

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 20 December 2022	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> Marylebone	
<b>Subject of Report</b>	<b>15 Crawford Place, London, W1H 4LG</b>		
<b>Proposal</b>	Erection of a single storey extension at roof level and extension to rear at first to fourth floors and reconfiguration of existing accommodation to provide 13 residential units (additional five units Class C3). Refurbishment of the front and rear elevations. Provision of a green roof.		
<b>Agent</b>	DCG Architecture (London) Ltd		
<b>On behalf of</b>	Winchester Property Ltd		
<b>Registered Number</b>	22/03190/FULL	<b>Date amended/ completed</b>	25 May 2022
<b>Date Application Received</b>	12 May 2022		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Molyneux Street		
<b>Neighbourhood Plan</b>	Not applicable		

## 1. RECOMMENDATION

Grant conditional permission

## 2. SUMMARY & KEY CONSIDERATIONS

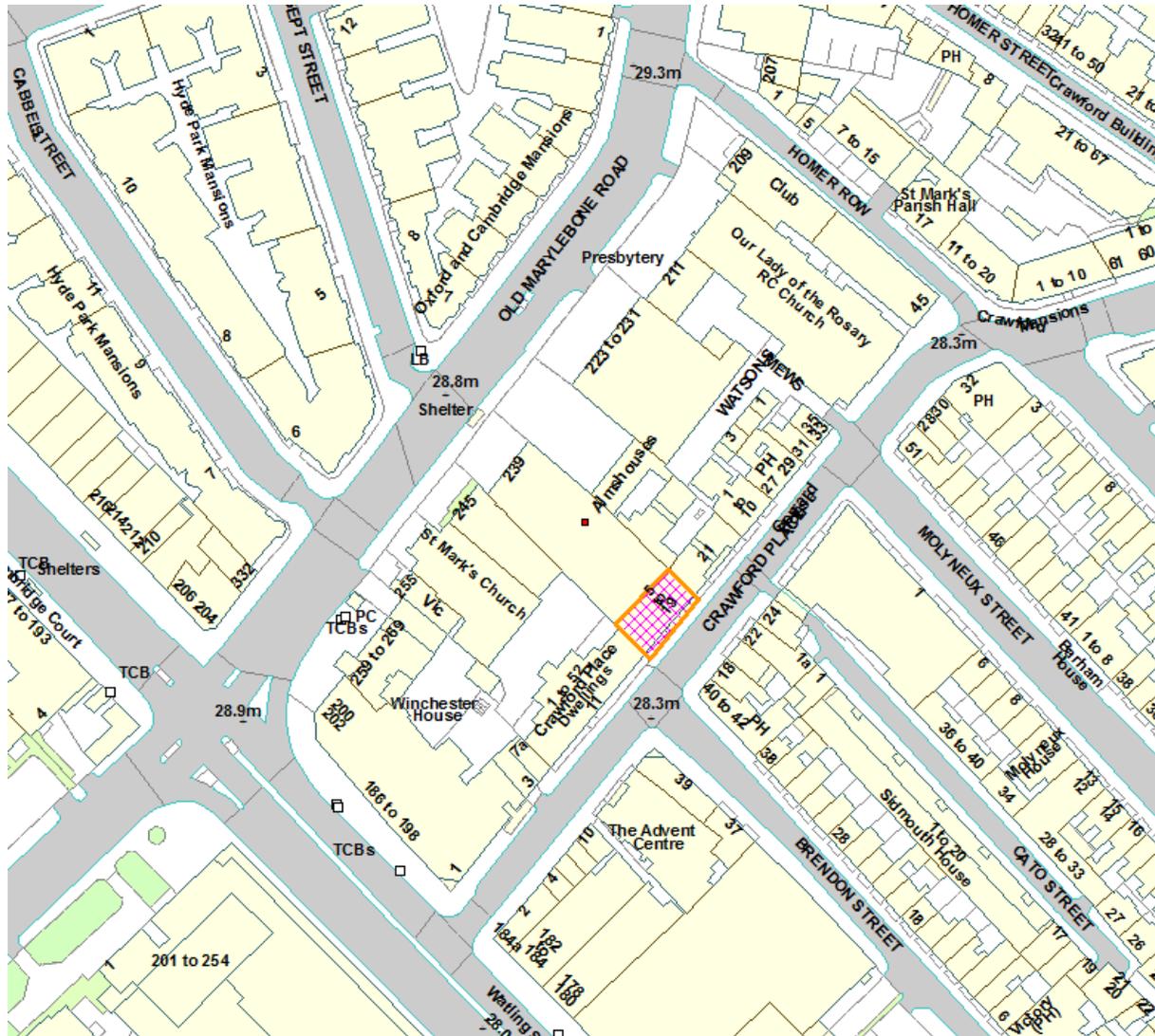
The application proposes the reconfiguration of 8 flats and erection a single storey extension at roof level and extension to rear at first to fourth floors to create an additional 5 flats (Class C3) and reconfigure as well as alteration to the front and rear façade including refurbishment of spandrel panels and installation of replacement windows. A green roof is also proposed.

The key considerations in this case are:

- The impact of the proposed buildings on the character and appearance of the Molyneux Street Conservation Area.
- The impact on the amenity of neighbouring residential properties.

For the reasons set out in the main report, it is considered that the proposal, with conditions, is acceptable in land use, design, sustainability, amenity and highways terms and neighbouring residential occupiers would not be unduly harmed. As such, the application is recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS

Front Elevation



**Rear Elevation**



## 5. CONSULTATIONS

### 5.1 Application Consultations

#### MARYLEBONE ASSOCIATION

Any response to be reported verbally.

#### HARROWBY & DISTRICT RESIDENTS ASSOCIATION

Object on the following grounds:

- Additional bulk viewed from the east along Crawford Place.
- Loss of light
- Lack of information with regards to works to front and rear elevation
- Desire to ensure all units are permanent accommodation

#### HIGHWAY PLANNING

No objection subject to conditions.

#### PROJECT OFFICER FOR WASTE

Further detail required

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 81

Total No. of replies: 16 letters from 12 neighbouring occupants on the following grounds:

- Extension will dwarf other buildings on Crawford Place
- Impact on conservation and setting of listed buildings
- Impact on daylight, sunlight and outlook
- Overshadowing of private amenity space
- Principle of additional short term letting accommodation unacceptable particularly with respect to noise generation and litter
- Construction impacts
- Sound of toilets flushing from new accommodation

No. in support: 0

#### SITE NOTICE:

Yes

### 5.2 Applicant's Pre-Application Community Engagement

The applicant has not submitted a Statement of Community Involvement and the other application documents do not indicate that engagement was carried out by the applicant with the local community and key stakeholders in the area, prior to the submission of the planning application. However, the Early Community Engagement guidance only expects such engagement to take place where proposals of this nature may have a significant impact on residential amenity or other noise sensitive receptors.

## 6. WESTMINSTER'S DEVELOPMENT PLAN

### 6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

## **6.2 Neighbourhood Planning**

The application site is not located within an area covered by a Neighbourhood Plan.

## **6.3 National Policy & Guidance**

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

# **7. BACKGROUND INFORMATION**

## **7.1 The Application Site**

15 Crawford place is a five-storey unlisted building and is within the Molyneux Street Conservation Area. The building is arranged over basement ground and four upper floors with a large plant enclosure at main roof level.

The ground floor is being used as office accommodation in connection with 239 Old Marylebone Road which is located to the rear of the site. A vehicle access and a loading bay are also provided on the Crawford Place frontage at street level. The vehicle access provides access to the basement car park. There is a residential entrance in the middle of the site which provides access to the residential flats on the upper floors.

The upper floors comprise 8 residential flats. Council records indicate that 6 flats (No's 1 – 6) are temporary sleeping accommodation with 2 flats (No's 7 and 8) in use as permanent residential use (Class C3).

## **7.2 Recent Relevant History**

17/08186/FULL

Installation of 8no. air condenser units within an enclosure at roof level. (Partially retrospective application).

Application Permitted 7 November 2017

21/08155/FULL

Alterations to canopy at fascia level to extend the full width of the property; installation of replacement and new roller shutter along the full frontage of the building at ground floor level (Retrospective application).

Application Permitted 21 March 2022

## 8. THE PROPOSAL

Permission is sought for the erection of a single storey roof extension and a rear extension from first to fourth floor level inset from both the southwestern and north-eastern boundaries of the site to provide additional residential accommodation.

The application involves the reconfiguration of the existing 8 x 2 bed residential units ( 6 short term let and 2 permanent units) and the provision of 5 new units comprising a mix of 1 x 1-bed unit, 2x 2-bed units, 1x 3-bed unit and 1x 4-bed units. The proposal will result in the provision of 13 flats in total (5 new units).

It is understood nine car parking spaces including one disabled bay and a cycle storage area are allocated to the residential accommodation at basement level. No new additional car parking is proposed. Refuse storage is proposed to be located alongside the existing loading bay at ground floor level.

A green roof is proposed at fifth floor level

## 9. DETAILED CONSIDERATIONS

### 9.1 Land Use

The scheme seeks to reconfigure the existing residential accommodation on the site and provide an additional 5 new dwellings. This will result in the provision of 13 flats in total. The 5 new additional flats include 2 x family sized units (3 bed or more).

Objections have been received that additional short- term letting accommodation would add to noise nuisance and litter. Six of the eight existing units are lawfully short term let accommodation. There have been a number of noise complaints received due to activity associated with the existing use. In light of this and neighbouring objections, the applicant has revised the proposal during the course of the application to ensure that all of the units are permanent residential units. The applicant will be advised by an informative on the decision notice which advises the limits with regards to short term letting in line with the Greater London Council (General Powers) Deregulation Act (2015).

#### Loss of short term letting accommodation

Within Greater London, the letting of a residential property for periods of less than 90 days (provided the cumulative period of this short term letting within a calendar year exceeds 90 days) requires planning permission. The same is not the case of the reverse. As .

As such, there is no objection to the permanent residential proposed.

Proposed residential accommodation

Policy 8 of the City Plan 2019-2040 (April 2021) states that Westminster seeks to optimise housing delivery by optimising site densities, delivering a higher number of homes on small sites, permitting appropriate upwards extensions, and planning positively for tall buildings in certain locations. As such the additional residential units in this location is acceptable in principle subject to impacts of the additional bulk as discussed in the design and amenity sections below.

Furthermore, the policy goes on to state that no new homes in Westminster will exceed 200sqm Gross Internal Area. None of the units proposed exceed this threshold and is therefore considered to meet this policy requirement.

Policy 10 of the City Plan 2019-2040 (April 2021) states that residential developments will provide a mix of units in terms of size, type and tenure to secure mixed and inclusive communities and contribute towards meeting Westminster's housing needs; however, the policy does go on further to state that 25% of all new homes across Westminster will be family sized.

Two family sized are proposed which represents 40% of the additional units and therefore is considered acceptable.

Policy 12 of City Plan 2019-2040 (April 2021) requires that all new homes and residential extensions will provide a well-designed, energy efficient and high-quality living environment and all new homes will meet or exceed the Nationally Described Space Standards. Policy D6 of the London Plan (2021) concerns housing quality and standards and Part C states that housing development should maximise the provision of dual aspect dwellings.

All the proposed units will meet the requirements of the Nationally Described Space Standards. It is noted that the majority of units are proposed to be dual aspect, with the exception of two units within the rear extension which have adequate windows all serving habitable rooms, and this is appreciated given the site constraints. The overall layout is considered to result in a standard of accommodation that is likely to be acceptable and will provide good quality residential accommodation.

Policy 12 goes on to say that all new-build homes will provide at least 5 m<sup>2</sup> of private external amenity space for each dwelling. Where it is sufficiently demonstrated that it is not practicable or appropriate to provide any type of external amenity space, additional internal living space equivalent to the external requirement is required. The proposal does not provide any outdoor amenity space. There are however obvious site constraints which prevent the provision of external space with the exception of the fifth floor flats; however, a balance has to be taken against the requirement for urban greening. In line with policy, all of the proposed flats are in excess of 5 m<sup>2</sup> larger than the minimum space standards and therefore, the lack of external amenity space is considered acceptable in this instance.

Policy 9 of the City Plan 2019 – 2040 (April 2021) states that at least 35% of all new homes will be affordable across Westminster where 10 new units are being provided or the increase in residential floorspace totals 1,000 sqm GIA. The proposal seeks to provide an additional five flats and the overall increase in residential area totals 407.2 sqm GIA. As such, the current proposal does not trigger the requirements to provide affordable housing.

## 9.2 Environment & Sustainability

Policy 38 (D.2) states that Residential conversions and extensions of 500 sq m (GIA) of residential floorspace or above, or five or more dwellings will aim to achieve “Excellent” in BREEAM domestic refurbishment or equivalent standard.

In support of the application, a BREEAM pre assessment submitted in support of the application, the scheme achieves an anticipated score of 71.51% which equates to a rating of 'Excellent'. Sustainability measures which are being employed include:

- Negating the need for mechanical ventilation, therefore, all habitable rooms can be ventilated either through vertical window openings.
- Improvement to both wall and roof insulation reducing u-values and cold bridging.
- Double glazing windows are to be used.
- The layouts of the flats have been designed to minimise the need for artificial lighting as far as practicable.
- Installation water efficiency and management features including maximum water efficiency ratings for all white good requiring water; dual and low flush toilets, low pressure showers and aerated taps, low volume baths, and restrictors on water supply pipes to sinks and basins; and a pulsed water meter will be installed to each new dwelling to make occupants aware of consumption.
- Additional flats will also have electric combination boilers for hot water and heating services.

A condition has been recommended requiring Design Stage Interim BREEAM rating and certificate of assessment showing that the development is expected to achieve an 'excellent' rating and a further post construction stage report to be submitted within 6 months of occupation ensuring that this target has been achieved.

## 9.3 Biodiversity & Greening

The proposal has been amended during the course of the application to include a green roof to the rear of the fifth floor accommodation. This addition is welcome and ensures that the proposal results in a biodiversity gain.

## 9.4 Townscape, Design & Heritage Impact

### Legislative & Policy Context

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

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

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

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused

### Assessment

15 Crawford Place is an unlisted building of the mid twentieth century. It is in the Molyneux Street Conservation Area. The building is identified in the Molyneux Street Conservation Area Audit SPG as:

- A building which makes a neutral contribution to the character or appearance of the area.
- A building which is unsuitable for a roof extension.

The existing building has five storeys above ground, plus a very tall rooftop plant enclosure.

The proposal seeks the addition of a single storey roof extension; sheer at the sides and rear and mansard shaped at the front. A rear extension, set back at either flank would rise to fourth floor level. A previously proposed scheme, which was subsequently withdrawn, sought a two-storey roof extension, as well as a rear extension rising the full height of the building, including the two new roof storeys. The current proposal therefore represents a reduced scheme in terms of mass and bulk, and on impact on the appearance of the building and the conservation area.

The proposed roof extension appears acceptable in terms of its height and relationship with the tall mansion block to the southwest. The roof extension would be lower than the

ridge height of the mansion block, and the large chimney stack forms a visual break between the two buildings. The scheme also results in the removal of the existing very large rooftop plant structure.

The proposed metal cladding to the mansard is acceptable, subject to a condition requiring samples of materials. A further condition should require the roof to be patinated to a dark grey colour.

A modest setback of the roof extension from the (north-east) side elevation has been provided to reduce the visual impact on the adjacent Alms houses. While it is considered that the setback would improve the relationship of the roof extension to Alms House compared to the previous scheme, it does result in a slightly unconventional front elevation. However, since axial views of the mansard will only be available from the upper storey of the facing building, this arrangement is considered to be acceptable.

The refurbishment of the spandrel panels on the front elevation would be a welcome improvement, subject to the submission of details. The sustainability benefits of providing double glazed windows are also welcome, though the exact mechanism of upgrading the windows is not clear. The elevations are annotated "Refurbished existing window system with double glazing", suggesting that new double glazed units are to be inserted into existing metal window frames. While this would be welcome in principle, in practice it could be hard to achieve. A condition requiring details of the new window system would reassure that this is feasible, as the existing slim sectioned metal windows are one of the best aspects of the existing building. A much wider glazing bar system may not be acceptable.

The principle of the rear extension is also considered to be acceptable in design terms. The proposed rear extension is set back from the sides of the existing building and terminates at the penultimate storey. The extension, at an additional 5m, represents a significant increase in the overall depth of the building. The degree of projection of the rear extension has not changed since the preapplication stage. Given the lack of reference points which could be used to guide the size of the rear extension, and the size of the gap between 15 Crawford Place and 239 Old Marylebone Road, the large extension is considered to be acceptable in this instance.

Objection has been received on the grounds that:

- Additional bulk will be visible from the east along Crawford Place.
- There is a lack of information with regards to works to front and rear elevation.
- The extension will dwarf other buildings on Crawford Place.
- The impact on conservation and setting of listed buildings.

While it is agreed that the roof extension will be visible in views along Crawford Street from the east, a combination of the setback from the flank wall and the change in materials at roof level mean that this will not be overbearing in relation to the small scale alms house buildings.

It is not agreed that the extension will dwarf other buildings on Crawford Place; the adjacent building (Crawford Place Dwellings) is taller. The extended building will be much taller than the four storey buildings opposite, but the disparity in scale between the

existing building and the townhouses is such that an appropriately designed roof extension is not considered to make the relationship worse.

With regards to the work proposed to the facade, the drawings are clearly annotated and identify the proposed works. Whilst it is agreed that no details have submitted with the applicant, conditions have been recommended requiring full details of cladding material and windows which will provide the level of information required.

The nearest listed buildings are St Marks Church and the former St Marks School on Old Marylebone Road. These buildings are not viewed in relation to 15 Crawford Place except from within the application site itself. For the reasons, it is not considered to be an adverse impact on the setting of listed buildings, nor is it considered that the proposal would impact on the character and appearance of the Molyneux Street Conservation Area as detailed above.

### Conclusion

It is not considered that the proposals would cause substantial harm, nor even less than substantial harm, to the heritage asset and therefore, a recommendation to grant conditional permission would be compliant with the relevant policies of the City Plan 2019-2040 and the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed works are considered to preserve the character or appearance of the Molyneux Street Conservation Area and are therefore considered to be acceptable in design terms.

## **9.5 Residential Amenity**

Policy 7 of the City Plan 2019-2040 seeks to protect and, where appropriate, enhance amenity by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.

Policy S33 of the City Plan 2019 – 2040 states that; ‘development should prevent adverse effects of noise and vibration and improve the noise environment in compliance with the council’s Noise Thresholds, with particular attention to: minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses’

Objections have been received from occupants of Crawford Place Dwelling (11 Crawford Street), Gerrard House (23 Crawford Place) and the Harrowby and District Residents Association on the grounds of the proposal will result in the loss of daylight and sunlight, overshadow private amenity space, loss of outlook and may cause issues as a result of noise transfer.

### Daylight and Sunlight

A daylight and sunlight assessment has been submitted. This assesses the impact of the development on the light receivable by the neighbouring properties at 245 Old Marylebone Road, 18, 20, 21, 22 and 24 Crawford Pace, Gerrard House, Crawford Place Dwellings and the Wargrave Arms.

### Daylight

Vertical Sky Component (VSC) is the method used to measure the amount of light reaching the outside face of a window. If the VSC achieves 27% or more, the window

will have the potential to provide good levels of daylight. Reductions of more than 20% should be avoided as such losses are likely to be noticeable, and the adverse effect would have to be taken into account in any decision-making. The BRE guidelines seek to protect daylighting to principal habitable rooms including living rooms, larger kitchens and bedrooms. However, the guidance is clear that numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the site circumstances.

The distribution of daylight within individual rooms can also be assessed using the No-Sky Line (NSL) test. The applicant has submitted an NSL assessment where room layouts are known.

With the exception of isolated windows serving residential accommodation at Crawford Place Dwellings, the report shows that any reductions in daylight received are below BRE thresholds. These breaches are shown in the table below:

Floor	Use	Vertical Sky Component				No Skyline			
		Before	After	Loss	% loss	Before	After	Loss	% loss
Basement	Unknown	10.57%	7.52%	3.07%	29%	57.73%	57.72%	0.01	0
Ground	Unknown	13.24%	9.31%	3.93%	30%	57.36%	57.36%	0	0
First	Unknown	15.42%	11.39%	4.03%	26%	67.55%	67.54%	0.01	0

Windows at basement, ground and first floor to Crawford Place Dwellings experiences losses of 29%, 30% and 26% respectively. It is not clear what rooms these windows serve; however, all of the impacted windows serve rooms which benefit from a rear facing window which is not materially impacted by the proposal. As such, the internal daylight level will not be materially impacted by the proposed development as evident by the NSL levels which demonstrate that there would be no material reduction of daylight distribution within the impacted rooms. In light of this, it is not considered that the objections on the loss of daylight can be supported.

### Sunlight

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that if the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, or there is more than a 4% loss in total annual sunlight hours, then the occupants of the existing building are likely to notice the loss of sunlight.

All windows that face within 90 degrees of due south have been tested for direct sunlight. All windows tested pass both the total annual sunlight hours test and the winter sunlight hours test.

### Overshadowing

Objections have been received on the grounds that the proposals would result in unacceptable overshadowing to communal garden to the rear of Crawford Place

Dwellings.

BRE guidance recommends, with respect to the impact of developments on the overshadowing of private and communal gardens and terraces, that at least 50% of the area of each amenity space should receive at least two hours of sunlight on 21 March. If, as a result of new development, the space does not meet this target, and the area which can receive two hours of sunlight on 21 March is less than 0.8 times its former value, then the loss of light is likely to be noticeable.

The applicant has assessed the area in question which demonstrates that the proposal does not receive any sunlight in the existing or proposed situation and therefore objection on this basis cannot be supported.

#### Sense of Enclosure

The bulk and mass of the proposed extensions is set back from the boundary of the property at the front, rear, and sides of the property. It not considered the additional bulk is so great that it would result in a material increased sense of enclosure to any of the surrounding properties. As such, objections relating to loss of outlook cannot be supported.

#### Privacy

The proposal introduces new windows to the front and rear of the proposed extensions. Given the presence of windows at the lower levels and the separation distance between the application site and properties on both the other side of Crawford Place and to residential windows to the rear, it is not considered that the proposal will result in a material reduction of privacy.

#### Noise transfer

Objections have been raised on the grounds that the proposal could lead to noise transfer between the application site and neighbouring occupants. A condition has been imposed to ensure that the design and structure of the building shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration arising from the development in its built form.

### **9.6 Transportation, Accessibility & Servicing**

The site is centrally located and well served by public transport including principal bus routes and benefits from the highest public transport accessibility (PTAL) rating (6b).

#### Car Parking

Policy 27 of the City Plan requires no greater than the maximum parking provision identified within the London Plan. In this location no car parking should be provided. Given that there is no change to the existing car park arrangement, some of which is allocated to the office accommodation within 239 Old Marylebone Road, it is not considered reasonable to insist on its removal in this instance.

The scheme will result in the addition of residential units which could increase the demand for on street car parking. The highway officer has recommended that car club membership is provided for future occupants. A condition has been imposed to ensure that this is secured for the five additional units.

### Cycle Parking

The London Plan requires 1.5 spaces per 1-bedroom unit and 2 spaces for 2+ bedroom units. Whilst an area within an existing basement has been identified, the proposal does not show any increased cycle parking provision. As such, a condition is recommended requiring further details to ensure cycle parking is provided in line with the London Plan requirements.

### Waste Storage

Whilst waste storage has been indicated, the waste detail on the submitted drawings are not in line with the council waste storage requirements. As such, a condition is recommended to secure revised details of waste storage.

## **9.7 Economy including Employment & Skills**

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and spending.

The new residential accommodation proposed will support the local economy through increased local spending, thereby supporting local employment and services.

## **9.8 Other Considerations**

### Construction Impacts

Objections have been received regarding the impact of construction works on residents' amenity. Objectors have stated that, the applicant, has historically not adhered to the Council's standard working hours. A condition is recommended to control the hours of building works, non-compliance could result in potential enforcement action.

## **9.9 Environmental Impact Assessment**

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

## **9.10 Planning Obligations & Pre-Commencement Conditions**

The estimated Westminster CIL payment is £162,880 and the Mayoral CIL is estimated at £32,576.

The proposal does not trigger any planning obligations.

The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 requires the City Council to obtain the applicant's written agreement before imposing pre-commencement conditions (i.e. conditions which must be discharged before works can start on site) on a planning permission. Pre-commencement conditions can only be imposed without the written agreement of the applicant where the applicant fails to provide a substantive response within a 10 day period following notification by the Council of the proposed condition, the reason and justification for the condition.

During the course of this application a notice was served relating to the proposed imposition of pre-commencement conditions to secure:

- BREEAM pre-assessment
- Car parking mitigation

The applicant has agreed to the imposition of these conditions.

## 10. Conclusion

On all the other matters the proposals are in line with the development plan subject to conditions detailed in the report, specifically 7, 8, 10, 12, 25, 27, 33, 34, 36, 37, 38, 39, 40 and 43 of the City Plan 2019 - 2040 (April 2021) and policies GG2, SD4, D6, H1, H10, T5 and T6 of the London Plan.

In terms of heritage impact, the proposal is considered acceptable, mindful of policies 38, 39 and 40 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

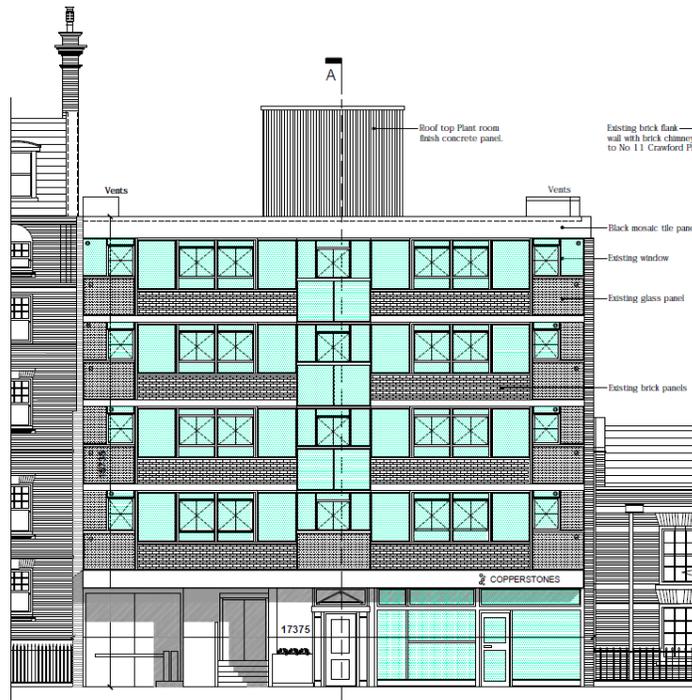
The application is therefore recommended for conditional approval.

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT [mwalton@westminster.gov.uk](mailto:mwalton@westminster.gov.uk)

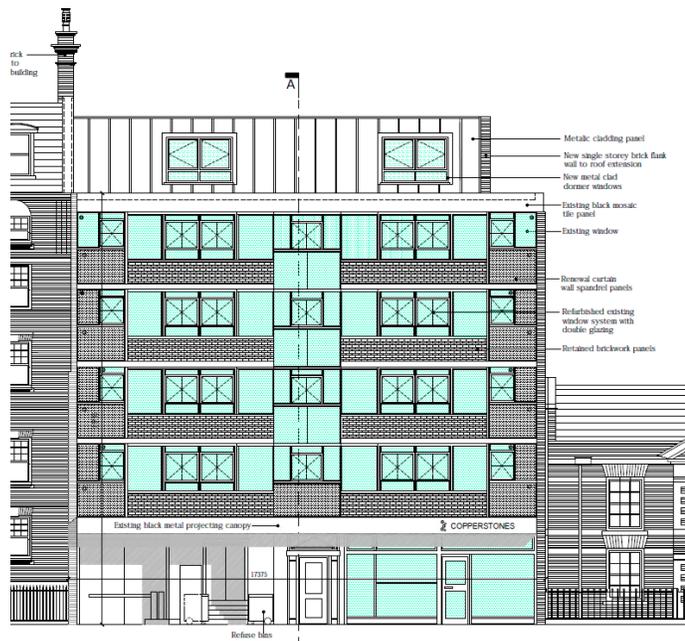
11. KEY DRAWINGS

Existing Front Elevation



EXISTING FRONT ELEVATION - CRAWFORD PLACE. 1:50 @ A1.

Proposed Front Elevation



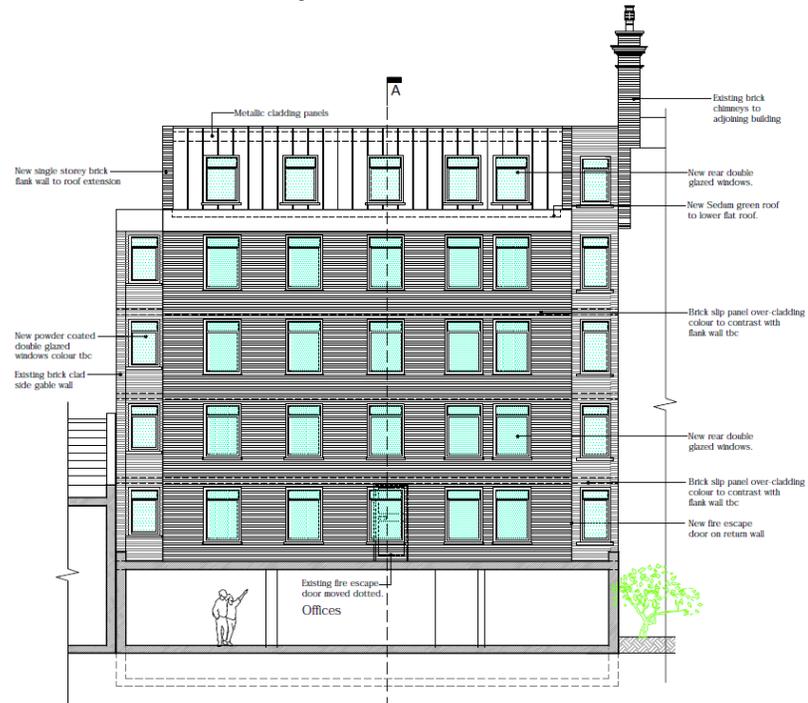
PROPOSED FRONT ELEVATION - CRAWFORD PLACE. 1:50 @ A1.

### Existing Rear Elevation



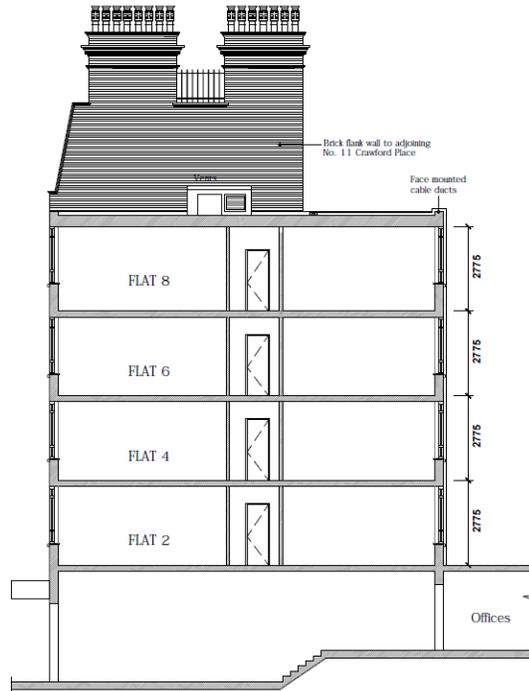
EXISTING REAR ELEVATION 1:50 @ A1

### Proposed Rear Elevation



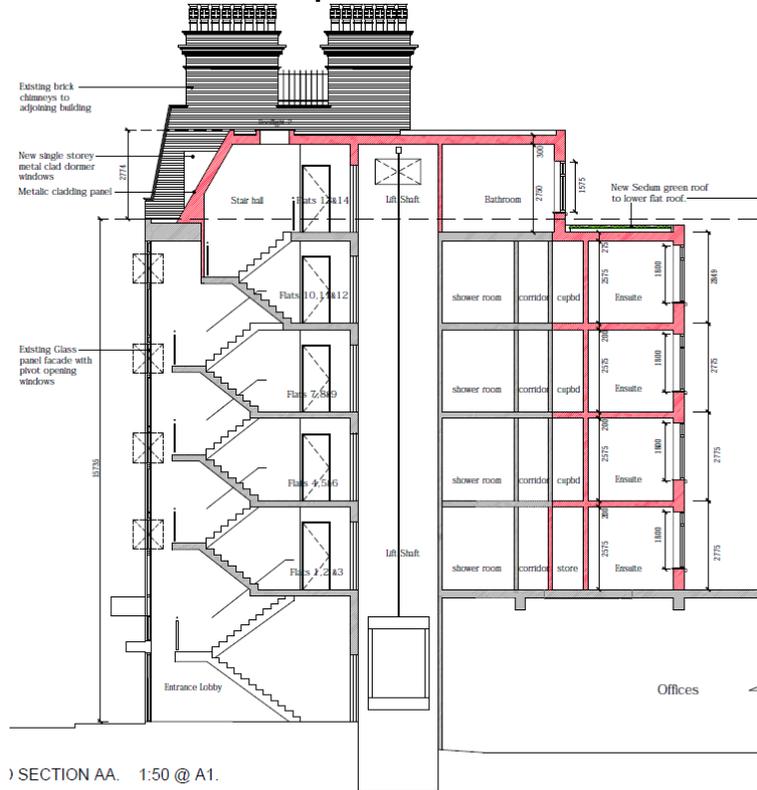
PROPOSED REAR ELEVATION 1:50 @ A1

### Existing Section



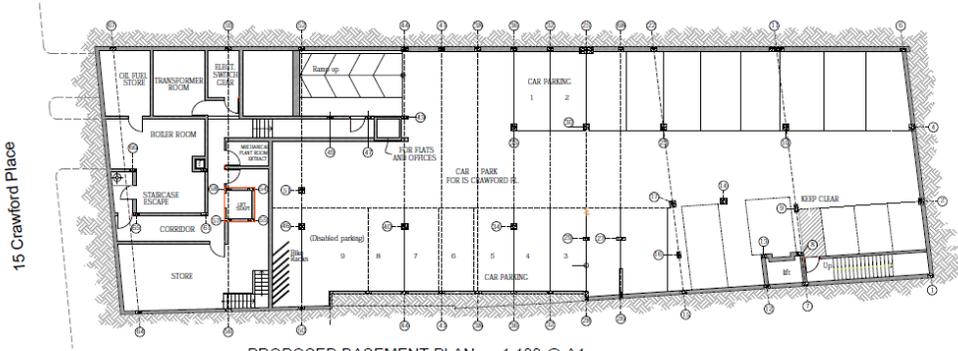
EXISTING SECTION AA. 1:50 @ A1.

### Proposed Section

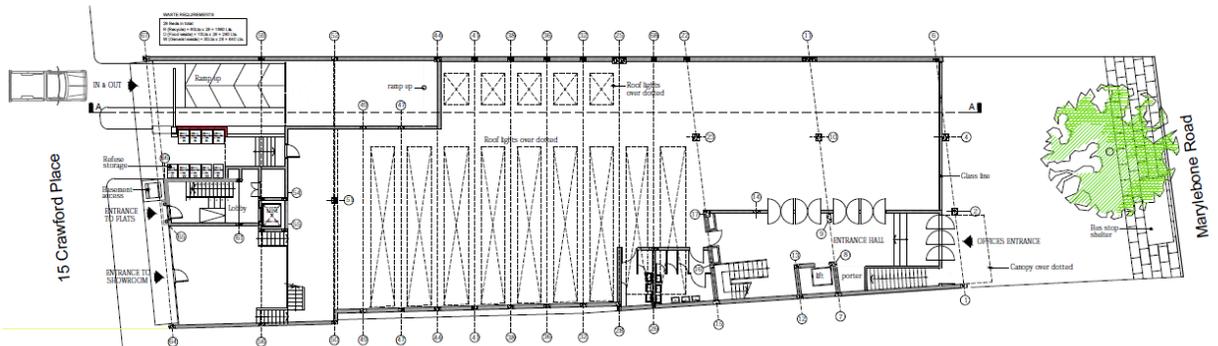


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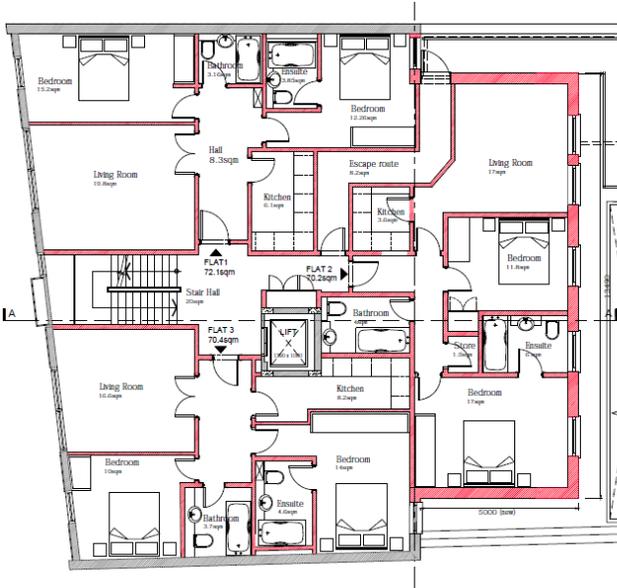
### Proposed Plans



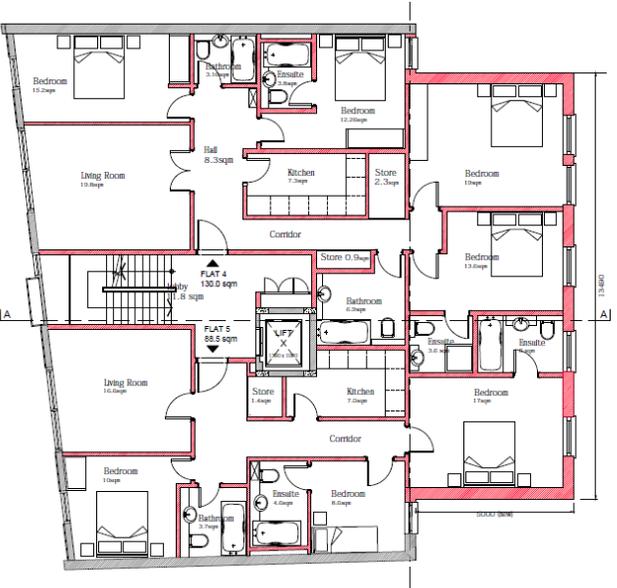
PROPOSED BASEMENT PLAN. 1:100 @ A1.



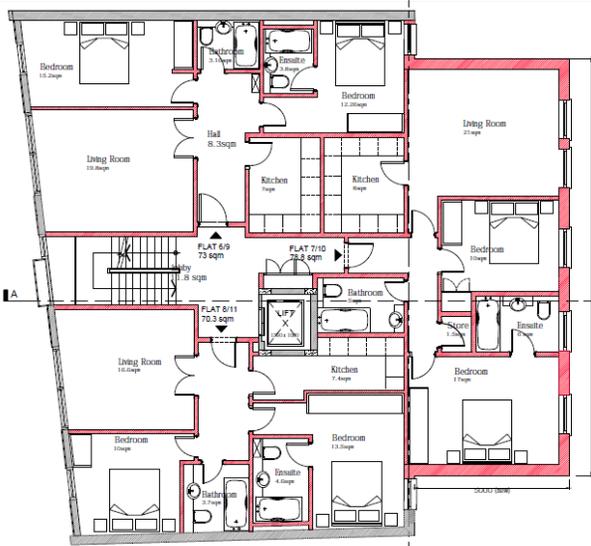
PROPOSED GROUND FLOOR PLAN. 1:100 @ A1.



PROPOSED FIRST FLOOR PLAN. 1:50 @ A1.



PROPOSED SECOND FLOOR PLAN. 1:50 @ A1.



PROPOSED THIRD & FOURTH FLOOR PLAN. 1:50 @ A1.



PROPOSED FIFTH FLOOR PLAN. 1:50 @ A1.

**DRAFT DECISION LETTER**

**Address:** 15 Crawford Place, London, W1H 4LG,

**Proposal:** Erection of a single storey extension at roof level and extension to rear at first to fourth floors and reconfiguration of existing accommodation to provide 13 residential units (additional five flats Class C3). Refurbishment of the front and rear elevations. Provision of a green roof.

**Plan Nos:** P30 001, P31 001, P32 001, P33 001, P34 001, P35 001, P36 001, P37 001, P38 000.

**Case Officer:** Damian Lavelle

**Direct Tel. No.** 07779431364

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

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

- 2 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)

Reason:

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

- 3 The design and structure of the building shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. (C49BB)

Reason:

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

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

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49AB)

- 5 Notwithstanding the detail shown on the approved drawings, you must apply to us for approval of details of secure cycle storage with coverings for the new residential units. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation of any of the residential units hereby approved. You must not use the cycle storage for any other purpose.

Reason:

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

- 6 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 residential accommodation at fourth floor level. (C14ED)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 7 The family sized residential units (units containing three bedrooms or more) shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides a minimum of three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in Policy 8 of the City Plan 2019 - 2040 (April 2021). (R07DD)

- 8 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)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Molyneux Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

9 **Pre Commencement Condition.**

Prior to the commencement of any demolition or construction on site the applicant shall submit details to secure the following:

1. Mitigation of the potential increased demand for on street resident's car parking.

You must include in the arrangements details of when you will provide the benefits and how you will guarantee this timing. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its written approval of such an application.

Reason:

To make sure that the development provides the planning benefits that have been agreed, as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021). (R19AD)

10 **Pre Commencement Condition.**

a) You must apply to us for approval of an independent review of the environmental sustainability features (environmentally friendly features) of the development before you start any work on the development. In the case of an assessment using Building Research Establishment methods (BREEAM), you must provide a Design Stage Interim BREEAM rating and certificate of assessment showing that the development is expected to achieve an 'excellent' rating under BREEAM Domestic Refurbishment 2014. If you use another method, you must achieve an equally high standard.

b) You must apply to us for approval of details of a post construction stage report which demonstrates that the development meets an "Excellent" rating under BREEAM Domestic Refurbishment 2014. This report shall be submitted to us within 6 months of the occupation of any part of the building. If you use another method, you must achieve an equally high standard.

Reason:

To make sure that the development affects the environment as little as possible, as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44BD)

- 11 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

- green/sedum roof

You must not remove any of these features. (C43FA)

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43AC)

- 12 You must apply to us for approval of detailed drawings of the following parts of the development:

- dormer windows  
- insertion of windows

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these . (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Molyneux Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 13 You must apply to us for approval of samples of all cladding materials you will use and drawings 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)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Molyneux Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 14 The roof structure must be coloured dark grey and maintained that colour permanently.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Molyneux Street Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National

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

- 2 Under Condition 9 we are likely to accept a legal undertaking under Section 106 of the Town and County Planning Act (1990) (as amended) to secure 20 year membership provision for each of the new residential dwellings to a Car Plus accredited car club.

Please look at the template wordings for planning obligations (listed under 'Supplementary Planning Guidance') on our website at [www.westminster.gov.uk](http://www.westminster.gov.uk). Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition.

- 3 With regards to condition 6, please note that food waste can only be stored in a 140L bin. You will need to submit revised waste drawing and replace the 360L bin for food waste (O) with 2 x 140L bins.
- 4 With regards to condition 5, we expect details to identify 25 cycle parking spaces which are dedicated to the approved residential accommodation.
- 5 Building works must be carried out in accordance with condition 2 of this permission. Non-compliance with this condition will result in enforcement action.
- 6 When carrying out building work you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction should be given at planning application stage. You may wish to contact to our Environmental Sciences Team (email: [environmentalsciences2@westminster.gov.uk](mailto:environmentalsciences2@westminster.gov.uk)) to make sure that you meet all the requirements before you draw up contracts for demolition and building work.

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

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

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

- 7 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 8 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 9 Please note that the Greater London Council (General Powers) Deregulation Act (2015) restricts the short term letting of residential premises to a maximum of 90 days in a calendar year, so that properties cannot be used for short-term letting on a permanent basis throughout the year. All 13 of the residential units hereby approved are subject to the above limitations.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.