# Town Planning & Building Control

**Standard Conditions & Reasons**

**City Plan 2019 – 2040 Version**

|  |  |  |
| --- | --- | --- |
|  | Notes: If you draft a non-standard condition or reason on a complex or legally sensitive issue, the wording should be checked with Legal Services.  Refer to Government guidance on the use of planning conditions in the National Planning Policy Guidance: [www.gov.uk/guidance/use-of-planning-conditions](http://www.gov.uk/guidance/use-of-planning-conditions). |  |
|  |  |  |

**Last Updated:**

**27 August 2024 (Version 1.8)**



**Version Control**

|  |  |  |  |
| --- | --- | --- | --- |
| **Date** | **Version** | **Amendment** | **Author** |
| 22 April 2021 | 1.0 | City Plan Update | OG |
| 20 July 2021 | 1.1 | Updated with references to draft ESPD | OG |
| 11 July 2022 | 1.2 | New Listed Building Consent reasons added | OG |
| 29 Sept 2022 | 1.3 | Environmental SPD updated to adopted version | OG |
| 07 Dec 2022 | 1.4 | T&C Heaters and flood mitigation conditions added (C25 & C44) | OG |
| 09 Mar 2023 | 1.5 | Water efficiency conditions added (C44DA & EA) | OG |
| 23 June 2023 | 1.6 | Sustainability Conditions amendments (C17 & C44) | OG |
| 30 April 2024 | 1.7 | On-street parking prevention Grampian Condition (C19CA) | OG |
| 27 August 2024 | 1.8 | Text added to C46A & B to clarify use Part 3 to fix background noise level. | OG & RH |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

**Standard Conditions / Reasons**

|  |  |  |
| --- | --- | --- |
| C00A, C00B | [Development/LBC to be in accordance with approved plans](#_Drawings_and_documents) | R00A, R00A |
| C01AB, C01BB, C01CB | [Outline application conditions](#_Outline_applications) | R01AA, R01BA, R01CB |
| C02, BA, CA, DA, EA | [Completing the development](#_Completing_the_development) | R02, BA, DC, EC, FE, GD, HD |
| C03AA, BA, CA, DA, | [Limited period - general](#_Limited_period_-) | R03AC, BC, CC, |
| C03HA | [Extending time limits for extant planning permission, listed building consent or S73 applications](#_C03HA) | R03HA |
| C04AA, BA, CA, DA, EA, FA | [Limited period - advertisements](#_Limited_period_-_1) | R04AC, BC |
| C05AC, BC, CC, DB, EC, FC, GA, HA, IA, JC, KA, LA | [Restricted use, including restaurants and other Class E uses (see also C07)](#_Restricted_use_including) | R05AC, BC, CD, DD, ED, FD, GC, HA, IA, JA, KA, LA |
| C06AA | [Personal](#_Personal) | R06AC, BC |
| C07AA, BA, CA, DC, EB, FB | [Restricted use (see also C05)](#_Restricted_use_(see) | R07AC, BC, CC, DD |
| C09AA, BA, CA | [Hostels](#_Hostels) | R09AD, BD |
| C10AB, BB, CB | [Medical](#_Medical) | R10AD, BE |
| C11AA, C11BA | [Hours of building work, incl. hours of work for basement excavation](#_Hours_of_building) | R11AD |
| C12AD, BD, CD, DD | [Opening hours](#_Opening_hours) | R12AD |
| C13BC, DB, FC, GB, IA, KA, LA, MB, NB, OB | [Noise and insulation. \*\*See C46 to C50 for main plant noise conditions\*\*.](#_Noise_and_insulation) | R13AD, BD, CD, DD, ED, FC, GA |
| C14AB, BB, ED, FC, GB | [Ventilation and waste storage](#_Ventilation_and_waste) | R14AD, CD |
| C15AB | [Small shops](#_Small_shops) | R15AD |
| C16AC, BC | [Crime prevention](#_Crime_prevention) | R16AD, BD |
| C17AB, BA, CA, DA, EA, FA | [Minimising carbon emissions (incl. WLC, CE, operational emissions & overheating)](#_Carbon_Emissions) | R17AD, BA, CA, DA, EA |
| C18AA | [Contaminated Land](#_Contaminated_Land) | R18AB, BB |
| C19AB, BB, CA | [Grampian conditions to secure benefits](#_Grampian_conditions_to) | R19AD, CA |
| C20AB, BB | [Access for people with disabilities](#_Access_for_people) | R20AD, BD |
| C21AA, BA, CA, DC, EC, FA, GA, HC, JA, KA, LB | [Residential amenity](#_Residential_amenity) | R21AD, BD, CD, DD, ED, FA, GA |
| C22AB, BB, DA, EB, FC, HA, IA, JA | [Car parking and cycle parking](#_Car_parking_and) | R22AC, BC, CD, DD, FB, GA |
| C23AA, BA, CB, DA, EA, FA, GA | [Servicing – including headroom](#_Servicing_–_including) | R23AD, BC |
| C24AA, BA, CA, DC | [Road safety](#_Road_safety) | R24AD, BD, CB |
| C25AA, BA, CA, DA, EA, FA, GA, HA | [Tables and chairs](#_Tables_and_chairs) | R25AD, BE, DD, EB, GC, HA |
| C26AA, BC, DB, EA, FA, HB, KA, MA, NA, OA, PA, QA, RA, SA, TB, UC, VA, WC, XA | [Design](#_Design) | R26AE, BF, CE, DE, EE, FE, GD, HD, IB, JA |
| C27AA, BA, CA, DC, EA, FA, HA, JB, KA, MA, NA | [Listed buildings](#_Listed_buildings) | R27AD, BE, CB |
| C28AC, BC | [Structure](#_Structure) | R28AA, BA |
| C29AD, BB | [Demolition](#_Demolition) | R29AD, BD, CD |
| C30AC, BC, CC, DA, EA, FA | [Landscaping](#_Landscaping) | R30AD, BD, CE, DB |
| C31AC, BC, CC, DB, EB, FA, GA, JB, LB, MB, NA, PB, QB | [Trees](#_Trees) | R31AD, BD, CD, DD |
| C32AB, BC | [Archaeology](#_Archaeology) | R32AD, BD |
| C33AA | [Crossrail and Chelsea to Hackney (Crossrail 2) lines](#_CrossRail_and_Chelsea) | R33AD, BD |
| C34AA | [Strategic views](#_Strategic_views) | R34AD |
| C35AA, BA, CA | [Estate agents' boards](#_Estate_agents'_boards) | R35AC, BC |
| C36AA | [Adverts](#_Adverts) | R36AA |
| C37AC | [Public Art](#_Public_art) | R37AC |
| C42AA, BB, CA | [Retrospective permissions - securing implementation and/or details of further works required.](#_Retrospective_or_partially) | R42AB |
| C43AA, BA, CA, DA, EA, FA, GA | [Biodiversity](#_Biodiversity) | R43AC, BC, CC, DC, EC, FC |
| C44AA, AB, BB, BC, CA, DA, EA, FA, GA | [Sustainability (incl. SDS, BREEAM, Passivhaus & Water Consumption)](#_Sustainability) | R44AD, BE, CA, DA |
| C45AB | [School Travel Plans](#_School_Travel_Plan) | R45AC |
| C46AC, BC, CA | [Plant and machinery – noise and hours](#_Noise_from_plant) | R46AC, BC, CC |
| C47AC, BC | [Internal activity – noise and hours](#_Internal_activity;_noise) | R47AC, BC |
| C48AB | [Vibration](#_Vibration) | R48AB |
| C49AA, BB | [Where existing or proposed residential would suffer noise from outside, or from inside the same building](#_Where_proposed_or) | R49AB, BB |
| C50AC | [Noise from emergency plant and generators](#_Noise_from_emergency) | R50AC |
| C51AB, C51BB | [Where details of plant have not been provided and supplementary acoustic report and/or details of sound insulation required](#_Where_details_of) | R51AC, R51BC |
| C52AA | [Where details of plant have been provided but post commissioning noise survey required](#_Where_details_of_1) |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **C00** | Drawings and documents |  |  |
|  | Conditions |  | Reasons |
| C00A | The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently in writing by the City Council as local planning authority pursuant to any conditions on this decision letter. | R00A | For the avoidance of doubt and in the interests of proper planning. |
| C00B | The works hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently in writing by the City Council as local planning authority pursuant to any conditions on this decision letter. | R00A | For the avoidance of doubt and in the interests of proper planning. |
| **C01** | Outline applications |  |  |
| C01AC | **Pre Commencement Condition.**  You must apply to us for approval of the location, design and outside appearance of the buildings and of the access to and landscaping of the site (the 'reserved matters'). You must not start work until we have approved in writing what you have sent us. You must then carry out the work in line with what we have approved. (C01AB) | R01AA | 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) |
| C01BC | **Pre Commencement Condition.**  You must apply to us for approval of all the reserved matters within three years of the date of this outline permission. You must not start work until we have approved in writing what you have sent us. You must then carry out the work in line with what we have approved. (C01BB) | R01BB | To meet the requirements of the Town and Country Planning Act 1990 (as amended). (R01BA) |
| C01CB | The development must begin within two years of our final approval of the last reserved matter. (C01CB) | R01CB | As set out in Section 92 of the Town and Country Planning Act 1990 (as amended) and because we consider that extended deadlines are not suitable in this case. (R01CB) |
|  |  |  |  |
|  | **Notes**   * Use C00A for FULL applications and C00B for LBC applications. * Use C01AB to C01CB together. R01AA applies to C01AB. R01BA applies to both C01BB and C01CB. * Delete from C01AB any matters that are not to be reserved. * The deadlines set out in C01BB and C01CB reflect the standard periods set out in Section 92(2) of the Town and Country Planning Act 1990 (as amended). Section 92(4) allows us to change the deadlines in certain circumstances. If we do this, use R01CB in place of R01BA. * Section 92(5) of the Act allows us to ask for details of different reserved matters at different times - for example, siting within one year, external appearance within three years. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C02** | Completing the development |  |  |
|  | Conditions |  | Reasons |
|  |  |  |  |
| C02BA | The use allowed by this permission must not begin until you have completed the building according to the approved drawings. (C02BA) | R02BA | To make sure that you carry out the development according to the terms of the listed building consent and any details we have approved. (R02BA) |
| C02CA | The **^IN**; use allowed by this permission must not begin until you have completed the building work set out in the approved drawings. (C02CA) |  |  |
| C02DA | The **^IN;** use allowed by this permission must not begin until you have completed the **^IN**; to our written satisfaction. (C02DA) | R02DC | To make sure that you carry out the development in full and to make sure that we are satisfied with the appearance of the development, as set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R02DC) |
| C02EA | The **^IN**; use allowed by this permission must not begin until we have approved in writing the details we need under conditions **^IN**; and you have completed the work to our satisfaction. (C02EA) | R02EC | To make sure that you carry out the development in full and to make sure that we are satisfied with the appearance of the development in its setting, as set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R02EC) |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  | **Notes**   * Use these conditions with caution and refer to Government guidance on the use of planning conditions: [www.gov.uk/guidance/use-of-planning-conditions](http://www.gov.uk/guidance/use-of-planning-conditions) (para 005 in particular). | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C02** | **Completing the development** |  |  |
|  | Conditions |  | Reasons |
|  |  | R02FE | To make sure that you achieve the variety of uses included in the scheme as set out in Polices 1 and **^IN;** of the City Plan 2019 – 2040 (April 2021). (R02FE) |
|  |  | R02GD | To make sure that the development does not affect people using the neighbouring properties as set out in Polices 7 and 33 of the City Plan 2019 – 2040 (April 2021). (R02GD) |
|  |  | R02HD | To make sure that the development does not affect people using the neighbouring properties as set out in Policy 7 of the City Plan 2019 – 2040(April 2021). (R02HD) |
|  | **Notes**   * For R02FE you may need to add one of the following: Policies 2, 3, 4, 20, 21, 22, 23. * Use R02GD if you aim to prevent noise nuisance. * Use R02HD if you aim to stop overlooking or loss of light, or to improve the area as a place to live. | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C03** | Limited period - general |  |  | |
|  | Conditions |  | Reasons | |
| C03AA | The **^IN**; use allowed by this permission can continue until **^IN**;. After that the land must return to its previous condition and use. (C03AA) | R03AC | The use is not as set out in Policy **^IN**; of the City Plan 2019 – 2040 (April 2021). Use for more than a limited period would be harmful to the objectives of the Plan. (R03AC) | |
| C03BA | The **^IN**; use allowed by this permission can continue until **^IN**;. After that the part of the building we have approved for **^IN**; must return to its previous use. (C03BA) | R03BC | The building should not remain for a longer period because **^IN**;. (R03BC) | |
| C03CA | The building can remain until **^IN**;. After that you must remove it and return the land to its previous condition. (C03CA) | R03CC | So that we can assess the effect of the use and make sure it meets Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R03CC) | |
| C03DA | The **^IN**; use allowed by this permission can continue until **^IN**;. After that, the use must end and you must remove the building. You must then return the land to its previous condition and use. (C03DA) |  |  | |
| C03HA | This permission must be commenced no later than **^IN**;. | R03HA | This permission authorises amendments to the original planning permission granted on **^IN;** (RN: **^IN;**) which must be commenced no later than the above date. (R03HA) | |
|  |  |  |  | |
|  | **Notes**   * Use C03AA for open land, that is, no buildings. Use C03BA if a building can remain after the temporary use ends. Use C03CA if a temporary building, with no change of use, has to be removed. Use C03DA if a building must be removed when the temporary use ends. * Usually give the last day of the final month – so (for example) a one year permission granted on 15 October should run to 31 October the following year. * The description of the development on the decision notice should emphasise that the use or building is temporary. You can adapt one of these conditions to specify what the previous (lawful) use is, if you are certain. * Use C03HA for S73 applications. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C04** | Limited period - advertisements |  |  |
|  | Conditions |  | Reasons |
| C04AA | You can display the advert for **^IN**; from the date of this letter. You must then remove it without delay. (C04AA) | R04AC | The advert is temporary, so under Policy 43 of the City Plan 2019-2040 (April 2021), we can only approve it for a limited period. (R04AC) |
| C04BA | You can display the advert from **^IN**; to **^IN**;. You must then remove it without delay. (C04BA) | R04BC | The hoarding is temporary, so under Policy 43 of the City Plan 2019-2040 (April 2021), we can only approve it for a limited period. (R04BC) |
| C04CA | The hoarding can stand from **^IN**; to **^IN**;. You must then remove it without delay. (C04CA) |
| C04DA | You can display the advert from **^IN**; to **^IN**; and for the same period in the following three years. (C04DA) |  |  |
| C04EA | You can display the advert for:   1. **^IN**; from the date of this letter; or 2. the whole period of the building work;   whichever is shorter.  You must then remove it without delay. (C04EA) |  |  |
| C04FA | The advertisement on the hoarding can stand for:’   1. **^IN**; from the date of this letter; or 2. the whole period of the building work;   whichever is shorter.  You must then remove it without delay. (C04FA) |  |  |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **C05** | | Restricted use including restaurants and bars (see also C07) |  |  | |
|  | | Conditions |  | Reasons | |
| C05AC | | You must use the property only for **^IN**;. You must not use it for any other purpose, including any within Class **^IN**; 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) | R05AC | We cannot grant planning permission for unrestricted use in this case because it would not meet Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R05AC) | |
| C05BC | | You must only use the part of the property as shown on drawing **^IN;** we have approved for **^IN**; for that purpose. You must not use it for any other purposes, including any within Class **^IN**; 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). (C05BC) | R05BC | We cannot grant planning permission for unrestricted use within Class **^IN**; because it would not meet Policy **^IN;** of the City Plan 2019-2040 (April 2021), and because of the special circumstances of this case. (R05BC) | |
| C05CC | | You must not sell any take-away food or drink on the premises, even as an ancillary part of the primary restaurant/ café use. (C05CC) | R05CD | We cannot grant planning permission for unrestricted restaurant/ café use because it would not meet Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021). (R05CD) | |
| C05DB | | There shall be no primary cooking on site such that you must not cook raw or fresh food on the premises. The reheating of food, the cooking equipment used and hot food products served shall be limited only to those described in the **^IN;** document dated **^IN;**. (CO5DB) | R05DD | We do not have enough information to decide whether it would be possible to provide extractor equipment that would deal properly with cooking smells and look suitable. This is as set out in Policies 7, 33, 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R05DD) | |
|  | **Notes**   * I72AA explains the restriction on cooking and should always be used with C05DB. * If you are not imposing any condition to prevent ancillary uses to a café/ restaurant use, you may wish to add informative I61BA for clarification. | | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C05** | Restricted use including restaurants and bars (see also C07) |  |  | |
|  | Conditions |  | Reasons | |
| C05EC | You must only use the property as a sit-down restaurant with waiter service. You must not use any part of the property as a bar or bar area, or for any other purposes, 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). (C05EC) | R05ED | 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) | |
| C05FC | You must keep the bar area to the part of the property marked **^IN;** on drawing number **^IN;**. You must use the bar to serve restaurant customers only, before, during or after their meals. You must only use the rest of the property as a sit-down restaurant with waiter service. You must not use it for any other purposes, 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). (C05FC) | R05FD | To prevent a use that would be unacceptable because of the character and function of this part of the **^IN;** Conservation Area. This is in line with Policy 39 of the City Plan 2019 – 2040 (April 2021). (R05FD) | |
| C05GA | If you provide a bar and bar seating, it must not take up more than 15% of the floor area of the property, or more than 15% of each unit if you let the property as more than one unit. You must use the bar to serve restaurant customers only, before, during or after their meals. (C05GA) |  |  | |
| C05HA | You must not allow more than **^IN;** customers into the property at any one time. (C05HA) |  |  | |
|  | **Notes**   * If you are not imposing any condition to prevent ancillary restaurant uses in a Class E use, you may wish to add informative I61BA for clarification. | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C05** | | Restricted use including restaurants and other Class E uses (see also C07) |  |  |
|  | | Conditions |  | Reasons |
| C05IA | | You must not allow more than **^IN;** customers into the bar area at any one time. The bar area is the part of the property shown on **^IN;**. (C05IA) |  |  |
| C05JC | | You must apply to us for approval of a management plan to show how you will prevent customers who are leaving the building from causing nuisance for people in the area, including people who live in nearby buildings. You must not start the **^IN;** use until we have approved in writing what you have sent us. You must then carry out the measures included in the approved management plan at all times that the **^IN;** is in use. (C05JC) | R05GC | To make sure that the use will not cause nuisance for people in the area. This is as set out Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021). (R05GC) |
| C05KA | | You must carry out the measures included in your management plan dated **^IN;** at all times that the **^IN;** is in use. (C05KA) |  |  |
| C05LA | | You can use the property for any use 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) except as a **^IN**;. (C05LA) | R05HA | We cannot grant planning permission for unrestricted use within Class E because it would harm the character and function of the **^IN;** and would not Policy 14 of the City Plan 2019 – 2040 (April 2021). . (R05HA) |
|  | |  | R05IA | We cannot grant planning permission for unrestricted Class E use because it would harm the character and function of the **^IN;** and harm the amenity of neighbouring occupiers. This would not meet Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021). (R05IA) |
|  | |  | R05JA | We cannot grant planning permission for unrestricted Class E use because it would harm the amenity of neighbouring occupiers and would not meet Policies 7 and 33 of the City Plan 2019 – 2040 (April 2021). (R05JA) |
|  | |  | R05KA | We cannot grant planning permission for unrestricted Class E use because servicing activity would have an adverse impact on the local highway network and would not meet Policy 29 of the City Plan 2019 – 2040 (April 2021). (R05KA) |
|  | |  | R05LA | We cannot grant planning permission for unrestricted Class E use because a loss of office accommodation in this location would undermine the provision of an appropriate mix of uses that support the vitality, function and character of the **^IN;.** The office **acc**ommodation also contributes to meeting the business and employment needs of the City. This would not meet Policies 1, **^IN;** and 13 of the City Plan 2019 – 2040 (April 2021). (R05KA) |
|  | |  |  |  |
|  | |  |  |  |
|  | **Notes**   * Permitted changes of use within Class E should only be restricted in exceptional circumstances where demonstrable harm that would be contrary to development plan policies would occur as a result of an unrestricted Class E use being granted. The scope of uses within Class E that are precluded by the condition should be limited to only those that would cause demonstrable harm, so that significant flexibility within Class E remains. * Use R05HA to R05KA in conjunction with C05AB, C05BB and C05LA to restrict future changes of use within Class E that would otherwise not be development. Note: we should only consider restricting changes between uses within Class E where the proposal is for new development and/ or a change to another use within Class E would result in demonstrable harm to amenity or a designated shopping frontage. * Use C05LA where more than one use within Class E would be acceptable (e.g. where proposal is for restaurant, but retail shop would also be acceptable). C05LA should be manually amended where more than two uses within Class E would not be objectionable. * Use R05HA where you are preventing change from a retail shop or a financial or professional service to other Class E uses. Insert relevant designated shopping frontage. Also include Policy 2 in the City Plan 2019 – 2040 if in WESRPA/ WERLSPA. * Use R05IA where you are preventing change to a restaurant/ café from other Class E uses. * Use R05JA where alternative Class E uses would cause noise disturbance harmful to residential amenity. * Use R05KA where alternative Class E uses may have servicing needs that would have harmful impacts on the public highway. * Use R05LA where purpose-built office floorspace is proposed within areas where office growth is supported. For adopted City Plan insert the relevant location (Core CAZ, Named Streets (Edgware Road/ Marylebone Road) or Victoria/ Tottenham Court Road/ Paddington Opportunity Areas/ NWEDA) and the corresponding policy reference (S3, S4, S5, S6 and S8). For Intend to Adopt City Plan insert policy references: 2, 3, 4, 5 or 6. * Note that the reasons for restricting changes of use within Class E will often be unique and therefore the standard reasons may need to be manually amended. | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C06** | Personal |  |  |
|  | Conditions |  | Reasons |
| C06AA | Only **^IN**; can carry out the **^IN**; use. No one else may benefit from this permission. (C06AA) | R06AC | Because of the special circumstances of this case we need to control future use of the premises if **^IN**; leaves. This is as set out in Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R06AC) |
|  |  | R06BC | Because of the special circumstances of this case, we would not have granted planning permission to anyone other than **^IN**;. This is as set out in Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R06BC) |
|  |  |  |  |
|  | **Notes**  1. Use C06AA only in special circumstances - see advice in para 015 of the Government guidance on the use of planning conditions: [www.gov.uk/guidance/use-of-planning-conditions](http://www.gov.uk/guidance/use-of-planning-conditions). When the person named leaves, the property will have a 'nil' use. You can add an informative to say how we would prefer the property to be used in future - probably returning to its original use. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C07** | Restricted use (see also C05) |  |  |
|  | Conditions |  | Reasons |
| C07AA | You can only carry out the **^IN**; use allowed by this permission in connection with the existing **^IN**;. (C07AA) | R07AC | To make sure that the development is completed and used as agreed, and to make sure that it meets Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R07AC) |
| C07BA | The **^IN**; use allowed by this permission must not begin until the **^IN**; has been completed. (C07BA) | R07BC | Developing the site without the **^IN**; would not meet Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R07BC) |
| C07CA | The **^IN**; use allowed by this permission must not be the main use of the property. (C07CA) | R07CC | Because of the special circumstances of this case and to make sure it meets Policy **^IN;** of the City Plan 2019-2040 (April 2021) we could not have agreed to a separate unit of accommodation. (R07CC) |
| C07DC | The three bedroom residential units and garden shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms. (C07DC) | R07DD | To protect family accommodation as set out in Policy 8 of the City Plan 2019 – 2040 (April 2021). (R07DD) |
| C07EB | The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms. (C07EB) |  |  |
| C07FB | You must not use the residential accommodation on the **^IN**; floor as part of the Class E restaurant use. (C07FB) |  |  |
|  | **Notes**   * Use C07DC where family accommodation provided with garden. * Use C07EB where family accommodation provided without a garden. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C09** | Hostels |  |  |
|  | Conditions |  | Reasons |
| C09AA | You must use the hostel to provide accommodation for **^IN**; only. (C09AA) | R09AD | To make sure the hostel is used for this purpose as we know there is a need for this type of accommodation. This is as set out in Policy 10 of the City Plan 2019 – 2040 (April 2021). (R09AD) |
| C09BA | You must use the hostel to provide accommodation for **^IN**; only. You must not use it to provide holiday accommodation under either a tenancy agreement or any other form of accommodation contract. (C09BA) | R09BD | To make sure that the hostel is used by **^IN;** as we know there is a need for this type of accommodation. This is as set out in Policy 10 of the City Plan 2019 – 2040 (April 2021). Also, to make sure that the property provides permanent domestic accommodation as set out Policies 8 and 10 of the City Plan 2019 – 2040 (April 2021). (R09BD) |
| C09CA | You must use the accommodation as supervised residential accommodation by **^IN**; only. (C09CA) |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **C10** | Medical |  |  |
|  | Conditions |  | Reasons |
| C10AB | You must use the premises only as a doctor’s surgery. You must not use them for any other purpose, including any within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended in September 2020 (or any equivalent class in any order that may replace it). (C10AB) | R10AD | Because this is a residential neighbourhood, we need to prevent use of the property for any unsuitable purposes. This is as set out in Policies 7 and 17 of the City Plan 2019 – 2040 (April 2021). (R10AD) |
| C10BB | You must use the premises only as medical consulting rooms. You must not use them for any other purpose, including any within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended in September 2020 (or any equivalent class in any order that may replace it). (C10BB) | R10BE | Because of the special character of the Harley Street special policy area, we need to prevent the use of the property for any unsuitable purpose. This is as set out in Policy 22 of the City Plan 2019 – 2040 (April 2021). (R10BE) |
| C10CB | You must use the premises only as a medical laboratory. You must not use them for any other purpose, including any within Class E of the Town and Country Planning (Use Classes) Order 1987 as amended in September 2020 (or any equivalent class in any order that may replace it). (C10CB) |  |  |
|  | **Notes**   1. Use R10BE in the Harley Street special policy area and for private medical facilities. R10AD applies to surgeries, etc. in other residential areas and NHS provision. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C11** | Hours of building work and COCP |  |  |
|  | Conditions |  | Reasons |
| C11AB | Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:  o between 08.00 and 18.00 Monday to Friday;  o between 08.00 and 13.00 on Saturday; and  o not at all on Sundays, bank holidays and public holidays.  You must carry out piling, excavation and demolition work only:  o between 08.00 and 18.00 Monday to Friday; and  o not at all on Saturdays, Sundays, bank holidays and public holidays.  Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB) | R1r1AD | 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) |
| C11CD | **Pre Commencement Condition.**  Prior to the commencement of any:  (a) demolition, and/or  (b) earthworks/piling and/or  (c) construction  on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD) |  |  |
| C11DA | You are required to comply with the Council's Code of Construction Practice referred to in condition **^IN;** by including specific provisions as part of the site environmental management plan or construction management plan to secure the following **^IN;**. (C11DA) |  |  |
|  | **Notes**   * Use C11DA only for applications where noise is likely to be a problem to neighbouring properties. You should also use C21JA or C21KA and I50AB. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C12** | Opening hours |  |  |
|  | Conditions |  | Reasons |
| C12AD | Customers shall not be permitted within the **^IN;** premises before **^IN;**  or after **^IN;** each day. (C12AD) | R12AD | To protect the environment of people in neighbouring properties as set out in Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021). (R12AD) |
| C12BD | Customers shall not be permitted within the **^IN;** premises before **^IN;**  or after **^IN;** on Monday to Saturday (not including bank holidays and public holidays) and before **^IN;**  or after **^IN;** on Sundays, bank holidays and public holidays. (C12BD) |  |  |
| C12CD | Customers shall not be permitted within the **^IN;** premises before **^IN;**  or after **^IN;** on Monday to Saturday (not including bank holidays and public holidays). You must not open the premises to customers and you must not allow customers on the premises, on Sundays, bank holidays and public holidays. (C12CD) |  |  |
| C12DD | Customers shall not be permitted within the **^IN;** premises before **^IN;**  or after midnight on Monday to Saturday (not including bank holidays and public holidays) and between midnight and after **^IN;** the following Tuesday to Sunday mornings. You must not open the premises to customers and you must not allow customers on the premises, on bank holidays and public holidays. (C12DD) |  |  |
|  | **Notes**   1. Use C12DD when use can continue after midnight. Change it if Sunday night, bank holiday or public holiday opening would be acceptable, or if you want to limit the hours further on certain days. 2. All opening hours should be entered in 24 hour clock e.g. 08.00 and 23.00.  * I61AB explains the meaning of acceptable opening hours for restaurants and similar uses. It also reminds people that the Licensing Sub-Committee may approve different hours, but that this would not over-ride the hours in this condition. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C13** | Noise and insulation (see C46 to C50 for main plant and use related noise conditions) | | |
|  | Conditions |  | Reasons |
| C13BC | You must apply to us for approval of detailed drawings of the design, construction and insulation of the whole ventilation system and any associated equipment. You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. You must not change it without our permission. (C13BC) | R13AD | To protect neighbouring residents from noise and vibration nuisance, as set out in Policies 7 and 33 of the City Plan 2019 – 2040 (April 2021). (R13AD)  *[This is a general noise pollution reason for use where residential properties are affected. N.B. [R13EC] does the same thing but does not refer to vibration]* |
| C13DB | You must install the acoustic attenuation measures shown on the approved drawings before you use the machinery. You must then maintain the attenuation measures in the form shown for as long as the machinery remains in place. (C13DB) | R13BD | To protect the environment of people in neighbouring properties, as set out in Policies 7 and 33 of the City Plan 2019 – 2040 (April 2021). (R13BD)  *[This is a general noise pollution reason for use where residential properties are not affected]* |
|  |  | R13CD | To protect the environment of people in neighbouring properties and to ensure the appearance of the development is suitable and would not harm the appearance of this part of the city. This is in line with Policies 7, 33, 38 and 40 of the City Plan 2019 – 2040 (April 2021). (R13CD)  *[This is a general noise pollution reason where there is also a visual amenity issue outside of a conservation area. Add in text ‘to protect the special architectural or historic interest of this building’ where the host building is listed].* |
| C13FC | You must apply to us for approval of details of how the flats will be insulated to reduce noise passing between them. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the approved details before anyone moves into the flats. (C13FB) | R13DD | To protect the living conditions of people who may use the property in future as set out in Policies 7 and 33 of the City Plan 2019 – 2040 (April 2021). (R13DD)  *[For use where we are requiring flats above/next to restaurant/ café/ bar use to be insulated]* |
| C13GB | You must apply to us for approval of details of how the flats will be insulated to reduce noise passing between them and the **^IN;** use. The details submitted should demonstrate that internal noise levels for the flats will comply with the requirements of Condition **^IN;**. 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 approved details before anyone moves into the flats and thereafter retain the sound insulation measures installed. (C13GB) |  |  |
|  | **Notes**   * Use C13FC only in exceptional circumstances (for example, if a living room is to be above the bedroom of a different unit). You should normally use I58AB with it. But in most situations it should be enough to use I58AB only. * Use C13BC and C13DB with R13GA where the acoustic attenuation has a design impact within a conservation area. Use R13CD where there is a design impact outside a conservation area. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C13** | Noise and insulation (see C46 to C50 for main plant and use related noise conditions) | | |
|  | Conditions |  | Reasons |
| C13IA  C13KA  C13LA | You must not play live or recorded music on your property. (C13IA)  You can keep the machinery and associated equipment until **^IN**;. After that you must remove it unless we have granted you a new planning permission. (C13KA)  You must keep the doors and windows in the **^IN**; closed. You can use them in an emergency or for maintenance only. (C13LA) | R13ED | To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021). (R13ED)  *[To be used where no issue of plant noise]* |
| R13FC | To protect neighbouring residents from noise nuisance, as set out in Policies 7, 16 and 33 of the City Plan 2019 – 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R13FC)  *[To be used where there are noise issues from use and plant]* |
| C13MB | The restaurant/ café use allowed by this permission must not begin until you have fitted self-closing doors at **^IN**;. You must not leave these doors open except in an emergency or to carry out maintenance. (C13MB) | R13GA | To protect the environment of people in neighbouring properties and to make sure the appearance of the development is suitable and contributes to the character and appearance of the **^IN;** Conservation Area. This is in line with Policies 7, 33, 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R13CD) |
| C13NB | The restaurant/ café use allowed by this permission must not begin until you have fitted an extra set of doors between **^IN**; and **^IN**;. You must not leave these doors open except in an emergency or to carry out maintenance. (C13NB) |  | *[This is a general noise pollution reason where there is also a visual amenity issue inside of a conservation area. Add in text ‘to protect the special architectural or historic interest of this building’ where the host building is listed].* |
| C13OB | You must not use the entrance lobby shown on drawing **^IN**; for any activities associated with the restaurant/ café use. You must not put tables and chairs in this area or allow customers to stand there. (C13OB) |  |  |
|  |  |  |  |

**Notes**

* When using R13ED and R13FC, remove reference to Policy 16 if the proposal is not an entertainment use and replace with another appropriate land use policy.

|  |  |  |  |
| --- | --- | --- | --- |
| **C14** | Ventilation and waste storage |  |  |
|  | Conditions |  | Reasons |
| C14AB | You must apply to us for approval of details of the ventilation system to get rid of cooking smells, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14AB) | R14AD | To protect the environment of people in neighbouring properties as set out in Policies 7 and 33 of the City Plan 2019 – 2040 (April 2021). (R14AD)  *[Add in Policy 3 in the City Plan 2019 – 2040 if appropriate]* |
| C14BB | You must apply to us for approval of details of the ventilation system to get rid of fumes, including details of how it will be built and how it will look. You must not begin the use allowed by this permission until we have approved what you have sent us and you have carried out the work according to the approved details. (C14BB) |  |  |
| C14ED | 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. 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 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 the stores and make them available at all times to everyone using the **^IN**;. (C14ED) | R14CD | 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) |
| C14FC | Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number **^IN**; prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the **^IN**;. (C14FC) |  |  |
|  | **Note**   * You can use I88AA which explains how to mark the stores. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C14** | Ventilation and waste storage |  |  |
|  | Conditions |  | Reasons |
| C14GB | 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. You must not occupy the **^IN;** use hereby approved until we have approved what you have sent us. 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 **^IN;.** You must not use the waste and recycling store for any other purpose. (C14GB) |  |  |
|  | **Note**   * You can use I88AA which explains how to mark the stores. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C15** | Small shops |  |  |
|  | Conditions |  | Reasons |
| C15AB | The retail floorspace must be provided and kept as at least **^IN**; self-contained units. No unit should be bigger than **^IN**; square metres. (C15AB) | R15AD | To protect the special retail character of the area as set out in Policy 14 of the City Plan 2019 – 2040 (April 2021). (R15AD) |
|  |  |  |  |
|  | **Notes**   * This condition can only be used where the submitted drawings actually show small shops (it would be unreasonable to require sub-division not shown on the drawings) and where small shops are important to the character and function of the area – see Part (D) of Policy 14 in the City Plan 2019 – 2040. | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C16** | Crime prevention |  |  |
|  | Conditions |  | Reasons |
| C16AC | You must apply to us for approval of details of a security scheme for the **^IN**; You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building. (C16AC) | R16AD | To reduce the chances of crime without harming the appearance of the building as set out in Policy 38 of the City Plan 2019-2040 (April 2021). (R16AD) |
| C16BC | You must apply to us for approval of detailed drawings of the **^IN**;. These drawings must be at a scale of **^IN**;. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C16BC) | R16BD | To reduce the chances of crime without harming the appearance of the building or the character of the **^IN;** Conservation Area as set out in Policies 38 and 39 of the City Plan 2019-2040 (April 2021). (R16BD) |
|  | **Note**   1. Insert the part of the development for which you need detailed drawings. | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C17**  **C17AB**  **C17BA**  **C17CA**  **C17DA**  **C17EA**  **C17FA**  **C18** | Minimising Carbon Emissions Conditions  **Pre-Commencement Condition.**  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 work on site including all works of deconstruction and demolition.  (b) Prior to commencement of any construction works.  (c) Within 3 months of first occupation of the development.  Where the updated assessment submitted pursuant to (a) or (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 **^IN;**kgCO2e/m2 and/or Whole Life Carbon (A1-C4) above **^IN;**kgCO2e/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 work on site and/or construction works (as appropriate pursuant parts (a) and (b) above) 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 (c) shall demonstrate how the development has been completed in accordance with the updated benchmarks identified in the updated assessment submitted pursuant to part (b). (C17AB)  *(Use Informatives I## and I## with Whole Life Carbon condition C17AA.)*  **Pre-Commencement Condition.**  (a) Prior to commencement of any works on site including works of deconstruction and demolition full details of the pre-demolition audit in accordance with section 4.6 of the GLA’s adopted Circular Economy Statement guidance shall be submitted to us and approved by us in writing. The details shall demonstrate that the development is designed to meet the relevant targets set out in the GLA Circular Economy Statement Guidance. You must not carry out any works on site including works of demolition until we have approved what you have sent us. The demolition and other pre-construction works shall then be carried out in accordance with the approved details.  (b) 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 details we approve and shall be operated and managed throughout its life cycle in accordance with the approved details.  *(Use Informative I## with Circular Economy condition C17BA.)*  The development shall be carried out in accordance with the approved Energy Strategy (prepared by **^IN;** dated **^IN;**) and Sustainability Statement (prepared by **^IN;** dated **^IN;**) and shall achieve regulated carbon dioxide emission savings of not less than **^IN;**% for emissions beyond the Target Emissions Rate of Part L of Building Regulations **^IN;** [insert 2013 or 2021 as appropriate]. 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.  *(C17CA only for use on major development.)*  You must install the zero carbon and/or low carbon energy generation and/or heating equipment hereby approved prior to occupation. You must not install any energy generation or heating equipment within the approved development that is reliant on on-site burning of fossil fuels.  You must carry out the development in accordance with the approved overheating strategy and install all passive and/or active measures to prevent overheating prior to first occupation of the development. Thereafter you must retain the approved passive and/or active measures to prevent overheating and maintain them in an operational condition for the lifetime of the development.  *(Use C17EA where the overheating strategy at application stage is acceptable.)*  Prior to commencement of superstructure works, an updated Cooling Hierarchy shall be submitted to and approved by us in writing. The updated Cooling Hierarchy must include details of the following:   1. Passive measures included in the design to mitigate against overheating including. Passive measures may include, but not limited to, external shading, insulation, exposed thermal mass, provision of green infrastructure, windows specification and design to achieve G-values in line with or lower than the Notional Building specification as set out in the relevant Building Regulations. 2. Details of measures that would be installed to prevent overheating in common areas with communal heating pipework in line with objective 3.9 of CIBSE CP1. 3. Details of any management strategies required to control overheating and information that will be supplied to occupants to support the strategy. 4. Where the methodology informing the updated Cooling Hierarchy differs from that set out in the Energy Statement submitted at application stage, updated dynamic modelling, in line with requirements of the Mayor of London’s Energy Assessment Guidance (June 2022) (or any guidance that may supersede it) shall be carried out to demonstrate that the measures proposed are appropriate to control overheating and minimise the need for mechanical cooling (required only where passive measures set out under (1) are insufficient to prevent overheating).   The Cooling Hierarchy we approve shall be implemented prior to first occupation of the development and thereafter be permanently retained and maintained in accordance with the manufacturer’s recommended maintenance regime for the passive and mechanical elements of the hierarchy.  *(Use C17FA in exceptional circumstances where the overheating strategy at application stage requires further refinement/improvement. Note changes to mitigation measures could result in design changes.)* Contaminated Land | | **R17AD**  **R17BA**  **R17CA**  **R17DA**  **R17EA** | Reasons  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).  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).  To ensure the development minimises operational carbon 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).  To ensure the development minimises its 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). (R17DA)  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).  *Use R17EA.* |
|  | Conditions |  | | Reasons |
| C18AA | **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.  (C18AA) | R18AB | | 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). (R18AB) |
| R18BB | | To make sure that any contamination in the building or of the ground 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). (R18BB) |
|  | **Note**   1. Use C18AA when it is considered very likely (on the advice of the Environmental Sciences Team) that contamination exists. Use R18AB where the only issue is potential contamination of the land; use R18BB where there may be contamination in the existing building (e.g. asbestos). Always use I73AA when imposing this condition. However, if there is a smaller chance of contamination, use informative I73BA or I73CA instead of the condition. | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C19** | Grampian conditions to secure benefits |  |  |
|  | Conditions |  | Reasons |
| C19AB | **Pre Commencement Condition**  You must not start work on the site until we have approved in writing appropriate arrangements to secure the following.  **^IN;**  In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19AB) | R19AD | To make sure that the development provides the planning benefits that have been agreed, as set out in Policy **^IN;** of the City Plan 2019 – 2040 (April 2021). (R19AD) |
| C19BB | You must not use any part of the development until we have approved in writing appropriate arrangements to secure the following.  **^IN;**  In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BB) |  |  |
| C19CA | **Pre Commencement Condition**  You must not start work on the site until we have approved in writing appropriate arrangements to secure measures to mitigate the potential increased demand for on-street residents car parking in the vicinity of the site.    You must only carry out the development according to the approved arrangements. | R19CA | To make sure that the potential increased demand for on-street residents car parking in the vicinity of the site is mitigated, in accordance with Policy 27 of the City Plan 2019-2040 (April 2021), Policy T6 of the London Plan 2021 and the guidance in our Planning Obligations and Affordable Housing Supplementary Planning Guidance (March 2024). |
|  | **Notes**   * You will need to use the ‘Copy From’ facility in Uniform to insert the list of benefits, as there will not be space as a normal ‘insert’. * In most situations, C19AA is more appropriate than C19BB, as it puts the Council in a stronger position to enforce the requirements. It will sometimes be appropriate to add informative I77AA when imposing one of these conditions. However, for advice on Grampian conditions to secure planning benefits and when to use the informative, see section 1.6 of the electronic DC Manual, Appendix B, particularly paragraphs B1, B2 and B7. Guidance can also be found in paras 009 to 011 of the National Planning Practice Guidance: [www.gov.uk/guidance/use-of-planning-conditions](http://www.gov.uk/guidance/use-of-planning-conditions). | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C20** | Access for people with disabilities |  |  |
|  | Conditions |  | Reasons |
| C20AB | You must provide the access for people with disabilities as shown on the approved drawing(s) and as outlined in the Design and Access Statement dated **^IN;** before you use the building. (C20AB) | R20AD | To make sure that there is reasonable access for people with disabilities and to make sure that the access does not harm the appearance of the building, as set out in Policy 38 of the City Plan 2019 – 2040 (April 2021). (R20AD) |
| C20BB | You must apply to us for approval of detailed drawings of how you will give people with disabilities access to all parts of the development. These drawings must include:   1. full details of threshold levels; 2. relevant elevations, plans and cross-sections of the building at a scale of 1:50; and 3. plans of all doors and handrails at a scale of 1:20.   You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C20BB) | R20BD | To make sure that there is reasonable access for people with disabilities, and to make sure that the access does not harm the appearance of the building, as set out in Policies 12 and 38 of the City Plan 2019 – 2040 (April 2021). (R20BD) |
|  | **Notes**   1. R20AD applies to nonresidential development. R20BD applies to residential development, or mixed use development which includes residential floorspace. 2. Use I41AA with C20AB or C20BB. 3. Use I42AA for applications involving existing buildings if you believe that access arrangements could be improved but we have limited powers to secure this. Don't use I42AA if there is any doubt about the feasibility of the improvements in listed building or highway terms. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C21** | Residential amenity |  |  |
|  | Conditions |  | Reasons |
| C21AA | You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA) | R21AD | Res Amenity-Safeguard adjoining premises  To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 – 2040 (April 2021). (R21inAD)  *[Use R21AD if the prime concern is overlooking]* |
| C21BA | You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA) | R21BD | Res amenity-overlooking and noise  (R21BD)  *[Use R21BD if the concern also includes noise disturbance]* |
| C21CA | You must not use the roof of the permitted extension as a balcony or for any other purpose. You can however use the roof to escape in an emergency. (C21CA) | R21CD | Res amenity-part of development  To protect the environment of the people in the residential part of the development. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 – 2040 (April 2021). (R21CD) |
| C21DC | The glass that you put in the **^IN**; in the **^IN**; elevation of the **^IN**; must not be clear glass, and you must fix it permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have given our written approval for the sample. You must then install the type of glass we have approved and must not change it without our permission. (C21DB) |  | *[Use R21AD with C21DD]* |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C21EC | You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building without our written permission. This is despite the provisions of Classes **^IN;** of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (as amended) (or any order that may replace it). (C21EC) |  |  |
| C21FA | You may use the door to **^IN**; shown on drawing **^IN**; only in an emergency or for maintenance purposes. (C21FA) |  |  |
| C21GA | You must keep curtains at the windows and make sure the property looks like a residential property. You must not use the windows for display purposes. (C21GA) | R21DD | To protect the appearance of the property and the character of the area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R21DD) |
| C21HC | You must not put up a **^IN;** without our written permission. This is despite the provisions of Classes **^IN;** of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (as amended) (or any order that may replace it). (C21HC) | R21ED | To prevent an overdevelopment of the site and to protect the 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). (R21ED)  *[Delete refs as appropriate. Policies 7 and 38 are privacy, enclosure and light, Policy 33 is noise & Policy 38 is crime prevention/anti-social behaviour, maintaining providing access for all and general amenity*.*]* |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C21JA | You must put up a copy of this planning permission and all its conditions in the shared part of the building on the ground floor for as long as the work continues on site.  You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21JA) | R21FA | To make sure other people in the building are fully aware of the conditions and to protect their rights and safety. (R21FA) |
| C21KA | You must put a copy of this planning permission and all its conditions at street level outside the building for as long as the work continues on site.  You must highlight on the copy of the planning permission any condition that restricts the hours of building work. (C21KA) | R21GA | To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA) |
| C21LB | You must not let customers use **^IN**; and this part of the property as shown on drawing **^IN**; must not be used as part of the Class E restaurant/ cafe use. (C21LA) |  |  |
|  |  |  |  |
|  | **Note**   * Use C21JA or KA and R21FA or R21GA and I50AB whenever you use C11AA. | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C22** | Car parking and cycle parking |  | |  |
|  | Conditions |  | | Reasons |
| C22AB | You must provide each car parking space shown on the approved drawings prior to occupation of the development and thereafter permanently retain them. Each car parking space shall only be used for the parking of vehicles of people working in the building or calling there for business purposes. (C22AB) | R22AC | | To provide parking spaces for people using the development as set out in Policy 27 of the City Plan 2019 – 2040 (April 2021). (R22AC) |
| C22BB | You must provide each car parking space shown on the approved drawings prior to occupation of the development and thereafter permanently retain them. Each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BB) | R22BC | | To provide parking spaces for people living in the residential part of the development as set out in Policy 27 of the City Plan 2019 – 2040 (April 2021). (R22BC) |
|  |  |
| C22DA | You must not use the garages for trade or business purposes. (C22DA) | R22CD | | To protect the environment of residents and the area generally as set out in Policies 7, 27 and 33 of the City Plan 2019 – 2040 (April 2021). (R22CD) |
| C22EB | You must only use the garage for people living in this property to park their private motor vehicles. (C22EB) | R22DD | | Any other use of the garage would harm the environment of residents and the area generally. This is as set out in Policies 7, 27 and 33 of the City Plan 2019 – 2040 (April 2021). (R22DD) |
|  |  | | | |
|  |  | |  | |
| C22FC | You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC) | R22FB | | Provide cycle parking  To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 – 2040 (April 2021). (R22FB)  *[use for residential development]* |
| C22HA | You must apply to us for approval of details of secure cycle storage for the **^IN;** use. 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 **^IN;**. You must not use the cycle storage for any other purpose. (C22HA) | R22GA | | To provide cycle parking spaces and associated cycling facilities for people using the development in accordance with Policy 25 of the City Plan 2019 – 2040 (April 2021). (R22GA).  *[use for commerciwasal development]* |
| C22IA | You must provide each cycle parking space and associated facilities for cyclists shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces and associated facilities for cyclist must be retained and the space used for no other purpose. (C22IA) |  | |  |
| C22JA | You must apply to us for approval of details of secure cycle storage and associated facilities for cyclists for the **^IN;** use. 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 and associated facilities in line with the approved details prior to occupation and make it available at all times to everyone using the **^IN;**. You must not use the cycle storage and associated facilities for any other purpose. (C22JA) |  | |  |

**Note**

* Use C22FC and C22HA for cycle parking on residential development where associated facilities are not proposed.
* Use C22IA and C22JA for cycle parking on commercial development where associated facilities are required by Policy 25 in City Plan and Policy T5 in the London Plan.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **C23** | Servicing – including headroom | |  | |  |
|  | Conditions | |  | | Reasons |
| C23AA | You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA) | | R23AD | | To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 – 2040 (April 2021). (R23AD) |
| C23BA | No goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall be accepted or dispatched if unloaded or loaded on the public highway. You may accept or dispatch such goods only if they are unloaded or loaded within the curtilage of the building. (C23BA) | |  | |  |
| C23CB | With the exception of collecting rubbish, no goods (including fuel) that are delivered or collected by vehicles arriving at or leaving the building must be accepted or sent out if they are unloaded or loaded on the public road. You may accept or send out such goods only if they are unloaded or loaded within the boundary of the site. (C23CB) | | |  |  | |
| C23DA | All servicing must take place between **^IN**; on Monday to Saturday and **^IN**; on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA) | | |  |  | |
| C23EA | You must provide a headroom of at least **^IN;** (clear unobstructed height above the floor surface level) across the full width of the entrance to the service bay, and throughout the service bay itself. (C23EA) | | | R23BC | To make sure that the service bay will be available for all types of vehicles for which it has been designed, to avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in Policy 29 of the City Plan 2019 – 2040 (April 2021). (R23BC) | |
| C23FA | | You must provide a headroom of at least **^IN;** (clear unobstructed height above the floor surface level) across the full width of the entrance to the service bay, and **^IN;** throughout the service bay itself. (C23FA) | |  |  | |
| C23GA | | You must provide a headroom of at least **^IN;** (clear unobstructed height above the floor surface level) across the full width of the entrance to the service bay, **^IN;** over the area where the skip lorry will collect the compactor, and **IN;** throughout the remainder of the service bay. (C23GA) | |  |  | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C24** | Road safety |  |  |
|  | Conditions |  | Reasons |
| C24AA | You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA) | R24AD | 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) |
| C24BA | You must not put planters, tubs, tables, chairs or adverts on the road or pavement. (C24BA) | R24BD | In the interests of public safety as set out in Policies 24 and 25 of the City Plan 2019 – 2040 (April 2021). (R24BD) |
| C24CA | You must only use the vehicle access in line with the direction of movement shown on the approved drawings. (C24CA) |  |  |
| C24DC | Any decoration located over a vehicle carriageway, or over a pedestrian footway but within 1 metre (measured horizontally) from the edge of a vehicle carriageway, shall be fixed so that no part of the decoration is within 5.3 metres of ground level. Any decoration located over any other part of a pedestrian footway more than 1 metre (measured horizontally) from the edge of a vehicle carriageway shall be fixed so that no part of the decoration is within 2.6 metres of ground level. (C24BD) | R24CB | In the interests of public safety and to ensure that the banners are not hit by high sided vehicles in accordance with Policies 24 and 25 of the City Plan 2019 – 2040 (April 2021). (R24CB) |
|  | **Note**   * C24AA should be used for shopfronts and entrance doors to all types of buildings. HOWEVER, there will be cases relating to garage doors where it is considered desirable in design terms for these doors to open out over the highway. In a mews with low traffic/pedestrian flows, this may be sufficient to outweigh the normal presumption against this. Legal Services have advised that this does not make us liable for accidents caused either by the timing or method of opening and closing of the doors, but they remind us that the officers’ report must weigh up the issues and explain why the design considerations justify allowing the doors to open over the highway. In these situations, the condition should obviously not be imposed, but in all such cases I37AA must be added. (If garage doors that are Permitted Development are shown opening outwards on approved drawings, I37BA should be used). | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C25** | Tables and chairs |  |  |
|  | Conditions |  | Reasons |
| C25AA | You must not put the tables and chairs in any other position than that shown on drawing **^IN**;. (C25AA) | R25AD | In the interests of public safety and to avoid blocking the road as set out Policies 25 and 43 of the City Plan 2019 – 2040 (April 2021). (R25AD) |
| C25BA | You can only put the tables and chairs on the pavement between **^IN**; and **^IN**;. (C25BA) | R25BE | To protect neighbouring residents from noise and disturbance as set out Policies 7, 33 and 43 of the City Plan 2019 – 2040 (April 2021). (R25BE) |
| C25CA | The tables and chairs must only be used by customers of **^IN**;. (C25CA) |  |  |
| C25DA | This use of the pavement may continue until **^IN**;. You must then remove the tables and chairs. (C25DA) | R25DD | We cannot give you permanent permission as the area in question is, and is intended to remain, public highway and Section 130 (1) of the Highways Act 1980 states that "It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority". We also need to assess the effect of this activity regularly to make sure it meets Policies 25 and 43 of the City Plan 2019 – 2040 (April 2021). For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission. (R25DD) |
|  | **Notes**   * It will be normal to use C25AA to C25DA together. Change C25BA if you want to restrict the days as well as the hours of use. * C25CA should refer to the type of use and its address, for example, 'the restaurant at 10 Old Compton Street'. * We usually give permission for 1 year only to allow regular review. * Use I47AC and I48AA together for most table and chair applications. * Use R25BE with C25CA. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C25EA | You can only put out on the pavement the tables and chairs shown on drawing **^IN;.** No other furniture, equipment or screening shall be placed on the pavement in association with the tables and chairs hereby approved. (C25EA) | R25EB | To make sure that the type and appearance of the tables and chairs (and where appropriate other furniture or equipment) is suitable and that no additional furniture, equipment or screening is placed on the pavement to the detriment of the character and appearance of the area. This is as set out in Policy 43 of the City Plan 2019 – 2040 (April 2021). (R25EB) |
| C25FA | You can only put out on the pavement the tables, chairs and other furniture/ equipment/ screening shown on drawing **^IN;**. (C25FA) |  |  |
| C25GA | Within 2 months of the date of this decision you must apply to us for approval of details of crime prevention measures in relation to the outdoor seating. You must then introduce the measures within 1 month of our approving the details, and permanently maintain these measures for as long as the outdoor seating is in place. (C25GA) | R25GC | To reduce crime in accordance with Policies 38 and 43 of the City Plan 2019 – 2040 (April 2021). (R25GC) |
| C25HA | Any heaters placed within the area of tables and chairs hereby approved or attached to the furniture shall not be powered by on-site fossil fuels or other combustible fuels at any time during the lifetime of this permission. | R25HA | To minimise the impact that any heaters provided in connection with the tables and chairs have on the environment by ensuring they utilise low carbon energy sources and avoid contributing to fossil fuel emissions within the Air Quality Management Area, in accordance with Policies 32 and 36 in the City Plan 2019-2040 we adopted in April 2021 and the Environmental Supplementary Planning Document that we adopted in February 2022. |
|  | **Notes**   * Use I47AC and I48AA together for most table and chair applications. * Use C25EA if the application does not include furniture in addition to the tables and chairs. * Use C25FA if the validated application includes furniture in addition to the tables and chairs. * Use C25GA if requested by the Metropolitan Police Consultation Unit. * Use R25AD with C25FA. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C26** | Design |  |  |
|  | Conditions |  | Reasons |
| C26AA | All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA) | R26AE | 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) |
| C26BD | You must apply to us for approval of **^IN;** of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD) | R26BF | To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the **^IN;** Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R26BF) |
|  |  | R26CE | 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). (R26CE) |
|  | **Notes**   * Insert 'samples', 'full details' or 'detailed drawings' in (**^IN**;) of C26BD or C26DB. * SEE ALSO NOTES AT END OF C26 CONDITIONS LIST – BOTTOM OF PAGE 44. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C26DB | You must apply to us for approval of **^IN**; of the following parts of the development **^IN**;. You must not start any work on these parts of the development until we have approved in writing what you have sent us. You must then carry out the work according to these **^IN**;. (C26DB) | R26DE | To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the **^IN;** Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R26DE) |
| C26EA | You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA) | R26EE | To protect the special architectural or historic interest of this listed building. This is as set out in Policies 38 and 39 of the City Plan 2019 – 2040 (April 2021). (R26EE) |
| C26FA  C26HB | You must finish the ductwork in a colour to match the material next to it. You must then keep it that colour. (C26FA)  You must paint the ductwork so that it matches the colour of the brickwork. You must then keep it in that colour. (C26HB) | R26FE | To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the **^IN;** Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 – 2040 (April 2021). (R26FE) |
|  | **Notes**   * For details of public art - see also C37AB * Insert 'samples', 'full details' or 'detailed drawings' in (**^IN**;) of C26BC or C26DB. * R26ED and R26FD are only to be used for conditions on planning permission relating to listed buildings. Use R27 reasons for conditions on listed building consents. * SEE ALSO NOTES AT END OF C26 CONDITIONS LIST – BOTTOM OF PAGE 44. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C26KA | You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA) | R26GD | To secure the offer of public art and to make sure that the appearance of the building is suitable. This is as set out in Policy 43(E) of the City Plan 2019 – 2040 (April 2021). (R26GC) |
| C26MA | You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA) | R26HD | Because these would harm the appearance of the building and would not meet Policies 38 and 40 of the City Plan 2019 – 2040 (April 2021). (R26HC) |
| C26NA | You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA) | R26JA | To protect the special architectural or historic interest of this building and to make sure it contributes to the character and appearance of the area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26JA) |
| C26OA | You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the balcony. (C26OA) |  |  |
| C26PA | You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA) |  |  |
| C26QA | You must not put planters, tubs, furniture or other obstructions on the forecourt. (C26QA) |  |  |
|  | **Notes**   1. The work referred to in C26NA and C26OA will usually need a separate application, so you only need to use these conditions in very special circumstances to deal with a specific design or listed building concern. 2. SEE ALSO NOTES AT END OF C26 CONDITIONS LIST – BOTTOM OF PAGE 44. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C26RA | You must not put planters, tubs, or other obstructions (except tables and chairs) on the forecourt. (C26RA) |  |  |
| C26SA | You must not put goods for sale on the forecourt. (C26SA) |  |  |
| C26TB | You must not occupy the premises for **^IN;** use until a detailed scheme for the shop windows of the unit has been submitted to and approved in writing by the local planning authority. The scheme shall include the area immediately behind the windows, shall not include any obscured glass and shall define any display panels within the windows. The development shall thereafter be carried out in accordance with the approved scheme and no further modifications shall be made. (C26TB) | R26IB | To protect the appearance and character of the **^IN;** as set out in Policy 14 of the City Plan 2019 – 2040 (April 2021). (R26IA) |
| C26UC | You must apply to us for approval of detailed drawings showing the following alteration to the scheme **^IN**;. You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC) |  |  |
| C26VA | You must remove the **^IN**; from the building before you begin the approved use. (C26VA) |  |  |
|  | **Note**   1. Use C26UB if you want to give permission on condition of certain changes to the scheme rather than negotiating those changes at this stage or refusing permission. Do not use C26UB to change the content or character of the development. You also need to provide a contact name by using I29AA. 2. When using R26IA insert the appropriate named centre within the town centre hierarchy (i.e. one of the following): International Centres of the West End and Knightsbridge, the WERLSPA, CAZ Retail Clusters, Major, District, and Local Centres. 3. SEE ALSO NOTES AT END OF C26 CONDITIONS LIST – BOTTOM OF PAGE 44. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C26WC | You must not paint any outside walls of the building without our written permission. This is despite the fact that this work would normally be 'permitted development' under Class C of Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (as amended) (or any order that may replace it). (C26WC) |  |  |
| C26XA | You must use a cable that matches the colour of the wall on which the cable is fixed, and you must put the cable in the place which is most hidden from view. |  |  |
|  | **Notes**   * Use R26AE for general alterations and extensions or roof extensions or both outside a conservation area. * Use R26BF for general alterations and extensions or roof extensions or both inside a conservation area. * Use R26CE and R26DE for schemes including redevelopment, outside and inside a conservation area respectively. * Use R26EE where the development includes a listed building and is outside a conservation area. (This is the same reason as R27BE). * Use R26FE where the development includes a listed building and is inside a conservation area. (This is the same reason as R27BE). * R26GD - Public Art.  1. R26HD - Extraneous additions. 2. C26WC takes away permitted development rights to paint a building, so should only be used in special circumstances. Always explain the special justification for its use in your report. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C27** | Listed buildings |  |  |
|  | Conditions |  | Reasons |
| C27AA | All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA) | R27AD | To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the **^IN;** Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 – 2040 (April 2021). (R27AC) |
| C27BA | All new work and improvements inside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27BA) | R27BE | To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 – 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE) |
| C27CA | The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA) | R27CB | To protect the special architectural or historic interest of this building and to make sure it contributes to the character and appearance of the area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27CB) |
| C27DC | You must apply to us for approval of a sample panel of brickwork, built on site, which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved the sample panel in writing. You must then carry out the work according to the approved sample. (C27DC) |  |  |
|  | **Notes**   1. If you are approving work on the outside of a listed building in a conservation area, use R27AD on the listed building consent and R26FE on the planning permission. If the building is not in a conservation area, use R27BE on the listed building consent.  * R27BE also applies to work on the inside of a listed building. | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| C27EA | The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA) |  |  | |
| C27FA | The new **^IN**; must exactly match the existing original work unless differences are shown on the approved drawings. (C27FA) |  |  |
| C27HA | All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA) |  |  |
| C27JA | You must scribe all new partitions around the existing ornamental plaster mouldings. (C27JA) |  |  |
| C27KA | You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA) |  |  |
| C27MA | You must not disturb existing original **^IN**; unless changes are shown on the approved drawings. (C27MA) |  |  |
| C27NA | The works approved are only those shown on the drawings listed on this decision letter. (C27NA) |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **C28** | Structure |  |  |
|  | Conditions |  | Reasons |
| C28AC | **Pre Commencement Condition.**  You must apply to us for approval of detailed drawings showing how you will support and protect the parts of the building which are to be kept during building work. You must not start work until we have approved in writing what you have sent us. You must then carry out the work according to these drawings. (C28AC) | R28AA | To protect the parts of the building which are to be preserved during building work. (R28AA) |
| C28BC | **Pre Commencement Condition.**  You must apply to us for approval of detailed drawings showing how you will support and protect the party walls. You must not start work until we have approved in writing what you have sent us. You must then carry out the work according to these drawings. (C28BC) | R28BA | To protect the party walls during building work. (R28BA) |
|  | **Notes**   1. You can use I36AA with C28AB. 2. Use I68AA if temporary support for the existing structure is likely to affect archaeological remains. 3. Only use C28AB and C28BB for Listed Building Consents unless there are exceptional reasons for use on planning permissions (in which case you need to seek the applicant’s agreement under Section 100ZA of the Town and Country Planning (Pre-commencement Conditions) Regulations 2018). | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C29** | Demolition |  |  |
|  | Conditions |  | Reasons |
| C29AD | **Pre Commencement Condition.**  You must not start any demolition work on site until we have approved in writing either   1. a construction contract with the builder to complete the redevelopment work for which we have given planning permission on the same date as this consent, or 2. an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.   You must only carry out the demolition and development according to the proposed arrangements (C29AC). | R29AD | To maintain the character of the **^IN;** Conservation Area as set out in Policies 38 and 39 of the City Plan 2019 – 2040 (April 2021) and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AD) |
| R29BD | To maintain the special architectural or historic interest of this listed building as set out in Policies 38 and 39 of the City Plan 2019 – 2040 (April 2021) and Section 74(3) or Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29BD) |
| C29BB | You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved.  (C29BB) | R29CD | To maintain the character and appearance of the **^IN;** Conservation Area and the special architectural and historic interest of this listed building as set out in Policies 38 and 39 of the City Plan 2019 – 2040 (April 2021) and Section 74(3) or Section 17(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29CD) |
|  | **Notes**   1. Section 74(3) in R29AD and R29BD applies only to non-listed buildings in conservation areas. Quote Section 17(3) when giving permission to partly demolish listed buildings and change the first part of the reason to refer also to neighbouring buildings if necessary. 2. Use I75AA with C29BB. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C30** | Landscaping |  |  |
|  | Conditions |  | Reasons |
| C30AC | You must apply to us for approval of detailed drawings of a landscaping scheme which includes the surfacing of any part of the site not covered by buildings. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the landscaping according to these approved drawings within **^IN**; of completing the development (or within any other time limit we agree to in writing). (C30AC) | R30AD | 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) |
| C30BC | You must apply to us for approval of detailed drawings of a planting scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the planting within one planting season of completing the development (or within any other time limit we agree to in writing).  If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within **^IN**; of planting them, you must replace them with trees of a similar size and species. (C30BC) | R30BD | To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34 and 38 of the City Plan 2019 – 2040 (April 2021). (R30BD) |
| C30CC | You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the landscaping and planting within **^IN**; 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 **^IN**; of planting them, you must replace them with trees of a similar size and species. (C30CC) | R30CE | To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the **^IN;** Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 – 2040 (April 2021). (R30CE) |
|  | **Notes**   1. Use C30AC or C30DA for schemes which involve only hard landscaping. Use C30BB or C30EA if only soft landscaping is involved. Use C30CC or C30FA if both hard and soft landscaping are involved. REMOVE REFERENCE TO BIODIVERSITY AND Policy 34 IF THERE IS NO SOFT LANDSCAPING. 2. Planting schemes should normally be carried out within one planting season of completing other parts of the development.  * The time period given in C30BC, C30CC, C30EA and C30FA for replacing trees should be three years or enough time to be sure that the trees have become reasonably established. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
|  |  |  |  |
| C30DA | You must carry out the landscaping work shown on the drawings within **^IN**; of completing the development (or within any other time limit we agree to in writing). (C30DA) | R30DB | To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policies 34 and 45 of the City Plan 2019 – 2040 (April 2021). (R30DB) |
| C30EA | You must carry out the planting shown on the drawings within one planting season of completing the development (or within any other time limit we agree to in writing).  If you remove any trees or find that they are dying, severely damaged or diseased within **^IN**; of planting them, you must replace them with trees of a similar size and species. (C30EA) |  |  |
| C30FA | You must carry out the landscaping and planting shown on the drawings within **^IN**; of completing the development (or within any other time limit we agree to in writing).  If you remove any trees or find that they are dying, severely damaged or diseased within **^IN**; of planting them, you must replace them with trees of a similar size and species. (C30FA) |  |  |
| C30GA | You must provide a minimum of 1m soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement as shown on the drawings hereby approved. The soil depth and soil volume above the basement must thereafter be retained as approved. (C30GA) |  |  |
|  | **Notes**   1. Use C30AC or C30DA for schemes which involve only hard landscaping. Use C30BC or C30EA if only soft landscaping is involved. Use C30CB or C30FA if both hard and soft landscaping are involved. REMOVE REFERENCE TO BIODIVERSITY IF THERE IS NO SOFT LANDSCAPING. 2. When using R30DB, remove reference to Policy 45 if the proposal does not include a basement. 3. Planting schemes should normally be carried out within one planting season of completing other parts of the development. 4. The time period given in C30BC, C30CC, C30EA and C30FA for replacing trees should be three years or enough time to be sure that the trees have become reasonably established. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C31** | Trees |  |  |
|  | Conditions |  | Reasons |
| C31AC | **Pre Commencement Condition.**  You must apply to us for approval of the ways in which you will protect the trees which you are keeping, as shown on drawing **^IN;**. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2012. You must then carry out the work according to the approved details. (C31AC) | R31AD | 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) |
| C31BC  C31CC | You must apply to us for approval of detailed drawings of how you will protect any trees and shrubs which will be near vehicle access and car parks. This includes the design of permanent tree guards. You must not start work near vehicle access and car parks until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C31BB)  **Pre Commencement Condition.**  You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved in writing what you have sent us. You must then carry out the work according to the approved details. (C31CC) | R31BD  R31CD | To make sure that the trees and shrubs on the site are not damaged by traffic. This is as set out Policies 34 and 38 of the City Plan 2019 – 2040 (April 2021). (R31BD)  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) |
|  | **Notes**   * See I30AB to I32AB and I92AA to I92DA re. trees issues. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| C31DB | Any work under or around the **^IN;** tree must not damage the branches of the tree or the roots over **^IN;** in diameter. If you uncover any roots of this diameter, you must build bridge foundations around them. (C31DB) | R31DD | To protect the trees and the character and appearance of this part of the **^IN;** Conservation Area. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 – 2040 (April 2021). (R31DD) |
| C31EB | During the development, you must not dig, or store or position any structures, machinery, equipment, materials or spoil:  (a) underneath the canopy of any trees which are to be kept as shown on plan **^IN;** or  (b) within the root protection area (as defined by paragraph 5.2.2 of British Standard BS5837: 2012) and within five metres beyond it.  (C31EB) |  |  |
| C31FA | You must carry out any digging underneath the canopy of any trees which are to be kept as shown on plan **^IN;** by hand or using hand-held tools (other than power-driven tools). If you come across any roots of 25 millimetres or more in diameter, you must carefully protect them from being exposed and drying out. You must cut any damaged or severed roots with a sharp cutting tool so that the final wound is as small as possible. (C31FA) |  |  |
| C31GA | You must carry out any work on the **^IN;** around existing roots by hand or using hand-held tools (other than power-driven tools). You must protect any roots that are exposed by the work by placing sharp sand around the roots to avoid further damage. (C31GA) |  |  |
|  | **Notes**   * See I30AB to I32AB and I92AA to I92EA re. trees issues. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| C31JB  C31LB  C31MB  C31NA | You must plant new trees to replace those which are shown to be removed on drawing **^IN;**. The replacement trees must be planted in the first planting season after you complete the development. You must apply to us for our approval of the position, size and species of the replacement trees. You must not plant the replacement trees until we have approved in writing what you have sent to us.  You must 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 originally planted.  You must apply to us for our approval of any planned digging to make a hard surface underneath any trees that you are going to keep, and the materials you plan to use to make the hard surface. You must not start any work on any digging to make a hard surface underneath any trees that you are going to keep until we have approved in writing what you have sent to us. The surfacing must be carried out according to the approved details. (C31LA)  You must apply to us for our approval of the depth and methods to be used to dig the foundations. You must not start any work to dig the foundations until we have approved in writing what you have sent to us. The excavation and foundations must be carried out according to the approved details. (C31MA)  You must apply to us for our approval of any work you want to carry out on any trees. You must not start any work until we have approved what you have sent to us. The tree work must be carried out according to the approved details. (C31NA) |  |  |
|  | **Notes**   * See I30AB to I32AA and I92AA to I92EA re. trees issues. | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| C31PB | You must apply to us for our approval of the positions and method to be used to dig trenches, pipelines or ducts for services or drains. You must not start any work to dig trenches, pipelines or ducts for services or drains until we have approved in writing what you have sent to us. The work must be carried out according to the approved details. (C31PA) |  |  |
| C31QB | You must apply to us for our approval of any planned alterations to the existing ground levels, including digging or piling up soil:  (a) underneath the canopy of any trees which are to be kept as shown on plan **^IN;** or  (b) within the root protection area (as defined by paragraph 5.2.2 of British Standard BS 5837: 2012) and within five metres beyond it, as shown on plan **^IN;**.  You must not start any work on alterations to the existing ground levels, including digging or piling up soil until we have approved in writing what you have sent us. The work must be carried out according to the approved details. (C31QA) |  |  |
|  | **Notes**   * See I30AA to I32AB and I92AA to I92EA re. trees issues. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C32** | Archaeology |  |  |
|  | Conditions |  | Reasons |
| C32AB | **Pre Commencement Condition.**  You must apply to us for approval of a detailed design and method statement relating to the foundations and all new ground work. You must not start any construction work until we have approved in writing what you have sent us.  You must then carry out the work according to the approved design and method statement. (C32AB) | R32AD | To avoid damage to any archaeological remains on site as set out Policy 39 of the City Plan 2019 – 2040 (April 2021). (R32AD) |
| C32BC | **Pre Commencement Condition.**  (a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us.  (b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.  (c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC) | R32BD | 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) |
|  | **Notes**   1. Use Condition C32AB and I65AA when it is important to make sure that the detailed foundation and groundwork will not damage archaeological remains. 2. Use C32BC and I66AA when you want to arrange archaeological excavation and record the remains before the new buildings go up.  * You can use C32AB and C32BC together. * If the scheme is not an entire new building, you will need to modify part (c) of C32BC (e.g. to refer to an extension). | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C33** | CrossRail and Chelsea to Hackney (CrossRail 2) lines |  |  |
|  | Conditions |  | Reasons |
| C33AA | You must not carry out building, engineering or other work which will involve digging to more than three metres below existing ground level. (C33AA) | R33AD | To meet the requirements of a direction made in connection with the CrossRail Project by the Secretary of State for Transport under Articles 10 (3), 14 (1) and 27 of the Town and Country Planning (General Development Procedure) Order 1995 and as set out in Policy 26 of the City Plan 2019 – 2040 (April 2021). (R33AD) |
|  |  | R33BD | To meet the requirements of a direction made in connection with the Chelsea-Hackney line (CrossRail Line 2) by the Secretary of State for Transport under Articles 14(1) and 18(3) of the Town and Country Planning General Development Order 1988 and as set out in Policy 26 of the City Plan 2019 – 2040 (April 2021). (R33BD) |
|  | **Notes**   * Always use I56AA (Crossrail line 1) or I57AA (Crossrail line 2) with C33AA. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C34** | Strategic views |  |  |
|  | Conditions |  | Reasons |
| C34AA | You must not carry out building, engineering or other work which will involve increasing the height of the building above what is shown on the approved plans. (C34AA) | R34AD | This is as set out in Policy HC4 of the London Plan 2021 and Policy 40(F) of the City Plan 2019 – 2040 (April 2021). (R34AD) |
|  | **Notes**   * Always use I40AB with C34AA. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C35** | Estate agents' boards |  |  |
|  | Conditions |  | Reasons |
| C35AA | You may display the board:   * for six months from the date of this decision; or * until the property is rented or sold;   whichever happens first.  You must then take down the board, and any structure supporting it, without delay. (C35AA) | R35AC | The board must meet the aims of the Direction made under Regulation 7 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. It would harm the appearance of the area if displayed for a longer period, in other colours, or with other information. This is as set out in Policy 43(G) of the City Plan 2019 – 2040 (April 2021). (R35AC) |
| C35BA | The board and lettering must be in black, white or grey. (C35BA) |  |  |
| C35CA | The board must show only:   1. the name of the estate agent; 2. the type and size of the property; 3. whether the property is for sale or rent; and 4. the estate agent's phone number.   If you want to show the name of the contractor who put up the board, the letters for this must not be more than 2.5cm high. (C35CA) | R35BC | We can only approve the board for a strictly limited period. It would harm the appearance of the area if displayed for a longer period, in other colours, or with other information. This is as set out in Policy 43(G) of the City Plan 2019 – 2040 (April 2021). (R35BC) |
|  | **Notes**   * C35AA to C35CA appear on the standard decision notices for estate agents' boards. Use R35AB if the property is in a conservation area. Use R35BB if it is outside a conservation area but still falls under the agreed criteria for estate agents' boards. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| C36 | Adverts |  |  |
|  | Conditions |  | Reasons |
| C36AA | You must not change the content of the advertisement which is shown on the approved drawing. (C36AA) | R36AA | To protect the appearance of the area. (R36AA) |
| C37 | Public art |  |  |
| C37AC | You must apply to us for approval of a scheme of public art as described in the letter from **^IN**; dated **^IN**;.  You must not start work on the public art until we have approved in writing what you have sent us. Before anyone moves into the building 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. (C37AC) | R37AC | To make sure the art is provided for the public and to make sure that the appearance of the building is suitable. This is as set out Policy 43(E) of the City Plan 2019 – 2040 (April 2021). (R37AC) |

|  |  |  |  |
| --- | --- | --- | --- |
| **C42** | Retrospective or partially retrospective permissions - Conditions to secure implementation of remaining part, or submission and implementation of details. | | |
|  | Conditions |  | Reasons |
| C42AA | The **^IN;** we have allowed can only continue until **^IN;**, unless you have carried out the work to **^IN;** by that time. If you have not carried out the work by that time, the **^IN;** must stop and must not continue until you have carried out the work. (C42AA). | R42AB | Because if these works are not carried out, **^IN;**. This is in line with **^IN;** of the City Plan 2019 – 2040 (April 2021). (R42AB) |
| C42BB | Within **^IN;** months of the date of this permission, you must apply to us for our written approval of the **^IN;**. If we refuse to approve the details that you have sent us, you must apply to us for written approval of the revised details within one month, taking into account our reasons for refusing the first set of details.  The approved details must then be introduced within **^IN;** months of us approving them.  If you have not introduced the approved details within the time period we have given you, the **^IN;** we have allowed must stop and must not continue until you have introduced the approved details. (C42BA) |  |  |
| C42CA | The work to **^IN;** that we have allowed must be carried out by **^IN;**. (C42CA) |  |  |
|  | Notes  * C42AA might be used, for example, if an existing use has been allowed to remain on the basis of the installation of a proposed independent entrance; or where plant is being retained on the basis of a proposed acoustic screen. * C42BB would be used in similar circumstances but where insufficient detail has been submitted of the relevant additional works. * C42CA would be used where we wish works to be done to remedy an ongoing problem – e.g. to resolve an enforcement case. * Use I64AA with C42AA or C42CA * Use I64BA with C42BB | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C43** | Biodiversity | | |
|  | Conditions |  | Reasons |
| C43AA | **Pre Commencement Condition.**  You must apply to us for approval of details of how you will reduce the development’s effect on the biodiversity of the environment in relation to **^IN;**. You must not start any work until we have approved in writing what you have sent us. You must carry out this work according to the approved details before you start to use the building. (C43AA) | R43AC | 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). (R43AC) |
| C43BA | **Pre Commencement Condition.**  You must apply to us for approval of details of how you will mitigate or compensate for the loss of biodiversity that will result from the development, in relation to **^IN;**. You must not start any work until we have approved in writing what you have sent us. You must carry out the work according to the approved details before you start to use the building. (C43BA) | R43BC | To mitigate or compensate for the unavoidable loss of biodiversity as a result of the development, as set out in Policy 34 of the City Plan 2019 – 2040 (April 2021). (R43BC) |
| C43CA | **Pre Commencement Condition.**  You must apply to us for approval of details of a biodiversity management plan in relation to **^IN;**. You must not start any work until we have approved in writing what you have sent us. You must carry out the measures in the biodiversity management plan according to the approved details before you start to use the building. (C43CA) | R43CC | To protect and increase the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 – 2040 (April 2021). (R43CC) |
|  | **Notes**   * In C43AA, C43BA and C43CA, the insertion is likely to refer to a Site of Importance for Nature Conservation; or a habitat which is a priority for protection in a Biodiversity Action Plan; or a habitat supporting a protected species and/or a species which is a priority for protection in a Biodiversity Action Plan. In C43EA, the insertion is likely to relate to demolition, excavation, or building works, but may also refer to removal of hedges or trees. * Use C43AA / R43AC for general mitigation * Use C43BA / R43BC for compensation for loss of biodiversity * Use C43CA / R43CC to require submission of a Management Plan | | |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  | | |
|  |  |  |  |
| C43DA | No **^IN;** must be carried out on the site between 1 March and 31 August in any year. (C43DA) | R43DC | To restrict building work to a specific season to protect breeding birds, and so protect the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 – 2040 (April 2021). (R43DC) |
| C43EA | **Pre Commencement Condition.**  You must apply to us for approval of details of the action you will take to protect bats in the area around the development. You must not start any work until we have approved in writing what you have sent us (after consulting Natural England). You must carry out these measures according to the approved details before you start to use the building. (C43EA) | R43EC | To make sure the conservation status of a protected species is maintained, and so protect the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 – 2040 (April 2021). (R43EC) |
| C43FA | You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.  **^IN;**  You must not remove any of these features. (C43FA) | R43FC | To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 – 2040 (April 2021). (R43FC) |
| C43GA | You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the **^IN;** to include construction method, layout, species and maintenance regime.  You must not commence works on the relevant part of the development until we have approved in writing what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA) |  |  |
|  | **Notes**   * Use C43DA / C43DA to prevent disturbance to nesting birds in the breeding season. * Use C43EA / R43EC to mitigate the impact on bats. * Use C43GA to secure details of a living roof or brown roof. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C44** | Sustainability | | |
|  | Conditions |  | Reasons |
| C44AA  C44AB | You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.  **^IN;**  You must not remove any of these features. (C44AA)  *(Use C44AA where energy efficiency measures are not set out in an SDS.)*  You must provide the following energy efficiency and/or sustainability measures that are set out in the Sustainable Design Statement hereby approved prior to occupation of the development:  **^IN;**  Thereafter you must permanently retain the energy efficiency and/or sustainability measures. (C44AB)  *(Use C44AB where energy efficiency measures are set out in an SDS.)* | R44AD | To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 – 2040 (April 2021). (R44AD)  *Use R44AD.* |
| C44BB | **Pre Commencement Condition.**  You must apply to us for our written approval of an independent review of the energy efficiency measures to be provided within the development before you start any work on the development. In the case of an assessment using Building Research Establishment methods (‘BREEAM’), this review must show that you have achieved an ‘excellent’ rating. If you use another method, you must achieve an equally high standard. You must provide all the energy efficiency measures referred to in the review before you start to use the building. You must then permanently retain these features. (C44BB)  *(C44BB only to be used where application does not demonstrate BREEAM Excellent will be achieved and securing this be condition is appropriate.)* | R44BE | 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). (R44BE) |
| C44BC | The development 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 development. (C44BC)  *(C44BC for use where application documents demonstrate BREEAM Excellent is to be achieved.)* |  | *Use R44BE.* |
| C44CA  C44DA  C44EA  C44FA | You must provide, maintain and retain the flooding mitigation features before you start to use any part of the development, as set out in your application.  **^IN;**  You must not remove any of these features. (C44CA)  The residential unit(s) hereby approved 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.  The development hereby approved shall be constructed to achieve or exceed the BREEAM ‘Excellent’ standard for the ‘Wat 01’ water category or equivalent.  The development hereby approved shall achieve Passivhaus certification. Post completion Passivhaus certification, issued by an independent third-party assessor, that confirms that the development has been completed in accordance with all Passivhaus performance criteria shall be submitted to us for our approval within three months of first occupation of the development. (C44FA)  *(C44FA only for use where the applicant has used achievement of Passivhaus standards to justify their new development.)* | R44CA  R44DA | To alleviate and manage surface water flood risk. This is as set out in Policy 35 of the City Plan 2019 - 2040 (April 2021). (R44CA)  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).  *Use R44DA.*  *Use R44BE.* |
| C44GA | The development hereby approved shall achieve Passivhaus EnerPHit standard. Post completion Passivhaus EnerPHit certification, issued by an independent third-party assessor, that confirms that the development hawhos been completed in accordance with all Passivhaus EnerPHit performance criteria shall be submitted to us for our approval within three months of first occupation of the development.  *(C44GA only for use where the applicant has used achievement of Passivhaus EnerPHit standards to justify their refurbishment scheme.)* |  | *Use R44BE.* |
|  | **Notes**   * Use C44AA or C44AB where the applicant has submitted details of proposed sustainability features. * Use C44BA where details of proposed sustainability features are absent or inadequate. However, do not impose it without liaison with the applicant; ensure an ‘Excellent’ rating is realistic. On cases where it is not possible to impose one of these conditions, see also informative I91AA about encouragement for incorporating environmental sustainability features. * Use C44DA new residential units (conversions and new build). * Use C44EA for all non-domestic developments that create 500m2 GIA or more new floorspace. * Use informative I84AB with C44DA, which provides link to environmental discounts offered by Thames Water for highly water efficient developments. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C45** | School Travel Plan – submission as details | | |
|  | Conditions |  | Reasons |
| C45AB | Before you begin to use the new school buildings, you must apply to us for approval of a Travel Plan. The Travel Plan must include details of:  (a) A comprehensive survey of all users of the school;  (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 to the school;  (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 school buildings are 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) | R45AC | 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) |

C46 to C50 – Noise Planning Conditions Guidance

**They should be used when advised by the Public Protection and Licensing Service.**

NOTES

1. The City Plan 2019 – 2040 (April 2021) noise policy (Policy 33, supported by the Environmental Supplementary Planning Document (February 2022)) is intended to protect noise sensitive receptors from excessive noise levels and to contribute to the objectives set out in Policy 7(B) S32 of the City Plan 2019 – 2040 by reducing ambient noise levels where they exceed World Health Organisation (WHO) Guideline Levels. To achieve this the conditions reflect a distinction between areas with noise levels above WHO Guidelines (most of the City), and areas below. The conditions also provide protection from structural transmission of noise and vibration within and between properties.
2. It will often be appropriate to use more than one of these conditions for an individual proposal.
3. Noise sensitive receptors are defined in the City Plan 2019 – 2040 (April 2021) as comprising: “residential use, educational establishments, hospitals, hotels, hostels, concert halls, theatres, law courts and broadcasting and recording studios.” However, the standard conditions refer to the nearest residential window, as this is by far the most common situation. You will need to alter these references in the rare cases when another noise sensitive receptor is the nearest affected.
4. A preliminary noise report (acoustic and vibration report) is required with a planning application where a proposed development or change of use might affect noise sensitive properties.
5. The conditions allow applicants the option of applying subsequently (after completion of the development) for a fixed maximum noise level. For this they will need to produce a further noise report.
6. Selection of the appropriate noise conditions is to be made on the advice of the Public Protection and Licensing Service.
7. There are five sets of noise conditions. The first two sets (**C46 and C47**) are for plant and internal activity respectively, with the appropriate version to be selected according to whether the proposed development is in an area in which existing ambient noise levels exceed WHO Guideline Levels. If the locality of the proposed development exceeds WHO levels at any time of day or night, condition **C46AC or C47AC** is to be applied. Evidence of the 2008 Westminster Noise Study indicates that very few areas of Westminster can be expected to be below WHO Guideline Levels; in the few instances where this is the case, conditions **C46BC or C47BC** are to be applied. Part (3) in both **C46** conditions and both **C47** conditions provides the opportunity referred to in 5) above for applicants to apply to the City Council at a later stage for approval of a fixed maximum noise level.
8. A distinction is made within parts (1) and (2) of conditions in sets **C46** and **C47** between developments that will or will not contain tones or be intermittent. Tonal noise is relevant where sound emitted will include prominent levels of particular frequencies. These may be intrusive high-pitched or low-pitched noise. Intermittent sounds may be regular or irregular but tend to be percussive.
9. ‘Plant and machinery’ includes equipment such as: air conditioning; heating and chilling plant; lifts; etc. with associated ducting and outlets. ‘Internal activity’ covers noise such as that from amplified and unamplified music and human voices.
10. It will often be appropriate to impose two ‘hours conditions’ - one for plant operation (**C46CA**, adapted if necessary), and one for internal activity (C12), but the hours included may often be different in these two conditions.
11. **C48AB** ‘Vibration’ should be applied in all cases in which there is any possibility of structural transmission of noise and/or vibration through the structure of the proposed development to any other property.
12. **C49AA** is to protect new residential developments from existing noise in the vicinity. It should be applied to all residential applications that have been determined to be capable of achieving internal noise levels below those specified in the condition, despite being in areas in which existing ambient noise levels that are above the specified noise exposure levels. Where the specified maximum internal noise levels cannot be achieved, an application for residential development would not generally be approved.
13. **C49BA** protects existing or proposed residential from transmission of noise or vibration within the same or an adjoining building, caused by a development or change of use.
14. **C50AC** ‘Noise from emergency plant and generators’ should be applied in all cases in which it is proposed that such equipment is installed.

|  |  |
| --- | --- |
|  | **Notes**   * The Environmental Supplementary Planning Document (February 2022) is available at the following link: <https://www.westminster.gov.uk/media/document/en-env-005---draft-noise-technical-guidance-note> |

|  |  |  |  |
| --- | --- | --- | --- |
| **C46** | C46 – Plant and Machinery; noise and hours | | |
|  | Conditions |  | Reasons |
| **C46AC** | Noise from plant & machinery **for areas above WHO Guideline levels, where the existing external ambient noise level exceeds WHO Guideline levels of either LAeq, 16hrs 55dB daytime (07.00-23.00 hrs) or LAeq, 8hrs 45dB night-time (23.00-07.00hrs)** | |  |
| C46AC | 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 pursuant to part (3) below. 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. | R46AC | 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) |
|  | 1. 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. |  |
|  | 1. 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: 2. A schedule of all plant and equipment that formed part of this application; 3. Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; 4. Manufacturer specifications of sound emissions in octave or third octave detail; 5. The location of most affected noise sensitive receptor location and the most affected window of it; 6. 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; 7. 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; 8. The lowest existing LA90, 15 mins measurement recorded under (f) above; 9. Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; 10. The proposed maximum noise level to be emitted by the plant and equipment. (C46AC) |  |

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | Conditions | |  | Reasons | | |
| **C46BC** | | Noise from plant & machinery **for areas below WHO Guideline levels, where the existing external ambient noise level does not exceed WHO Guideline levels of either LAeq, 16hrs 55dB daytime (07.00-23.00hrs) or LAeq, 8hrs 45dB night-time (23.00-07.00hrs)** | | |  |
| C46BC | | 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 5 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 pursuant to part (3) below. 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. | R46BC | 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 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. (R46BC) | |
|  | | 1. 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 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum. |  |
|  | | 1. 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: 2. A schedule of all plant and equipment that formed part of this application; 3. Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; 4. Manufacturer specifications of sound emissions in octave or third octave detail; 5. The location of most affected noise sensitive receptor location and the most affected window of it; 6. 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; 7. 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; 8. The lowest existing LA90 (15 minutes) measurement recorded under (f) above; 9. Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; 10. The proposed maximum noise level to be emitted by the plant and equipment. (C46BC) |  |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Conditions |  | Reasons |
| **C46CA** | **Hours of plant operation (adapt if different hours acceptable on different days – e.g. Sundays)** |  |  |
| C46CA | The plant/machinery hereby permitted shall not be operated except between ^IN; hours and ^IN; hours daily. (C46CA) | R46CC | safeguard the amenity of occupiers of noise sensitive receptors and the area generally by ensuring that the plant/machinery hereby permitted is not operated at hours when external background noise levels are quietest thereby preventing noise and vibration nuisance as set out in Policies 7 and 33 of the City Plan 2019 – 2040 (April 2021) the Environmental Supplementary Planning Document (February 2022). (R46CC) |

|  |  |  |  |
| --- | --- | --- | --- |
| **C47** | Internal activity; noise and hours |  |  |
|  | Conditions |  | Reasons |
| **C47AC** | **Noise from internal activity for areas above WHO Guideline levels, where the existing external ambient noise level exceeds WHO Guideline levels of either LAeq, 16hrs 55dB daytime (07.00-23.00 hrs) or LAeq, 8hrs 45dB night-time (23.00-07.00hrs)** |  |  |
| C47AC | 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 **IN;** use 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. | R47AC | 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) |
|  | 1. 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 **IN;** use 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. |  |
|  | 1. 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: 2. The location of most affected noise sensitive receptor location and the most affected window of it; 3. 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; 4. 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; 5. The lowest existing LA90, 15 mins measurement recorded under (c) above; 6. Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; 7. The proposed maximum noise level to be emitted by the activity. (C47AC) |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Conditions | |  | Reasons |
| **C47BC** | | **Noise from internal activity for areas below WHO Guideline levels, where the existing external ambient noise level does not at any time exceed WHO Guideline levels of LAeq, 16hrs 55dB daytime (07.00-23.00hrs); LAeq, 8hrs 45dB night-time (23.00-07.00hrs)** |  |  |
| C47BC | | 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 **IN;** use hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 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. | R47BC | 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 nearby 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. (R47BC) |
|  | | 1. 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 **IN;** use 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. |  |
|  | | 1. 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: 2. The location of most affected noise sensitive receptor location and the most affected window of it; 3. 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; 4. 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; 5. The lowest existing L A90, 15 mins measurement recorded under (c) above; 6. Measurement evidence and any calculations demonstrating that the activity complies with the planning condition; 7. The proposed maximum noise level to be emitted by the activity. (C47BC) |  |
|  | **Notes**   * Make use of appropriate version of C12 to control hours of internal activity. | | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C48** | Vibration |  |  |
|  | Conditions |  | Reasons |
| C48AB | 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) | R48AB | 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) |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **C49** | Where proposed or existing residential would suffer noise from outside, or from within the same or an adjoining building | | | |
| **C49AA** | **Noise from mixed sources – where proposed residential development would be subject to noise exposure from existing external sources exceeding:**   1. **55dB (LAeq, 16 hour day) (07.00-23.00hrs)** 2. **45 dB (LAeq, 8 hour night) (23.00-07.00hrs)** |  |  |
| C49AA | The design and structure of the development 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) | R49AB | 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) |
| **C49BB** | **Noise from mixed sources – where existing or proposed residential development would be subject to noise exposure from within the same building or an adjoining building** |  |  |
| C49BB | The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.Inside bedrooms 45 dB L Amax is notto be exceeded more than 15 times per night‐time from sources other than emergency sirens. (C49BB) | R49BB | 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) |

|  |  |  |  |
| --- | --- | --- | --- |
| **C50** | Noise from emergency plant and generators |  |  |
|  | Conditions |  | Reasons |
| C50AC | 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:   1. 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. 2. The emergency plant and generators hereby permitted may be operated only for essential testing, except when required in an emergency situation. 3. Testing of emergency plant and generators hereby permitted may be carried out only for up to one hour in a calendar month, and only during the hours 09.00 to 17.00 hrs Monday to Friday and not at all on public holidays. (C50AC) | R50AC | 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) |

|  |  |  |  |
| --- | --- | --- | --- |
| **C51** | Where details of plant or sound insulation have not been provided and supplementary acoustic report required | | |
|  | Conditions |  | Reasons |
| C51AB | 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 Condition **^IN;** 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) | R51AC | 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) |
| C51BB | You must apply to us for approval of sound insulation measures and a Noise Assessment Report to demonstrate that the residential units will comply with the Council's noise criteria set out in Condition **^IN;** 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. You must then carry out the work according to the details approved before the residential units are occupied and thereafter retain and maintain. (C51BB) | R51BC | 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. (R51BC) |
|  | **Notes**   * Use R51AC for areas above WHO Guideline levels. * Use R51BC for areas below WHO Guideline levels. | | |

|  |  |  |  |
| --- | --- | --- | --- |
| **C52** | Where details of plant have been provided but post commissioning noise survey required | | |
|  | Conditions |  | Reasons |
| C52AA | You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in conditions **^IN;** of this permission. |  | *Use R51AC or R51BC as appropriate (i.e. based whether or not the existing external ambient noise levels exceed WHO levels).* |
|  |  |  |  |
|  |  | | |

A close-up of a logo

Description automatically generated with low confidence