commencement** (except for demolition, ground and enabling work), details shall be submitted and approved by the Local Planning Authority to demonstrate 10% of all residential units will be 'wheelchair user dwellings' and that all other dwellings are 'accessible and adaptable dwellings' in accordance with the most up to date Building Regulations.

Reason:

To ensure the standard of accommodation meets a suitable provision of family sized accommodation is provided in accordance with Policy 10 of the City Plan (April 2021).

311 **Design & Heritage**

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Prior to occupation, you must apply to us for approval of a scheme of public art for the development of Site C, which is appropriate to the scale and significance of the development and to be located on, within or immediately adjacent to the site. You must not start work on the public art until we have approved what you have sent us. Before anyone moves into the flats, you must carry out the scheme according to the approved details. You must maintain the approved public art and keep it on this site. You must not move or remove it.

Reason:

To make sure that the art is suitable and that it contributes to the character and appearance of the area. This is as set out in Policies 38, 40 and 43 of the City Plan 2019 - 2040 (April 2021).

- 312 **Pre Commencement Condition.** No demolition or development shall take place on Site C until a stage 1 written scheme of investigation (WSI) for site C has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

- A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason:

To protect the archaeological heritage of the City of Westminster as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021). (R32BD)

313 **Environment & Sustainability**

Pre-Commencement Condition. A Whole Life Carbon Assessment shall be submitted and approved by the Local Planning Authority, in accordance with latest technical guidance. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development minimises carbon emissions throughout its whole life cycle in

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accordance with Policy SI2 in the London Plan 2021, Policy 38 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Whole Life-Cycle Carbon Assessments' (March 2022).

- 314 **Pre-Commencement Condition.** A Circular Economy Assessment shall be submitted and approved by the Local Planning Authority, in accordance with latest technical guidance. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 315 **Prior to the occupation of the development,** a post construction monitoring report should be completed in line with the GLA's Circular Economy Statement Guidance. The post-construction monitoring report shall be submitted to the GLA, currently via email at: circulareconomystatements@london.gov.uk, along with any supporting evidence as per the guidance. Confirmation of submission to the GLA shall be submitted to, and approved in writing by, the local planning authority, prior to occupation of the development.

Reason:

To ensure the development is resource efficient and maintains products and materials at their highest use for as long as possible in accordance with Policy SI7 in the London Plan 2021, Policy 37 in the City Plan 2019 - 2040 (April 2021), the Environmental Supplementary Planning Document (February 2022) and the guidance set out in the Mayor of London's guidance 'Circular Economy Statements' (March 2022).

- 316 **Pre-Commencement Condition.** You must apply to us for approval of (a) An Energy Strategy and (b) A Sustainability Assessment in accordance with latest technical guidance. You must not start works until the details have been approved by the Local Planning Authority. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 317 **Pre-Commencement Condition.** You must apply to us for approval of evidence to demonstrate

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a minimum 10% Be Lean reduction against Part L 2021 for residential and minimum 15% reduction for non-residential floorspace.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policy SI2 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 318 **Pre-Commencement Condition** (except for demolition, ground and enabling work). An Overheating Strategy and dynamic overheating analysis for both domestic and non-domestic spaces shall be submitted to and approved by the Local Planning Authority, in accordance with latest technical guidance and methodologies and to demonstrate measures to reduce the building's cooling demand to lower than notional. This phase of development shall then be implemented in accordance with the approved details.

Reason:

To ensure the development is designed and operated to minimise the risk of internal overheating and is an energy efficient building in accordance with Policy SI4 in the London Plan 2021, Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 319 All commercial units shall achieve a BREEAM rating of 'Excellent' or higher or an equivalent independent measure of energy performance and sustainability. Where the performance of the development is measured using BREEAM, it shall achieve not less than the total credits for each of the Energy, Materials and Waste categories in the BREEAM Pre-Assessment hereby approved.

A post completion certificate (or equivalent certification) confirming that the development has been completed in accordance with the required BREEAM rating and has maintained or exceeded the approved total credit scores for each of the Energy, Materials and Waste categories, shall be submitted to the Local Planning Authority for approval **within three months of first occupation** of the commercial units (or other timeframe as agreed first by the Local Planning Authority).

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 320 **Prior to commencement** (except for demolition, ground and enabling work). A Flood Risk Assessment and Foul & Surface Water Drainage Strategy shall be provided and approved by

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the Local Planning Authority, in accordance with latest technical guidance and methodologies. This phase of the development shall then be implemented in accordance with the approved details.

Reason:

To minimise the impact of the proposed development of surface water flooding and to ensure that the SUD's are provided in accordance with policy 35 in the City Plan (April 2021) and the adopted Environmental Supplementary Planning Document 2022.

- 321 **Pre-commencement condition.** You must apply to us for approval with roof layouts to show the location of PV panels, and details of how the number of PV panels has been maximised.

Reason:

To ensure the development minimises operational carbon dioxide emissions and achieves the highest levels of sustainable design and construction in accordance with Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022).

- 322 **Greening and Biodiversity**

Pre-Commencement Condition (except for demolition, ground and enabling work). You must apply to us for approval of details of Urban Greening / Biodiversity net gain in accordance with latest guidance and methodologies. This phase of the development shall not begin until these details have been approved by the Local Planning Authority, and then implemented in accordance with the approved details.

Reason:

To ensure the provision of green infrastructure in accordance with policies 34, 36 and 38 in the adopted City Plan (April 2021).

- 323 **Environmental Sciences**

(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 or suitable justification has been submitted to and approved first 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.

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(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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)

324 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)

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Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 325 **Prior to occupation**, you must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Conditions 323 & 324 of this permission. You must not start work on this part of the development until we have approved in writing what you have sent us. (C51AB)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51AC)

- 326 (1) Where noise emitted from the proposed internal activity in the development will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial uses 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm,, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the 'A' weighted sound pressure level from the internal activity within the commercial uses 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 permitted hours of use. The activity-specific noise level should be expressed as LAeqTm, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, 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 including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:

- (a) The location of most affected noise sensitive receptor location and the most affected window of it;

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- (b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (c) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (d) The lowest existing LA90, 15 mins measurement recorded under (c) above;
- (e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
- (f) The proposed maximum noise level to be emitted by the activity. (C47AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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. (R47AC)

- 327 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

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) and the Environmental Supplementary Planning Document (February 2022). (R49AB)

- 328 The design of the separating wall and/or floor structure should be such that the received value in the residential habitable spaces, with music playing, should be 10 dB below that measure without music events taking place, at the quietest time of day and night, measured over a period of 5 minutes and in the indices of Leq & LFMax in the octave bands of 63 Hz & 125 Hz.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

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- 329 **Prior to commencement of development of construction works (above ground floor)**, you must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the sound insulation will be sufficient to protect residential from external noise and that the development will comply with the Council's noise criteria set out in Conditions 326, 327 and 328 of this permission. You must not 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 the details approved before the residential units are occupied and thereafter retain and maintain.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 330 **Prior to commencement of development** (except for demolition, ground and enabling work), an Air quality positive statement shall be submitted to and approved by the Local Planning Authority. The development shall then be implemented in accordance with this statement.

Reason:

Because existing external ambient Air quality levels exceed the National air quality objectives and WHO Guideline Levels, and Policy 32 of the City Plan (April 2021)

- 331 **Highways**

Prior to commencement of development (except for demolition, ground and enabling work) you must apply to us for approval of details of secure cycle storage. You must not start any work on this part of the development until we have approved in writing what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation and make it available at all times to everyone using the development. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021).

- 332 Should a use falling within Use Class E(d), E(e), E(f) be proposed, you must apply to us for approval of a Travel Plan, **within 6 months of occupation**. The Travel Plan must include details of:

(a) A comprehensive survey of all users;

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- (b) Details of local resident involvement in the adoption and implementation of the Travel Plan;
- (c) Targets set in the Plan to reduce car journeys;
- (d) Details of how the Travel Plan will be regularly monitored and amended, if necessary, if targets identified in the Plan are not being met over a period of 5 years from the date the new use is occupied.

At the end of the first and third years of the life of the Travel Plan, you must apply to us for our written approval of reports monitoring the effectiveness of the Travel Plan and setting out any changes you propose to make to the Plan to overcome any identified problems. (C45AB)

Reason:

In the interests of public safety, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R45AC)

- 333 **Prior to commencement of development** (except for demolition, ground and enabling work), a Servicing Management Plan shall be submitted for approval. It shall be complied with for the lifetime of the development.

Reason:

To ensure that all of the uses within the building are appropriately serviced in accordance with Policy 29 of the City Plan (April 2021).

- 334 **Prior to commencement** (except for demolition, ground and enabling work), details of how waste is to be stored on site and how materials for recycling will be stored separately will be submitted to and approved by the Local Planning Authority. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the development. You must not use the waste and recycling store for any other purpose. (C14GB)

Reason:

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)

- 335 **Other**

Prior to commencement (except for demolition, ground and enabling work), a fire strategy shall be provided and approved by the Local Planning Authority (in consultation with the Health and Safety Executive where necessary), in accordance with latest technical guidance and methodologies. This phase of development shall then be implemented in accordance with the approved details.

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Reason:

To ensure that development proposals achieve the highest standards of fire safety to ensure the safety of all building users in accordance with Policy 12 of the City Plan 2019 - 2040 (April 2021).

- 336 **Prior to the commencement of development**, you must submit an addendum to the Equalities Impact Assessment. The addendum will refresh the Equalities Impact Assessment submitted with the application and update the current position on how the identified impacts summarised in Table 9-2 have been assessed, monitored and/or resolved.

Reason:

To make sure the development does not result in undue discrimination in accordance with Equality Act 2010 and the associated Public Sector Equality Duty (PSED)

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 You are advised that an addendum to the Environmental Impact Assessment will be required to accompany relevant applications for reserved matters on sites B & C.
- 3 **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

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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

- 4 In relation to conditions 3 and 4, developers are encouraged to maximise the water efficiency of the development. Thames Water offer environmental discounts for water efficient development which reduce the connection charges for new residential properties. Further information on these discounts can be found at: <https://www.thameswater.co.uk/developers/charge>

- 5 In relation to the whole life carbon assessment conditions required pursuant to part (b) of the relevant Conditions, the post-construction tab of the GLA's Whole Life-Cycle Carbon Assessment template should be completed in line with the GLA's Whole Life-Cycle Carbon Assessment Guidance: LPG document template (green) (london.gov.uk). To support the results provided in the template, the following minimum evidence requirements should also be submitted:
 - a) site energy (including fuel) use record,
 - b) contractor confirmation of as-built material quantities and specifications,
 - c) record of material delivery including distance travelled and transportation mode (including materials for temporary works),
 - d) waste transportation record including waste quantity, distance travelled, and transportation mode (including materials for temporary works) broken down into material categories used in the assessment,
 - e) a list of product-specific environmental product declarations for the products that have been installed.

The data collected must demonstrate compliance with the Whole Life Carbon Assessment approved at application stage, as updated pursuant to parts (a) of the condition, and will provide an evidence base that informs future industrywide benchmarks or performance ratings for building typologies. In addition to submitting this information to the Council pursuant to the requirements of part (b) of the condition, where the original application was referable to the Mayor of London you should also submit the post-construction assessment to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the requirements of the Mayor's guidance.

- 6 The Circular Economy Statement required by the relevant Conditions must accord with the guidance set out in the London Plan Guidance 'Circular Economy Statements' (2022). It should include a Pioneering Bill of Materials which includes reused and recycled content by volume

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and mass. For reused and recycled content calculations should be submitted as accompanying supporting evidence.

You should also submit the details to the GLA at: ZeroCarbonPlanning@london.gov.uk, along with any supporting evidence as per the requirements of the Mayor's guidance.

- 7 For advice on BREEAM, including appointment of a licensed assessor and how to obtain a post completion certificate, please visit the Building Research Establishment (BRE) website: <https://bregroup.com/products/breem/>.
- 8 Please read the following.
 - * British Standard BS: 5837 (2005) and later revisions - Recommendations for trees in relation to construction
 - * National Joint Utilities Group guide NJUG 10 - Guidelines for the planning, installation and maintenance of utility services in proximity to trees (1995)
 - * Arboricultural Practice Note APN 1 - Driveways close to trees (1996), and the products available to provide hard surfaces close to trees. (I92AA)
- 9 Green Roofs: All growing medium on green roofs should be a minimum 80mm deep or 60mm deep, the standard must be no less than that set out for semi intensive green roofs in the Environment Supplementary Planning Document - 'Semi intensive green roof - Intermediate green roof type with characteristics of both extensive and intensive green roofs. Typically 100mm to 200mm substrate depth, sometimes irrigated, occasionally managed, and usually planted with a range of species'.
- 10 For advice on how you can design for the inclusion of disabled people please see the guidance provided by the Equality and Human Rights Commission, the Centre for Accessible Environments and Habinteg. The Equality and Human Rights Commission has a range of publications to assist you (www.equalityhumanrights.com). The Centre for Accessible Environment's 'Designing for Accessibility' (2012) is a useful guide (www.cae.org.uk). If you are building new homes, you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk.

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

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11 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is also a condition of the London Building Acts (Amendment) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application for street naming and numbering, and to read our guidelines, please visit our website: www.westminster.gov.uk/street-naming-numbering. (I54AB)

12 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point.

If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please email AskHighways@westminster.gov.uk.

13 Please email our Project Officer (Waste) at wasteplanning@westminster.gov.uk for advice about your arrangements for storing and collecting waste.

14 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please email AskHighways@westminster.gov.uk. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority).

15 The Travel Plan for education/nursery/crèche/school should be developed with discussion with the Council's Road Safety Education Officer/School Travel Plan Officer as part of this process (<https://www.westminster.gov.uk/school-travel-plans>).

16 Any materials on the highway will need separate highway approvals and will need to meet the Highway Authority requirements, including those relating to minimising long term maintenance. This will be determined and agreed as part of the detail highway design phase.

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It is worth noting that the final decision on on-street parking is for the Council as Traffic Authority. As it a separate legal process, their outcome cannot be guaranteed. The changes the applicant wishes to make require agreement of the Traffic Authority. It should also be noted that none of the external works affecting the highway indicated on the submitted drawings have Highway Authority approval and are not consented as part of this application.

Maintenance and Management Plan for the Car Lift required prior to occupation and followed/maintained for life of development, unless revised strategy is approved (in writing) by the Local Planning Authority. The plan should identify process and schedule for maintenance for the car lift, maximum "down" times and alternative arrangement vehicles during periods when the car lift is not available for parking.

It must also detail how the car lift will operate on a day to day basis to ensure waiting on the highway is minimised.

- 17 The SMP should clearly identify process, storage locations, scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and how the time the delivered items spend on the highway will be minimised. This must be provided for waste collection as well.

It should clearly outline how servicing will occur on a day to day basis, almost as an instruction manual or good practice guide for the occupants. A basic flow chart mapping the process may be the easiest way to communicate the process, accompanied by a plan highlighting activity locations. The idea of the SMP is to ensure that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction to other highway users. The SMP should inform the occupant on their requirements to minimise the impact of their servicing on the highway (ie set out how the occupant is expected to service the unit). A supplier instructions sheet is a helpful part of the SMP.

- 18 When carrying out building work you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction should be given at planning application stage. You may wish to contact to our Environmental Sciences Team (email: environmentalsciences2@westminster.gov.uk) to make sure that you meet all the requirements before you draw up contracts for demolition and building work.

When a contractor is appointed they may also wish to make contact with the Environmental Sciences Team before starting work. The contractor can formally apply for consent for prior approval under Section 61, Control of Pollution Act 1974. Prior permission must be sought for all noisy demolition and construction activities outside of core hours on all sites. If no prior permission is sought where it is required the authority may serve a notice on the site/works setting conditions of permitted work (Section 60, Control of Pollution Act 1974).

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British Standard 5228:2014 'Code of practice for noise and vibration control on construction and open sites' has been recognised by Statutory Order as the accepted guidance for noise control during construction work.

An action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or a notice.

- 19 Under the Construction (Design and Management) Regulations 2015, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 20 No digging should take place within 5 metres of a High Voltage Cable without contacting National Grid's Plant Protection Team <https://www.beforeyoudig.nationalgrid.com>

- 21 With reference to Code of Construction Practice conditions 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

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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.

- 22 You must not cook food in any way which is likely to cause a nuisance by smell. You must not, for example, grill, fry, toast, braise, boil, bake, hot smoke or roast food. However, you can reheat food by microwave or convection oven as long as this does not require extractor equipment.

The hot food operation as described in the approved documents shall not be altered in any way with regards to cooking methods, cookline equipment or hot food types sold.

Any application to discharge the condition must submit details of extraction which shall consist only of either a 'full height' system or in limited circumstances where all cooking equipment is electric only an 'approved recirculation' scheme (any extraction scheme proposing 'low-level' external discharge to get rid of cooking fumes will not be accepted as being suitable as per Westminster Environmental Health requirements for new premises wishing to provide an extensive hot food operation). For further information please contact the Environmental Health Consultation Team (Regulatory Support Team 2) by email to ehconsultationteam@westminster.gov.uk.

- 23 Fractures and ruptures can cause burst water mains, low water pressure or sewer flooding. You are advised to consult with Thames Water on the piling methods and foundation design to be employed with this development in order to help minimise the potential risk to their network. Please contact:

Thames Water Utilities Ltd
Development Planning
Maple Lodge STW
Denham Way

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Rickmansworth
Hertfordshire
WD3 9SQ
Tel: 01923 898072
Email: Devcon.Team@thameswater.co.uk

- 24 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form** **immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 25 As part of your future energy strategies, you will need to investigate and report on:
- a) potential connection to District Heating Networks (DHN). Any application should also demonstrate how they will be designed to accommodate a future connection to a DHN, if one is not available at the time of development.
 - b) that a high specification and energy efficient heat pump / system is being utilised.

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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.

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With immediate effect, prospective appellants requesting an inquiry into their appeal must notify the Local Planning Authority and Planning Inspectorate at least 10 days prior to appeal submission.

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. 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

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

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 or telephone 020 7641 3326. If your proposal is related to

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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 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:

<https://www.westminster.gov.uk/building-control>

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.

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