Standard Paragraphs Reference for:

**Conditions & Reasons**

Note. If you draft a non-standard condition or reason on a complex or legally sensitive issue, the wording should be checked with Legal Services. (Agreed at OMM 15 May 2006).

_Last Updated: December 2013_
Development to be in accordance with approved plans
Outline applications
Completing the development
Limited period - general
Extending time limits for extant planning permission, listed building consent or S73 applications
Limited period - advertisements
Restricted use, including restaurants and bars (see also C07)
Personal
Restricted use (see also C05)
Hostels
Medical
Hours of building work
Hours of building works with basement excavation
Opening hours
Noise and insulation. **See C46 to C50 for main plant and A3/D2 Conditions.
Ventilation and waste storage
Small shops
Design
Listed buildings
Structure
Demolition
Landscaping
Trees
Archaeology
CrossRail and Chelsea to Hackney (CrossRail 2) lines
Strategic views
Estate agents’ boards
Adverts
Public Art
Retrospective permissions - securing implementation and/or details of further works required.
Biodiversity
Sustainability
## Standard Conditions / Reasons

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<td>C52AA</td>
<td>Where details of plant have been provided but post commissioning noise survey required</td>
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R45AB
R46AB, BB, CB
R47AB, BB
R48AA
R49AA, BA
R50AB
R51AB, R51BB
C01 Outline applications

Conditions

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 by the City Council as local planning authority pursuant to any conditions on this decision letter.

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 by the City Council as local planning authority pursuant to any conditions on this decision letter.

C01AB 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 what you have sent us. You must then carry out the work in line with what we have approved. (C01AB)

C01BB 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 what you have sent us. You must then carry out the work in line with what we have approved. (C01BB)

C01CB The development must begin within two years of our final approval of the last reserved matter. (C01CB)

Reasons

R00A For the avoidance of doubt and in the interests of proper planning.

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)

R01BA To meet the requirements of the Town and Country Planning Act 1990. (R01BA)

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.
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<tbody>
<tr>
<td></td>
<td><strong>Conditions</strong></td>
</tr>
<tr>
<td>C02AA</td>
<td>You must carry out the development according to the following conditions. (^{\text{IN}}); (C02AA)</td>
</tr>
<tr>
<td>C02BA</td>
<td>The use allowed by this permission must not begin until you have completed the building according to the approved drawings. (C02BA)</td>
</tr>
<tr>
<td>C02CA</td>
<td>The (^{\text{IN}}); use allowed by this permission must not begin until you have completed the building work set out in the approved drawings. (C02CA)</td>
</tr>
<tr>
<td>C02DA</td>
<td>The (^{\text{IN}}); use allowed by this permission must not begin until you have completed the (^{\text{IN}}); to our satisfaction. (C02DA)</td>
</tr>
<tr>
<td>C02EA</td>
<td>The (^{\text{IN}}); use allowed by this permission must not begin until we have approved the details we need under conditions (^{\text{IN}}); and you have completed the work to our satisfaction. (C02EA)</td>
</tr>
<tr>
<td></td>
<td><strong>Reasons</strong></td>
</tr>
<tr>
<td>R02AA</td>
<td>To make sure that you carry out the development according to the terms of the planning permission and any details we have approved. (R02AA)</td>
</tr>
<tr>
<td>R02BA</td>
<td>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)</td>
</tr>
<tr>
<td>R02CA</td>
<td>To make sure that you carry out the development according to the terms of the conservation area consent and any details we have approved. (R02CA)</td>
</tr>
<tr>
<td>R02DB</td>
<td>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, according to DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R02DB)</td>
</tr>
<tr>
<td>R02EB</td>
<td>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, according to DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R02EB)</td>
</tr>
</tbody>
</table>
C02  Completing the development

Conditions

Reasons

R02FD  To make sure that you achieve the variety of uses included in the scheme as set out in S1 and ^IN; of Westminster’s City Plan: Strategic Policies adopted November 2013 and CENT 3 and COM 2 of our Unitary Development Plan that we adopted in January 2007.  (R02FD)

R02GC  To make sure that the development does not affect people using the neighbouring properties next door as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.  (R02GC)

R02HC  To make sure that the development does not affect people using the neighbouring properties next door as set out in S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.  (R02HC)

Notes

- For R02FD you may need to add one of the following: S3, S4, S5, S6, S8, S9 or S10.
- Use R02GC if you aim to prevent noise nuisance.
- Use R02HC if you aim to stop overlooking or loss of light, or to improve the area as a place to live.
C03 **Limited period - general**

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>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)</td>
<td>R03AB The use is not as set out in IN; of our Unitary Development Plan that we adopted in January 2007. Use for more than a limited period would be harmful to the objectives of the Plan. (R03AB)</td>
</tr>
<tr>
<td>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)</td>
<td>R03BB The building should not remain for a longer period because IN;</td>
</tr>
<tr>
<td>C03CA The building can remain until IN; After that you must remove it and return the land to its previous condition. (C03CA)</td>
<td>R03CB So that we can assess the effect of the use and make sure it meets IN; of our Unitary Development Plan that we adopted in January 2007. (R03CB)</td>
</tr>
<tr>
<td>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)</td>
<td>R03EA As required by s91 of the Town and Country Planning Act 1990 as amended by s51 of the Planning and Compulsory Purchase Act 2004.</td>
</tr>
<tr>
<td>C03EA The development hereby permitted shall be begun before IN;</td>
<td>R03FA As required by s92 of the Town and Country Planning Act 1990 as amended by s51 of the Planning and Compulsory Purchase Act 2004.</td>
</tr>
<tr>
<td>C03HA This permission must be commenced no later than IN;</td>
<td>R03GA As required by s18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by s51 of the Planning and Compulsory Purchase Act 2004.</td>
</tr>
</tbody>
</table>

**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 R03EA for extending time limits for full planning permission.
- Use R03FA for extending time limits for outline planning permission.
- Use R03GA for extending time limits for listed building consent.
- Use C03EA for extension of time applications.
- Use C03HA for S73 applications.
C04 Limited period - advertisements

Conditions

C04AA You can display the advert for \^IN; from the date of this letter. You must then remove it without delay. (C04AA)

C04BA You can display the advert from \^IN; to \^IN;: You must then remove it without delay. (C04BA)

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:

- \^IN; from the date of this letter; or
- 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:

- \^IN; from the date of this letter; or
- the whole period of the building work;

whichever is shorter.

You must then remove it without delay. (C04FA)

Reasons

R04AB The advert is temporary, so under DES 8 of our Unitary Development Plan that we adopted in January 2007, we can only approve it for a limited period. (R04AB)

R04BB The hoarding is temporary, so under DES 8 of our Unitary Development Plan that we adopted in January 2007, we can only approve it for a limited period. (R04BB)
### C05  Restricted use including restaurants and bars (see also C07)

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<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
<th>Notes</th>
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</thead>
<tbody>
<tr>
<td>C05AB You must use the property only for A; You must not use it for any other purpose, including any within Class A of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it).</td>
<td>R05AB We cannot grant planning permission for unrestricted use in this case because it would not meet A; of our Unitary Development Plan that we adopted in January 2007.</td>
<td>In R05CB, insert TACE 8, TACE 9 or TACE 10 as appropriate. I72AA explains the restriction on cooking and should always be used with C05DA. If you are not imposing any condition to prevent ancillary uses in a Class A3 use, you may wish to add informative I61BA for clarification.</td>
</tr>
<tr>
<td>C05BB You must only use the part of the property we have approved for A; for that purpose. You must not use it for any other purposes, including any within Class A of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it).</td>
<td>R05BB We cannot grant planning permission for unrestricted use within Class A; because it would not meet A; of our Unitary Development Plan that we adopted in January 2007, and because of the special circumstances of this case.</td>
<td></td>
</tr>
<tr>
<td>C05CB You must not sell any take-away food or drink on the premises, even as an ancillary part of the primary Class A3 use.</td>
<td>R05CC We cannot grant planning permission for unrestricted use within Class A3 because it would not meet S24 and S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and A; of our Unitary Development Plan that we adopted in January 2007.</td>
<td></td>
</tr>
<tr>
<td>C05DA You must not cook raw or fresh food on the premises.</td>
<td>R05DC 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 S24, S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.</td>
<td></td>
</tr>
</tbody>
</table>
C05  Restricted use including restaurants and bars (see also C07)

Conditions

C05EB  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 A3 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05EB)

C05FB  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 A3 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05FB)

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)

Reasons

R05EC  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 S24 and S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 5 of our Unitary Development Plan that we adopted in January 2007. (R05EC)

R05FC  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 S25 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 9 of our Unitary Development Plan that we adopted in January 2007. (R05FC)

Notes
• If you are not imposing any condition to prevent ancillary uses in a Class A3 use, you may wish to add informative I61BA for clarification.
C05  Restricted use including restaurants and bars (see also C07)

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<tr>
<td>C05IA</td>
<td>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)</td>
</tr>
<tr>
<td>C05JB</td>
<td>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 what you have sent us. You must then carry out the measures included in the management plan at all times that the ^IN; is in use. (C05JB)</td>
</tr>
<tr>
<td>C05KA</td>
<td>You must carry out the measures included in your management plan dated ^IN; at all times that the ^IN; is in use. (C05KA)</td>
</tr>
</tbody>
</table>

R05GB  To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and TACE ^IN; and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)
C06  Personal

Conditions

C06AA  Only IN; can carry out the IN; use. No one else may benefit from this permission. (C06AA)

Reasons

R06AB  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 IN; of our Unitary Development Plan that we adopted in January 2007. (R06AB)

R06BB  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 IN; of our Unitary Development Plan that we adopted in January 2007. (R06BB)

Notes

- Use C06AA only in special circumstances - see advice in para 93 of the Annex to Circular 11/95. 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)**

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<tbody>
<tr>
<td><strong>C07AA</strong> You can only carry out the ^IN; use allowed by this permission in connection with the existing ^IN:. (C07AA)</td>
<td><strong>R07AB</strong> To make sure that the development is completed and used as agreed, and to make sure that it meets ^IN; of our Unitary Development Plan that we adopted in January 2007. (R07AB)</td>
</tr>
<tr>
<td><strong>C07BA</strong> The ^IN; use allowed by this permission must not begin until the ^IN; has been completed. (C07BA)</td>
<td><strong>R07BB</strong> Developing the site without the ^IN; would not meet ^IN; of our Unitary Development Plan that we adopted in January 2007. (R07BB)</td>
</tr>
<tr>
<td><strong>C07CA</strong> The ^IN; use allowed by this permission must not be the main use of the property. (C07CA)</td>
<td><strong>R07CB</strong> Because of the special circumstances of this case and to make sure it meets ^IN; of our Unitary Development Plan that we adopted in January 2007 we could not have agreed to a separate unit of accommodation. (R07CB)</td>
</tr>
<tr>
<td><strong>C07DC</strong> 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)</td>
<td><strong>R07DC</strong> To protect family accommodation as set out in S15 of Westminster’s City Plan: Strategic Policies adopted November 2013 and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)</td>
</tr>
<tr>
<td><strong>C07EB</strong> 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)</td>
<td></td>
</tr>
<tr>
<td><strong>C07FA</strong> You must not use the residential accommodation on the ^IN; floor as part of the Class A3 use. (C07FA)</td>
<td></td>
</tr>
</tbody>
</table>

**Notes**
- Use C07DC where family accommodation provided with garden.
- Use C07EB where family accommodation provided without a garden.
### Hostels

#### Conditions

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
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<tbody>
<tr>
<td>C09AA</td>
<td>You must use the hostel to provide accommodation for <strong>IN</strong> only. (C09AA)</td>
</tr>
<tr>
<td>C09BA</td>
<td>You must use the hostel to provide accommodation for <strong>IN</strong> only. You must not use it to provide holiday accommodation under either a tenancy agreement or any other form of accommodation contract. (C09BA)</td>
</tr>
<tr>
<td>C09CA</td>
<td>You must use the accommodation as supervised residential accommodation by <strong>IN</strong> only. (C09CA)</td>
</tr>
</tbody>
</table>

#### Reasons

<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>R09AC</td>
<td>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 S15 of Westminster’s City Plan: Strategic Policies adopted November 2013 and H 6 of our Unitary Development Plan that we adopted in January 2007. (R09AC)</td>
</tr>
<tr>
<td>R09BC</td>
<td>To make sure that the hostel is used by <strong>IN</strong>; as we know there is a need for this type of accommodation. This is as set out in S15 of Westminster’s City Plan: Strategic Policies adopted November 2013 and H 6 of our Unitary Development Plan that we adopted in January 2007. Also, to make sure that the property provides permanent domestic accommodation as set out in S14 of Westminster’s City Plan: Strategic Policies adopted November 2013 and H 2 of our Unitary Development Plan that we adopted in January 2007. (R09BC)</td>
</tr>
</tbody>
</table>

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**Notes**

- You can use I38AA (with condition no. inserted) to explain C09BA.
<table>
<thead>
<tr>
<th>C10</th>
<th>Medical</th>
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</thead>
<tbody>
<tr>
<td></td>
<td><strong>Conditions</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Reasons</strong></td>
</tr>
<tr>
<td>C10AA</td>
<td>You must use the premises only as a doctor’s surgery. You must not use them for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). (C10AA)</td>
</tr>
<tr>
<td>R10AC</td>
<td>Because this is a residential neighbourhood, we need to prevent use of the property for any unsuitable purposes. This is as set out in S29 and S34 of Westminster’s City Plan: Strategic Policies adopted November 2013 and SOC 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R10AC)</td>
</tr>
<tr>
<td>C10BA</td>
<td>You must use the premises only as medical consulting rooms. You must not use them for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). (C10BA)</td>
</tr>
<tr>
<td>R10BC</td>
<td>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 S2 of Westminster’s City Plan: Strategic Policies adopted November 2013 and SOC 5 of our Unitary Development Plan that we adopted in January 2007. (R10BC)</td>
</tr>
<tr>
<td>C10CA</td>
<td>You must use the premises only as a medical laboratory. You must not use them for any other purpose, including any within Class B1 of the Town and Country Planning (Use Classes) Order 1987 (or any equivalent class in any order that may replace it). (C10CA)</td>
</tr>
</tbody>
</table>

**Notes**
- Use R10BC in the Harley Street special policy area and for private medical facilities. R10AC applies to surgeries, etc. in other residential areas and NHS provision.
C11 Hours of building work

Conditions

C11AA You must carry out any building work which can be heard at the boundary of the site only:
- between 08.00 and 18.00 Monday to Friday;
- between 08.00 and 13.00 on Saturday; and
- not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

C11BA Except for basement excavation work, you must carry out any building work which can be heard at the boundary of the site only:
- between 08.00 and 18.00 Monday to Friday;
- between 08.00 and 13.00 on Saturday; and
- not at all on Sundays, bank holidays and public holidays.

You must carry out basement excavation work only:
- between 08.00 and 18.00 Monday to Friday; and
- not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11BA)

Reasons

R11AC To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

Notes

- Use this condition only for applications where noise is likely to be a problem to neighbouring properties. You should also use C21JA or C21KA and I50AA.
C12 Opening hours

**Conditions**

C12AD Customers shall not be permitted within the premises before or after each day. (C12AD)

C12BD Customers shall not be permitted within the premises before or after on Monday to Saturday (not including bank holidays and public holidays) and before or after on Sundays, bank holidays and public holidays. (C12BD)

C12CD Customers shall not be permitted within the premises before or after 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 premises before or after midnight on Monday to Saturday (not including bank holidays and public holidays) and between midnight and after 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)

**Reasons**

R12AC To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and of our Unitary Development Plan that we adopted in January 2007. (R12AC)

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**Notes**

- 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.
- All opening hours should be entered in 24 hour clock e.g. 08.00 and 23.00.
- Insert the relevant TACE or other policy in R12AC, in relation to entertainment uses etc.
- I61AB explains the meaning of acceptable opening hours for restaurants and similar uses. It also reminds people that the Licensing Subcommittee may approve different hours, but that this would not over-ride the hours in this condition.
<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
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<tbody>
<tr>
<td>C13BB</td>
<td>To protect neighbouring residents from noise and vibration nuisance, as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13AC) (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)</td>
</tr>
<tr>
<td>C13DA</td>
<td>To protect the environment of people in neighbouring properties, as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R13BC) (This is a general noise pollution reason for use where residential properties are not affected)</td>
</tr>
<tr>
<td>R13CC</td>
<td>To protect the environment of people in neighbouring properties and the appearance of the site. This is in line with S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7, DES 5 and DES 6 of our Unitary Development Plan that we adopted in January 2007. (R13CC) (This is a general noise pollution reason where there is also a visual amenity issue; delete DES 6 if it is not at roof level. Add in DES 9 or DES 10 if appropriate)</td>
</tr>
</tbody>
</table>
C13FB  **Pre Commencement Condition.**
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 until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the flats. (C13FB)

R13DC  To protect the living conditions of people who may use the property in future as set out in S24, S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13DC)
*(For use where we are requiring flats above/next to A3 to be insulated)*

C13GA  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 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. (C13GA)

---

**Notes**
- Use C13FB only in exceptional circumstances (for example, if a living room is to be above the bedroom of a different unit). You should normally use I58AA with it. But in most situations it should be enough to use I58AA only.
### C13 Noise and insulation (see C46 to C50 for main plant and A3/D2 noise conditions)

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>C13IA</strong> You must not play live or recorded music on your property.  (C13IA)</td>
<td><strong>R13EC</strong> To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.  (To be used where no issue of plant noise)</td>
</tr>
<tr>
<td><strong>C13KA</strong> 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)</td>
<td><strong>R13FB</strong> To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.  (To be used where there are noise issues from use and plant)</td>
</tr>
<tr>
<td><strong>C13LA</strong> You must keep the doors and windows in the ^IN; closed. You can use them in an emergency or for maintenance only.  (C13LA)</td>
<td></td>
</tr>
<tr>
<td><strong>C13MA</strong> The Class A3 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.  (C13MA)</td>
<td></td>
</tr>
<tr>
<td><strong>C13NA</strong> The Class A3 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.  (C13NA)</td>
<td></td>
</tr>
<tr>
<td><strong>C13OA</strong> You must not use the entrance lobby shown on drawing ^IN; for any activities associated with the Class A3 use. You must not put tables and chairs in it or allow customers to stand there.  (C13OA)</td>
<td></td>
</tr>
</tbody>
</table>
C14 Ventilation and waste storage

Conditions

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)

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)

C14CD You must apply to us for approval of details of how waste is to be stored on site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details and clearly mark it and make it available at all times to everyone using the ^IN:. You must not use the waste store for any other purpose. (C14CD)

C14DC You must provide the waste store shown on drawing ^IN; before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the ^IN:. You must store waste inside the property and only put it outside just before it is to be collected. You must not use the waste store for any other purpose. (C14DC)

Reasons

R14AC To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

(Add in DES 9 or DES 10 if appropriate)

R14BD To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

Note

- You can use I88AA which explains how to mark the stores.
C14 Ventilation and waste storage

Conditions

C14EC 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 what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the IN; (C14EC)

C14FB Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number IN;. You must clearly mark them and make them available at all times to everyone using the IN; (C14FB)

Reasons

R14CC To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

Note

- You can use I88AA which explains how to mark the stores.
C15  Small shops

Conditions

C15AB  The retail floorspace must be provided and kept as at least \^IN; self-contained units. And no unit should be bigger than \^IN; square metres. (C15AB)

Reasons

R15AC  To protect the special retail character of the area as set out in S21 of Westminster’s City Plan: Strategic Policies adopted November 2013 and SS 10 (B) of our Unitary Development Plan that we adopted in January 2007. (R15AC)

R15BC  To protect the special retail character of the area as set out in S21 of Westminster’s City Plan: Strategic Policies adopted November 2013 and SS 4 (B) of our Unitary Development Plan that we adopted in January 2007. (R15BC)

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.
- Only use R15BC for sites in CAZ or a CAZ frontage.
C16 Crime prevention

Conditions

C16AB Pre Commencement Condition. You must apply to us for approval of details of a security scheme for the ^IN^; You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved details before anyone moves into the building. (C16AB)

C16BB Pre Commencement Condition 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 until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C16BB)

Reasons

R16AC To reduce the chances of crime without harming the appearance of the building as set out in S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R16AC)

R16BC 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 S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 (B) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R16BC)

Note

- Insert the part of the development for which you need detailed drawings.
C17  Offices - Portland Place Special Policy Area

Conditions

C17AA  The permitted office may be used only for diplomatic and related purposes, or as the headquarters of a professional association, trade federation or cultural, charitable and learned institution. (C17AA)

Reasons

R17AC  To prevent a use which would not be acceptable because of the character and function of the Portland Place Special Policy Area and that part of the Harley Street Conservation Area. This is to meet S2 and S25 of Westminster’s City Plan: Strategic Policies adopted November 2013 and COM 6, COM 7 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R17AC)
### Contaminated Land

#### 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, a guide to help developers meet planning requirements’ – which was produced in October 2003 by a group of London boroughs, including Westminster.

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

**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)

<table>
<thead>
<tr>
<th>Reasons</th>
<th>R18AA</th>
<th>R18BA</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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 STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007.</td>
<td>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 STRA 34 and ENV 8 of our Unitary Development Plan that we adopted in January 2007.</td>
</tr>
</tbody>
</table>

#### Note
- Use C18AA when it is considered very likely (on the advice of the Environmental Sciences Team) that contamination exists. Use R18AA where the only issue is potential contamination of the land; use R18BA 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

C19AB Pre Commencement Condition
You must not start work on the site until we have approved 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)

C19BA
You must not use any part of the development until we have approved 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. (C19BA)

Reasons

R19AC To make sure that the development provides the planning benefits that have been agreed, as set out in S33 of Westminster’s City Plan: Strategic Policies adopted November 2013 and in ^IN; of our Unitary Development Plan that we adopted in January 2007. (R19AC)

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 C19BA, 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 full advice on the use of Grampian conditions to secure planning benefits and when to use the informative, see section 1.6 of the electronic DC Manual, Appendix B, in particular paragraphs B1, B2 and B7.
C20 Access for people with disabilities

**Conditions**

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)

C20BA Pre Commencement Condition.

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:

- full details of threshold levels;
- relevant elevations, plans and cross-sections of the building at a scale of 1:50; and
- plans of all doors and handrails at a scale of 1:20.

You must not start work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C20BA)

**Reasons**

R20AC 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 S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20AC)

R20BC 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 S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and H 8 and DES 1 (B) of our Unitary Development Plan that we adopted in January 2007. (R20BC)

**Notes**

- R20AB applies to non-residential development. R20BC applies to residential development, or mixed use development which includes residential floorspace.
- Use I41AA with C20AA or C20BA.
- 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.
### Residential amenity

**Conditions**

**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)

**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)

**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)

**C21DB** The glass that you put in the EN; elevation of the EN; 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 approved the sample. You must then install the type of glass we have approved and must not change it without our permission. (C21DB)

**Reasons**

**R21AC** To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

[Use R21AC if the prime concern is overlooking]

**R21BC** To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

[Use R21BC if the concern also includes noise disturbance]

**R21CC** To protect the environment of the people in the residential part of the development. This is as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007. (R21CC)

[Use R21AC with C21DB]
C21 Residential amenity

Conditions

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

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)

C21HA You must not put up a ^IN; without our 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 1995 (or any order that may replace it). (C21HA)

Reasons

R21DC To protect the appearance of the property and the character of the area. This is as set out in S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R21DC)

R21EC To prevent an overdevelopment of the site and to protect the environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21EC)

[Delete refs as appropriate. ENV 13 is privacy, enclosure and light, & S29, S32 and ENV 6 are noise.]
C21 Residential amenity

**Conditions**

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)

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)

C21LA You must not let customers use **IN**; and this part of the property must not be used as part of the Class A3 use. (C21LA)

**Reasons**

R21FA To make sure other people in the building are fully aware of the conditions and to protect their rights and safety. (R21FA)

R21GA To make sure people in neighbouring properties are fully aware of the conditions and to protect their rights and safety. (R21GA)
Pre Commencement Condition.

No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan must include the following details (where appropriate):

(i) a construction programme including a 24 hour emergency contact number;
(ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
(iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
(iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
(v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
(vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Note

- Use C21JA or KA and R21FA or R21GA and I50AA whenever you use C11AA.
- For C21MB, the following additional clause can be added ‘a condition survey of the cobbled mews outside the application site before and after the works and to include measures for repairing any damage caused’.

To protect the environment of residents and the area generally as set out in S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.
C22 Car parking and cycle parking

Conditions

C22AA You must provide each car parking space shown on the approved drawings and 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. (C22AA)

C22BA You must provide each car parking space shown on the approved drawings and each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BA)

C22CA You must provide at least one parking space for each of the residential flats in the development. The parking spaces reserved for residents must be clearly identified. (C22CA)

C22DA You must not use the garages for trade or business purposes. (C22DA)

C22EB You must only use the garage for people living in this property to park their private motor vehicles. (C22EB)

Reasons

R22AB To provide parking spaces for people using the development as set out in STRA 25 and ^IN; of our Unitary Development Plan that we adopted in January 2007. (R22AB)

R22BB To provide parking spaces for people living in the residential part of the development as set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

R22CC To protect the environment of residents and the area generally as set out in S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R22CC)

R22DC Any other use of the garage would harm the environment of residents and the area generally. This is as set out in S29 of Westminster’s City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R22DC)

Notes
- For mixed use development where both the residential and non-residential have parking needs, use both C22AA (adapted as appropriate) and C22CA, with R22AB and R22BB respectively.
- If you use R22AB insert:
  - TRANS 22 (A) - for office, shops, industry and warehousing.
  - TRANS 22 (B) - for hotels.
  - TRANS 22 (C) - for entertainment and leisure uses.
  - TRANS 22 (D) - for hospitals and medical centres.
  - TRANS 22 (E) - for other non-residential uses.
  - TRANS 23 - for residential developments.
  - TRANS 24 - for mixed developments with residential (in addition to relevant individual policies above).
C22FA  You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose.

C22FB  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 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.  (C22FB)

R22FA  To provide cycle parking spaces for people using the development as set out in TRANS 10 of our Unitary Development Plan that we adopted in January 2007.
C23 Servicing – including headroom

Conditions

C23AA You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. (C23AA)

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 7 AM and 11 PM; on Monday to Saturday and 7 AM to 6 PM 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 3.5m; (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)

Reasons

R23AC To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster’s City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

R23BB 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 S42 of Westminster’s City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23BB)
C23FA  You must provide a headroom of at least $^\text{IN};$ (clear unobstructed height above the floor surface level) across the full width of the entrance to the service bay, and $^\text{IN};$ throughout the service bay itself.  (C23FA)

C23GA  You must provide a headroom of at least $^\text{IN};$ (clear unobstructed height above the floor surface level) across the full width of the entrance to the service bay, $^\text{IN};$ over the area where the skip lorry will collect the compactor, and $^\text{IN};$ throughout the remainder of the service bay.  (C23GA)

C24  Road safety

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>C24AA You must hang all doors or gates so</td>
<td>R24AC</td>
</tr>
<tr>
<td>that they do not open over or across the</td>
<td></td>
</tr>
<tr>
<td>road or pavement.  (C24AA)</td>
<td></td>
</tr>
<tr>
<td>C24BA You must not put planters, tubs,</td>
<td>R24BC</td>
</tr>
<tr>
<td>tables, chairs or adverts on the road or</td>
<td></td>
</tr>
<tr>
<td>pavement.  (C24BA)</td>
<td></td>
</tr>
<tr>
<td>C24CA You must only use the vehicle access</td>
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<tr>
<td>in line with the direction of movement</td>
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<tr>
<td>shown on the approved drawings.  (C24CA)</td>
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</tr>
</tbody>
</table>

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

C25AA You must not put the tables and chairs in any other position than that shown on drawing "\section{IN};. (C25AA)

C25BA You can only put the tables and chairs on the pavement between "\section{IN}; and "\section{IN};. (C25BA)

C25CA The tables and chairs must only be used by customers of "\section{IN};. (C25CA)

C25DA This use of the pavement may continue until "\section{IN};. You must then remove the tables and chairs. (C25DA)

Reasons

R25AC In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster’s City Plan: Strategic Policies adopted November 2013 and TACE 11 of our Unitary Development Plan that we adopted in January 2007. (R25AC)

R25BD To protect neighbouring residents from noise and disturbance as set out in S29 and S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and TACE 11 of our Unitary Development Plan that we adopted in January 2007.

R25DC 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 S41 of Westminster’s City Plan: Strategic Policies adopted November 2013 and TACE 11 of our UDP that we adopted in January 2007. For the above reasons, and not because this is seen a form of trial period, we can therefore only grant a temporary permission.

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 I47AA and I48AA together for most table and chair applications.
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>C25EA</td>
<td>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.</td>
<td>R25EA 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 TACE 11 and DES 7 of our Unitary Development Plan that we adopted in January 2007.</td>
</tr>
<tr>
<td>C25FA</td>
<td>You can only put out on the pavement the tables, chairs and other furniture/equipment/screening shown on drawing ^IN:.</td>
<td>R25GB To reduce crime in accordance with policy S29 of Westminster's City Plan: Strategic Policies adopted November 2013.</td>
</tr>
<tr>
<td>C25GA</td>
<td>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.</td>
<td></td>
</tr>
</tbody>
</table>

**Notes**

- Use I47AA 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.
C26  Design

Conditions

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)

C26BC  Pre Commencement Condition.
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 until we have approved what you have sent us. You must then carry out the work using the approved materials.  (C26BC)

C26CB  Pre Commencement Condition.
You must apply to us for approval of ^IN; of the following parts of the development ^IN;. You must not start work until we have approved what you have sent us. You must then carry out the work according to these ^IN;.  (C26CB)

[Use C26CB only when essential - C26DB which allows other parts of the works to start before these details are submitted, is legally preferable.]

Reasons

R26AD  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 S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007.  (R26AD)

R26BE  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 S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.  (R26BE)

R26CD  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 S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007.  (R26CD)

SEE FOOTNOTE ON PAGE 41

Notes

- Insert ‘samples’, ‘full details’ or ‘detailed drawings’ in (^IN;) of C26BC, C26CB or C26DB.
- SEE ALSO NOTES AT END OF C26 CONDITIONS LIST.
C26 Design

Conditions

C26DB You must apply to us for approval of \(^{\text{IN}}\); of the following parts of the development \(^{\text{IN}}\). 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 \(^{\text{IN}}\);. (C26DB)

C26EA You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

C26FA You must finish the ductwork in a colour to match the material next to it. You must then keep it that colour. (C26FA)

C26HA You must paint the ductwork so that it matches the colour of the brickwork. You must then keep it in that condition. (C26HA)

Reasons

R26DD 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 \(^{\text{IN}}\); Conservation Area. This is as set out in S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD) SEE FOOTNOTE ON PAGE 41

R26ED To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED) SEE FOOTNOTE BELOW

R26FD 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 \(^{\text{IN}}\); Conservation Area. This is as set out in S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD) SEE FOOTNOTE BELOW

Notes

- For details of public art - see also C37AB
- Insert ‘samples’, ‘full details’ or ‘detailed drawings’ in \(^{\text{IN}}\); of C26BC, C26CB or C26DB.
- R26EC and R26FC are only to be used for conditions on planning permission on listed buildings. Use R27 reasons for conditions on listed building consents.
C26 **Design**

**Conditions**

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)

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)

C26NA  You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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)

**Reasons**

R26GC  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 DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R26GC)

R26HC  Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

**Notes**

- 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.
- See also the notes at the end of the C26 list.
**C26 Design**

**Conditions**

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 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)

C26UB You must apply to us for approval of detailed drawings showing the following alteration to the scheme. You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

C26VA You must remove the from the building before you begin the approved use. (C26VA)

**Reasons**

R26IA To protect the appearance and character of the shopping street as set out in SS 17 of our Unitary Development Plan that we adopted in January 2007. (R26IA)

**Note**

- 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.
- See also the notes at the end of the C26 list.
C26  Design

Conditions                                      Reasons

C26WA  You must not paint any outside walls of the building without our permission. This is despite the fact that this work would normally be ‘permitted development’ (under class A of part 3 of schedule 2 to the Town and Country Planning General Permitted Development Order 1995, or any order that may replace it). (C26WA)

C26XA  To connect the satellite dish, 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 R26(AD) for general alterations and extensions or roof extensions or both outside a conservation area.
- Use R26(BE) for general alterations and extensions or roof extensions or both inside a conservation area.
- Use R26(CD) and R26(DD) for schemes including redevelopment, outside and inside a conservation area respectively. Note that DES 4 refers to infill development, and if you want it to apply to extensive development, use ‘Copy From’.
- Use R26(ED) where the development includes a listed building and is outside a conservation area. (This is the same reason as R27BC).
- Use R26(FD) where the development includes a listed building and is inside a conservation area. (This is the same reason as R27BC).
- R26(GC) - Public Art.
- R26(HC) - Extraneous additions.
- C26WA 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

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
</thead>
</table>
| **C27AA**  | **R27AC**  
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) |
| **C27BA**  | **R27BC**  
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) |
| **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) |
| **C27DB**  |         
You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB) |

### Notes
- If you are approving work on the outside of a listed building in a conservation area, use R27AC on the listed building consent and R26FD on the planning permission. If the building is not in a conservation area, use R27BC on the listed building consent.
- R27BC also applies to work on the inside of a listed building.
C27   Design - Listed buildings

Conditions

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 work 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 work 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)
<table>
<thead>
<tr>
<th>C28</th>
<th>Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Conditions</strong></td>
</tr>
</tbody>
</table>
| C28AB | **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 what you have sent us. You must then carry out the work according to these drawings. (C28AB) | R28AA | To protect the parts of the building which are to be preserved during building work. (R28AA) |
| C28BB | **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 what you have sent us. You must then carry out the work according to these drawings. (C28BB) | R28BA | To protect the party walls during building work. (R28BA) |

**Notes**
- You can use I36AA with C28AB.
- Use I68AA if temporary support for the existing structure is likely to affect archaeological remains.
C29 Demolition

Conditions

C29AC Pre Commencement Condition.
You must not start any demolition work on site until we have approved either
(a) 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
(b) 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.

C29BB You must not carry out demolition work unless it is part of the
complete development of the site for which we have given
planning permission on the same date as this consent. You
must carry out the demolition and development without
interruption and according to the drawings we have approved.

Reasons

R29AC To maintain the character of the Conservation Area as set out in
S25 and S28 of Westminster’s City Plan: Strategic Policies adopted
November 2013 and DES 1 and DES 9 (B) of our Unitary Development
Plan that we adopted in January 2007 and Section 74(3) of the
(R29AC)

R29BC To maintain the special architectural or historic interest of this listed
building as set out in S25 and S28 of Westminster’s City Plan:
Strategic Policies adopted November 2013 and DES 1 and paras
10.129 to 10.146 of our Unitary Development Plan that we adopted in
January 2007 and Section 74(3) of the Planning (Listed Buildings and
Conservation Areas) Act 1990. (R29BC)

R29CC To maintain the character and appearance of the Conservation
Area and the special architectural and historic interest of this listed
building as set out in S25 and S28 of Westminster’s City Plan:
Strategic Policies adopted November 2013 and DES 1, DES 9 (B) and
paras 10.108 to 10.146 of our Unitary Development Plan that we
adopted in January 2007 and Section 74(3) of the Planning (Listed
Buildings and Conservation Areas) Act 1990. (R29CC)

Notes
• Section 74(3) in R29AC and R29BC 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.
• Use I75AA with C29BB.
• Add DES 10 (B) into R29BC and R29CC if total demolition of a listed building is being permitted.
C30 **Landscaping**

**Conditions**

C30AB 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 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). (C30AB)

C30BB 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 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 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. (C30BB)

C30CB 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 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 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. (C30CB)

**Reasons**

R30AC To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

R30BC 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 S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

R30CD 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 S25, S28 and S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

**Notes**

- Use C30AB or C30DA for schemes which involve only hard landscaping. Use C30BB or C30EA if only soft landscaping is involved. Use C30CB or C30FA if both hard and soft landscaping are involved.
- Planting schemes should normally be carried out within one planting season of completing other parts of the development.
- The time period given in C30BB, C30CB, C30EA and C30FA for replacing trees should be three years or enough time to be sure that the trees have become reasonably established.
C30 Landscaping

Conditions

C30DA You must carry out the landscaping work shown on the drawings within \(^\text{IN}\); of completing the development (or within any other time limit we agree to in writing). (C30DA)

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 \(^\text{IN}\); 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 \(^\text{IN}\); 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 \(^\text{IN}\); of planting them, you must replace them with trees of a similar size and species. (C30FA)

Notes

- Use C30AB or C30DA for schemes which involve only hard landscaping. Use C30BB or C30EA if only soft landscaping is involved. Use C30CB or C30FA if both hard and soft landscaping are involved.
- Planting schemes should normally be carried out within one planting season of completing other parts of the development.
- The time period given in C30BB, C30CB, 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

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 what you have sent us. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2005. You must then carry out the work according to the approved details. (C31AC)

C31BB Pre Commencement Condition. 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 until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C31BB)

Reasons

R31AC To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

R31BC To make sure that the trees and shrubs on the site are not damaged by traffic. This is as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31BC)

Notes

- See I30AA to I34AA and I92AA to I92DA re. trees issues.
C31 Trees

Conditions

C31CC 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 what you have sent us. You must then carry out the work according to the approved details. (C31CC)

Reasons

R31CC To protect trees and the character and appearance of the site as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

R31DC To protect the trees and the character and appearance of this part of the Conservation Area. This is as set out in S25, S28 and S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R31DC)

Notes

• See I30AA to I34AA and I92AA to I92DA re. trees issues.
C31  Trees

Conditions

C31DB  Any work under or around the tree must not damage the branches of the tree or the roots over in diameter. If you uncover any roots of this diameter, you must build bridge foundations around them. (C31DB)

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 or
(b)  within the root protection area (as defined by paragraph 5.2.2 of British Standard BS5837: 2005) 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 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 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 I30AA to I34AA and I92AA to I92DA re. trees issues.
C31 Trees

Conditions

C31HA When you apply to us for approval under condition ^IN;, you must include the following.
(a) A plan to a scale of ^IN; that shows the position and canopy spread of every tree, hedge and area of shrubs, both on the site and on neighbouring land, that may constrain (limit) the development, as defined by section 5 of British Standard BS 5837: 2005.
(b) The tree details as recommended in paragraph 4.2.6 of BS 5837: 2005, in the form set out at appendix D of that standard.
(c) Details of all planned tree surgery and removal, and the reasons why you want to carry out this work to the trees.
(d) Details of any alterations you want to make to the existing ground levels, or any other work you want to carry out within the root protection area (as defined by paragraph 5.2.2 of BS 5837: 2005) and within five metres beyond it, around any tree shown on the plan or schedule you have sent to us under parts (a) and (b) above.
(e) Details of how you will protect each tree that you are going to keep before and during the development.
(C31HA)

C31JA You must apply to us in writing for permission if you want to remove any trees which you have shown that you were going to keep on drawing ^IN;. If any trees which you have shown that you were going to keep die or become seriously damaged or diseased within five years of you completing the development, you must replace them. You must plant the replacement trees in the same place or in any other place we agree to in writing. You must apply to us for our approval of the size and species of the replacement trees, and you must plant the replacement trees within 12 months of removing the original tree or trees. You must also replace any replacement tree which dies, is removed or becomes seriously damaged or diseased within five years of the date we give our approval for the replacement trees, in the next planting season with another of similar size and species to the one that was originally planted.
(C31JA)

Notes
- See I30AA to I34AA and I92AA to I92DA re. trees issues.
C31 Trees

Conditions

C31KA If you cut down any trees so you can build this development, you must plant replacement trees 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 also replace any replacement tree which dies, is removed or becomes seriously damaged or diseased within five years of the date we give our approval for the replacement trees, in the next planting season with another of similar size and species to the one originally planted. (C31KA)

C31LA Pre Commencement Condition.
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 until we have approved what you have sent to us. The surfacing must be carried out according to the approved details. (C31LA)

C31MA Pre Commencement Condition.
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 until we have approved what you have sent to us. The excavation and foundations must be carried out according to the approved details. (C31MA)

C31NA 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 I30AA to I34AA and I92AA to I92DA re. trees issues.
### C31 Trees

**Conditions**

<table>
<thead>
<tr>
<th>C31PA</th>
<th>Pre Commencement Condition.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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 until we have approved what you have sent to us. The work must be carried out according to the approved details. (C31PA)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C31QA</th>
<th>Pre Commencement Condition.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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: 2005) and within five metres beyond it, as shown on plan ^IN; You must not start any work until we have approved what you have sent us. The work must be carried out according to the approved details. (C31QA)</td>
</tr>
</tbody>
</table>

**Notes**
- See I30AA to I34AA and I92AA to I92DA re. trees issues.
C32 Archaeology

**Conditions**

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 groundwork. You must not start any construction work until we have approved what you have sent us. You must then carry out the work according to the approved design and method statement. (C32AB)

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 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, to English Heritage, and to the Greater London Sites and Monuments Record, 1 Waterhouse Square, 138-142 Holborn, London EC1N 2ST.

(c) You must not use any part of the new building until we have confirmed that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

**Reasons**

R32AC To avoid damage to any archaeological remains on site as set out in the National Planning Policy Framework, and S25 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32AC)

R32BC To protect the archaeological heritage of the City of Westminster as set out in the National Planning Policy Framework and S25 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

**Notes**
- Use Condition 32AB and I65AA when it is important to make sure that the detailed foundation and groundwork will not damage archaeological remains.
- 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).
### CrossRail and Chelsea to Hackney (CrossRail 2) lines

<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>C33AA</td>
<td>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 S41 and S43 of Westminster’s City Plan: Strategic Policies adopted November 2013 and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33AC)</td>
</tr>
<tr>
<td></td>
<td>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 S41 and S43 of Westminster’s City Plan: Strategic Policies adopted November 2013 and TRANS 5 (E) and para 4.68 of our Unitary Development Plan that we adopted in January 2007. (R33BC)</td>
</tr>
</tbody>
</table>

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**Notes**

- Always use I56AA (Crossrail line 1) or I57AA (Crossrail line 2) with C33AA.
<table>
<thead>
<tr>
<th>Conditions</th>
<th>Reasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>C34AA</td>
<td>R34AC</td>
</tr>
<tr>
<td>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)</td>
<td>To meet the requirements of Regional Policy Guidance Note 3a. This is as set out in S26 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 14 of our Unitary Development Plan that we adopted in January 2007. (R34AC)</td>
</tr>
</tbody>
</table>

**Notes**

- Always use I40AA with C34AA.
C35  Estate agents' boards

Conditions

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)

C35BA  The board and lettering must be in black, white or grey.  (C35BA)

C35CA  The board must show only:
  ● the name of the estate agent;
  ● the type and size of the property;
  ● whether the property is for sale or rent; and
  ● 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)

Reasons

R35AB  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 DES 8 (B) of our Unitary Development Plan that we adopted in January 2007.  (R35AB)

R35BB  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 DES 8 (B) of our Unitary Development Plan that we adopted in January 2007.  (R35BB)

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

C36AA You must not change the content of the advertisement which is shown on the approved drawing. (C36AA)

Reasons

R36AA To protect the appearance of the area. (R36AA)

C37  Public art

C37AB 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 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. (C37AB)

R37AB 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 in DES 7 (A) of our Unitary Development Plan that we adopted in January 2007. (R37AB)
C42 Retrospective or partially retrospective permissions - Conditions to secure implementation of remaining part, or submission and implementation of details.

**Conditions**

**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).

**C42BA** Within \(^*IN^\); months of the date of this permission, you must apply to us for approval of the \(^*IN^\);. If we refuse to approve the details that you have sent us, you must apply to us for 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)

**Reasons**

**R42AA** Because if these works are not carried out, \(^*IN^\); This is in line with \(^*IN^\); of our Unitary Development Plan that we adopted in January 2007.

**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.
- C42BA 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 C42BA
C43 Biodiversity

Conditions

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 \(^{\text{IN}}\); You must not start any work until we have approved what you have sent us. You must carry out this work according to the approved details before you start to use the building. (C43AA)

C43BA Pre Commencement Condition.
You must apply to us for approval of details of how you will deal with the loss of biodiversity that will result from the development, in relation to \(^{\text{IN}}\). You must not start any work until we have approved what you have sent us. You must carry out the work according to the approved details before you start to use the building. (C43BA)

C43CA Pre Commencement Condition.
You must apply to us for approval of details of a biodiversity management plan in relation to \(^{\text{IN}}\). You must not start any work until we have approved 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)

Reasons

R43AB To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43AB)

R43BB To compensate for the unavoidable loss of biodiversity as a result of the development, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43BB)

R43CB To protect and increase the biodiversity of the environment, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43CB)

Notes

- The Project Manager in Environment and Leisure who leads on biodiversity (ext 1951) will be able to advise on the appropriate text for insertion into these conditions. 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 / R43AB for general mitigation
- Use C43BA / R43BB for compensation for loss of biodiversity
- Use C43CA / R43CB to require submission of a Management Plan
C43  Biodiversity

Conditions

C43DA  No \(^IN\); must be carried out on the site between 1 March and 31 August in any year.  (C43DA)

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 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)

C43FA  You must provide the following biodiversity 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)

C43GA  You must apply to us for approval of detailed drawings and a biodiversity 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 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.

Notes
- Use C43DA / C43DA to prevent disturbance to nesting birds in the breeding season.
- Use C43EA / R43E to mitigate the impact on bats.
- Use C43GA to secure details of a living roof or brown roof.

Reasons

R43DB  To restrict building work to a specific season to protect breeding birds, and so protect the biodiversity of the environment, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007.  (R43DB)

R43EB  To make sure the conservation status of a protected species is maintained, and so protect the biodiversity of the environment, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007.  (R43EB)

R43FB  To increase the biodiversity of the environment, as set out in S38 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 17 of our Unitary Development Plan that we adopted in January 2007.  (R43FB)
C44  **Sustainability**

**Conditions**

C44AA  You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

You must not remove any of these features. (C44AA)

^IN;

C44BA  **Pre Commencement Condition.**
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' or 'Code for Sustainable Homes'), 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 environmental sustainability features referred to in the review before you start to use the building. You must then not remove any of these features. (C44BA)

**Reasons**

R44AC  To make sure that the development provides the environmental sustainability features included in your application as set out in S40 or S28, or both, of Westminster's City Plan: Strategic Policies adopted November 2013 and Policy 4A.3 of the London Plan 2008. (R44AC)

R44BC  To make sure that the development affects the environment as little as possible, as set out in S40 or S28, or both, of Westminster’s City Plan: Strategic Policies adopted November 2013 and Policy 4A.3 of the London Plan 2008. (R44BC)

**Notes**

- Use C44AA 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 – it may be necessary in some cases to substitute (e.g.) ‘Very Good’, due to constraints.
- On cases where it is not possible to impose one of these conditions, see also informative I91AA about encouragement for incorporating environmental sustainability features.
C45  **School Travel Plan – submission as details**

**Conditions**

C45AA  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 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.

**Reasons**

R45AB  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 in S41 of Westminster’s City Plan: Strategic Policies adopted November 2013 and TRANS 2, TRANS 3 and TRANS 15 of our Unitary Development Plan that we adopted in January 2007. (R45AB)
**C 46 to C50 – New Noise Planning Conditions – January 2007, revised May 2007**

These conditions will progressively replace C38 to C41. They should be used when advised by Environmental Health.

**NOTES**

1) The replacement UDP Noise policies (ENV 6 & 7) are intended to protect noise sensitive properties from excessive noise levels and to contribute to the objectives of STRA 17 by reducing ambient noise levels where they exceed World Health Organisation (WHO) Guideline Levels. The previous distinction between inside and outside CAZ/CAZ Frontages/Stress Areas has therefore been replaced by 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 properties are defined in the replacement UDP as: “all residential properties; educational establishments; hospitals; hotels; hostels; concert halls; theatres; 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 use 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 appropriate Noise Conditions is to be made on the advice of the Environmental Health Consultations Team (in Community Protection Department).

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 C46AB or C47AB is to be applied. Evidence of the 2003 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 C46BB or C47BB 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) C48AA ‘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) C49 conditions are entirely new. 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) C50AB ‘Noise from emergency plant and generators’ should be applied in all cases in which it is proposed that such equipment is installed.
Conditions

C46AB

Noise from plant & machinery

for areas above WHO Guideline levels, where the existing external ambient noise level exceeds WHO Guideline levels of either $L_{Aeq, 16hrs}$ 55dB daytime (07.00-23.00 hrs) or $L_{Aeq, 8hrs}$ 45dB night-time (23.00-07.00hrs)

C46AB

(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 by the City Council. The background level should be expressed in terms of the lowest $L_{A90, 15 mins}$ during the proposed hours of operation. The plant-specific noise level should be expressed as $L_{AeqTm}$, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the ‘A’ weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest $L_{A90, 15 mins}$ during the proposed hours of operation. The plant-specific noise level should be expressed as $L_{AeqTm}$, and shall be representative of the plant operating at its maximum.

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

(a) A schedule of all plant and equipment that formed part of this application;
(b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
(c) Manufacturer specifications of sound emissions in octave or third octave detail;
(d) The location of most affected noise sensitive receptor location and the most affected window of it;
(e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
(f) Measurements of existing $L_{A90, 15 mins}$ levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
(g) The lowest existing $L_{A90, 15 mins}$ measurement recorded under (f) above;
(h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
(i) The proposed maximum noise level to be emitted by the plant and equipment.

Reasons

R46AB

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013, 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.
Conditions

C46BB  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 $L_{A_{eq},16hrs} \leq 55\text{dB}$ daytime (07.00-23.00hrs) or $L_{A_{eq},8hrs} \leq 45\text{dB}$ night-time (23.00-07.00hrs)

R46BB

(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 by the City Council. The background level should be expressed in terms of the lowest $L_{A_{90},15\text{ mins}}$ during the proposed hours of operation. The plant-specific noise level should be expressed as $L_{A_{eqTm}}$, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the ‘A’ weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 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 by the City Council. The background level should be expressed in terms of the lowest $L_{A_{90},15\text{ mins}}$ during the proposed hours of operation. The plant-specific noise level should be expressed as $L_{A_{eqTm}}$, and shall be representative of the plant operating at its maximum.

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

(a) A schedule of all plant and equipment that formed part of this application;
(b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
(c) Manufacturer specifications of sound emissions in octave or third octave detail;
(d) The location of most affected noise sensitive receptor location and the most affected window of it;
(e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
(f) Measurements of existing $L_{A_{90},15\text{ mins}}$ levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
(g) The lowest existing $L_{A_{90},15\text{ minutes}}$ measurement recorded under (f) above;
(h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
(i) The proposed maximum noise level to be emitted by the plant and equipment.

Reasons

As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013, 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.
<table>
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<tr>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>C46CA</strong> Hours of plant operation (adapt if different hours acceptable on different days – e.g. Sundays)</td>
<td></td>
</tr>
<tr>
<td><strong>C46CA</strong> The plant/machinery hereby permitted shall not be operated except between ^IN; hours and ^IN; hours daily.</td>
<td><strong>R46CB</strong> To safeguard the amenity of occupiers of noise sensitive properties 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 S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 6 and ENV 7 of our Unitary Development Plan that we adopted in January 2007.</td>
</tr>
</tbody>
</table>
C47  **Internal activity; noise and hours**

**Conditions**

C47AB  Noise from internal activity for areas **above** WHO Guideline levels, where the existing external ambient noise level **exceeds** WHO Guideline levels of either $L_{Aeq, 16hrs}$ 55dB daytime (07.00-23.00 hrs) or $L_{Aeq, 8hrs}$ 45dB night-time (23.00-07.00hrs)

C47AB  (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 by the City Council. The background level should be expressed in terms of the lowest $L_{A90, 15 mins}$ during the permitted hours of use. The activity-specific noise level should be expressed as $L_{A_{eqTm,\cdot}}$, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the ‘A’ weighted sound pressure level from the internal activity within the 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 by the City Council. The background level should be expressed in terms of the lowest $L_{A90, 15 mins}$ during the permitted hours of use. The activity-specific noise level should be expressed as $L_{A_{eqTm,\cdot}}$, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

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

(b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;

(c) Measurements of existing $L_{A90, 15 mins}$ levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

(d) The lowest existing $L_{A90, 15 mins}$ measurement recorded under (c) above;

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

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

**Reasons**

R47AB  Because existing external ambient noise levels exceed WHO Guideline Levels and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013, 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.
Conditions

C47BB  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 $L_{\text{Aeq, 16hrs}}$ 55dB daytime (07.00-23.00hrs); $L_{\text{Aeq, 8hrs}}$ 45dB night-time (23.00-07.00hrs)

Reasons

R47BB As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in nearby noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013, 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.

C47BB (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 by the City Council. The background level should be expressed in terms of the lowest $L_{A90, 15\text{ mins}}$ during the permitted hours of use. The activity-specific noise level should be expressed as $L_{\text{Aeq,Tm}}$, and shall be representative of the activity operating at its noisiest.

(2) Where noise emitted from the proposed internal activity in the development will contain tones or will be intermittent, the ‘A’ weighted sound pressure level from the internal activity within the 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 by the City Council. The background level should be expressed in terms of the lowest $L_{A90, 15\text{ mins}}$ during the permitted hours of use. The activity-specific noise level should be expressed as $L_{\text{Aeq,Tm}}$, and shall be representative of the activity operating at its noisiest.

(3) Following completion of the development, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

(a) The location of most affected noise sensitive receptor location and the most affected window of it;
(b) Distances between the application premises and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
(c) Measurements of existing $L_{A90, 15\text{ mins}}$ levels recorded one metre outside and in front of the window referred to in (a) above (or a suitable representative position), at times when background noise is at its lowest during the permitted hours of use. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
(d) The lowest existing $L_{A90, 15\text{ mins}}$ measurement recorded under (c) above;
(e) Measurement evidence and any calculations demonstrating that the activity complies with the planning condition;
(f) The proposed maximum noise level to be emitted by the activity.

Hours of internal activity

Make use of appropriate version of C12
C48  Vibration

**Conditions**

C48AA  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 0.4 m/s\(^{1.75}\) 16 hour day-time nor 0.26 m/s\(^{1.75}\) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

**Reasons**

R48AA  As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

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:

a) 55 dB (L\(_{Aeq, 16 \text{ hour day}}\) 07.00-23.00hrs)
b) 45 dB (L\(_{Aeq, 8 \text{ hour night}}\) 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 L\(_{Aeq 16 \text{ hrs}}\) daytime and of more than 30 dB L\(_{Aeq 8 \text{ hrs}}\) in bedrooms at night.

R49AA  As set out in ENV 6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order 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.

C49BA  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

C49BA  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 L\(_{Aeq 16 \text{ hrs}}\) daytime and of more than 30 dB L\(_{Aeq 8 \text{ hrs}}\) in bedrooms at night.

R49BA  As set out in ENV 6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order 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.
C50  Noise from emergency plant and generators

Conditions

C50AB  (1) Noise emitted from the emergency plant and generators hereby permitted shall not increase the minimum assessed background noise level (expressed as the lowest 24 hour $L_{A90,\,15\text{ mins}}$) 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 by an emergency loss of power.

(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.

Reasons

R50AB  As set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013 and ENV 7 (B) of our Unitary Development Plan that we adopted in January 2007. Emergency and auxiliary energy generation plant is generally noisy, so a maximum noise level is required to ensure that any disturbance caused by it is kept to a minimum and to ensure testing and other non-emergency use is carried out for limited periods during defined daytime weekday hours only, to prevent disturbance to residents and those working nearby.
C51 Where details of plant or sound insulation have not been provided and supplementary acoustic report required

**Conditions**

C51AA 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 what you have sent us.

C51BA 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 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.

**Reasons**

R51AB Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

R51BB As set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007 (UDP), so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster’s City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels.

**Notes**

- Use R51AB for areas above WHO Guideline levels.
- Use R51BB for areas below WHO Guideline levels.
**C52** Where details of plant have been provided but post commissioning noise survey required

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<tr>
<th>Conditions</th>
<th>Reasons</th>
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<tr>
<td>C52AA</td>
<td>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.</td>
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