



Your ref: 45 Westbourne Terrace, W2 3UR...
My ref: 16/09066/LBC

Please reply to:
Tel No:

Rebecca Mason
020 7641 7540

Mr Elie Osborne
4D Planning
86-90 Paul Street
3rd Floor
London
EC2A 4NE

Development Planning
Westminster City Hall
PO Box 732
Redhill, RT1 9FL

24 November 2016

Dear Sir/Madam

**PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
LISTED BUILDING CONSENT FOR WORKS (CONDITIONAL)**

The City Council has considered your application and grants listed building consent for the works referred to below subject to the conditions set out and in accordance with the plans submitted.

Unless any other period is stated in the Schedule below or by conditions attached; this consent, by virtue of Section 18(1) of the 1990 Act (as amended), is granted subject to the condition that the works to which it relates must be commenced within 3 years of the date of this consent.

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

SCHEDULE

Application No: 16/09066/LBC

Application Date: 16/09369/FULL

Date Received: 20.09.2016

Date Amended: 29.09.2016

Plan Nos: LR01OS; A-00-00; A-83-01; A-83-00; A-82-01; A-82-00; A-81-01; A-81-00; A-80-01; A-80-00; A-79-01; A-79-00; A-78-01; A-78-00; A-77-01; A-77-00; A-76-01; A-76-01 Annotated Elevation; A-76-00; A-0R-01; A-0R-00; A-0L-01; A-0L-00; A-03-01; A-03-00; JELD-WEN Elegance Casement Mullion Section; JELD-WEN Elegance Flush Casement Window Sections; JELD-WEN Elegance Casement Horizontal Sections; JELD-WEN Elegance Casement Vertical Sections; Inward Opening Head; Inward Opening Jamb Hinge Profile; Inward Rebated Meeting Stile; Inward Opening bottom Rail and Sill; Mid Rail; Velux Centre-pivot white-painted roof window GGL.

Address: Fourth Floor Flat , 45 Westbourne Terrace, London, W2 3UR

Proposal: Replacement of double glazed windows, doors and rooflights with double glazing and the replacement of single glazed windows with single glazing at third and fourth floor level.

See next page for conditions/reasons.

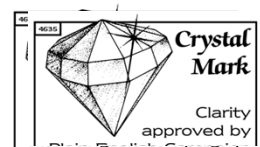
Yours faithfully

John Walker
Director of Planning

Note: Applicants are advised to consult the District Surveyor at the earliest possible moment to ascertain whether their proposals will require consents under the London Building Acts, the London Building (Constructional) By-laws or other statutes. The District Surveyor will advise as to the submission of any necessary applications. As the requirements of the Building Regulations may affect the design of the proposed development our Building Control team can offer advice and guidance at an early stage. If you would like to take advantage of this service please contact them on 020 7641 6500 or email districtsurveyors@westminster.gov.uk to arrange a preliminary discussion.

Note:

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Condition(s):

- 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 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)

Reason:

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 Notwithstanding details shown on the approved drawings the new windows and doors shall be constructed in timber and painted white and maintained as such.

Reason:

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must apply to us for approval of further details of the following parts of the development:
1) detailed drawings, including sections at a scale of 1:20 or 1:10 of the new single glazed windows

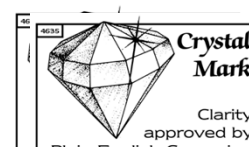
You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details.

Reason:

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):**Note:**

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- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT -
In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (July 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

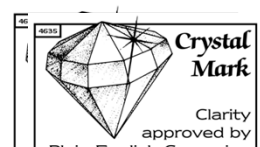
- * any extra work which is necessary after further assessments of the building's condition;
- * stripping out or structural investigations; and
- * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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City of Westminster

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

Applicant's Rights and General Information

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

a) Appeals to the Planning Inspectorate

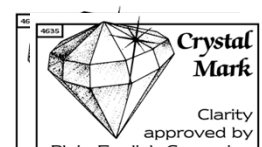
If your application has been **refused** by the City Council or **granted subject to conditions** that you are not happy with, you have the right to appeal to the Planning Inspectorate (under Section 78 of the Town and Country Planning Act 1990 or Section 20 of the Planning (Listed Buildings and Conservation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

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

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

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

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

APPROVAL OF DETAILS:

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

b) Purchase Notices

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

2. General information relating to all approvals

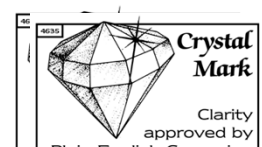
a) Other legislative requirements

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

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

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Highways Licensing: For general enquiries about temporary structures on the highway, such as hoardings, skips, the excavation and storage of materials on the highways, please telephone 020 761 2000.

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

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

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

b) Provision of access and facilities for disabled people

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

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