

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 March 2016	Classification For General Release	
Report of Director of Planning		Ward involved West End	
Subject of Report	4 Meard Street, London, W1F 0EF		
Proposal	Retention of existing railings at roof level.		
Agent	Ivy Legal Ltd		
On behalf of	Tiggy Maconochie		
Registered Number	15/09822/LBC	Date amended/ completed	10 February 2016
Date Application Received	21 October 2015		
Historic Building Grade	II*		
Conservation Area	Soho		

1. RECOMMENDATION

1. Grant conditional listed building consent.
2. Agree reasons for granting listed building consent, as set out in Informative 1 of the draft decision letter.

2. SUMMARY

No. 4 Meard Street is a Grade II star listed property located in the Soho Conservation Area. Meard Street comprises a series of early Georgian Grade II star listed buildings and has a high degree of characterful uniformity, including at roof level.

Planning permission and listed building consent were granted in 1993 for roof level alterations which included the provision for railings. However these approvals required the railings on the flat roof to be set back at least two metres from all edges and ridges of the roof. The railings were not installed in accordance with this condition.

Listed building consent is now sought for the retention of the galvanised steel railings. The existing railings are considered to have been in place for at least four years and are immune from planning enforcement action. They are not immune from listed building enforcement action. This application seeks to regularise this situation.

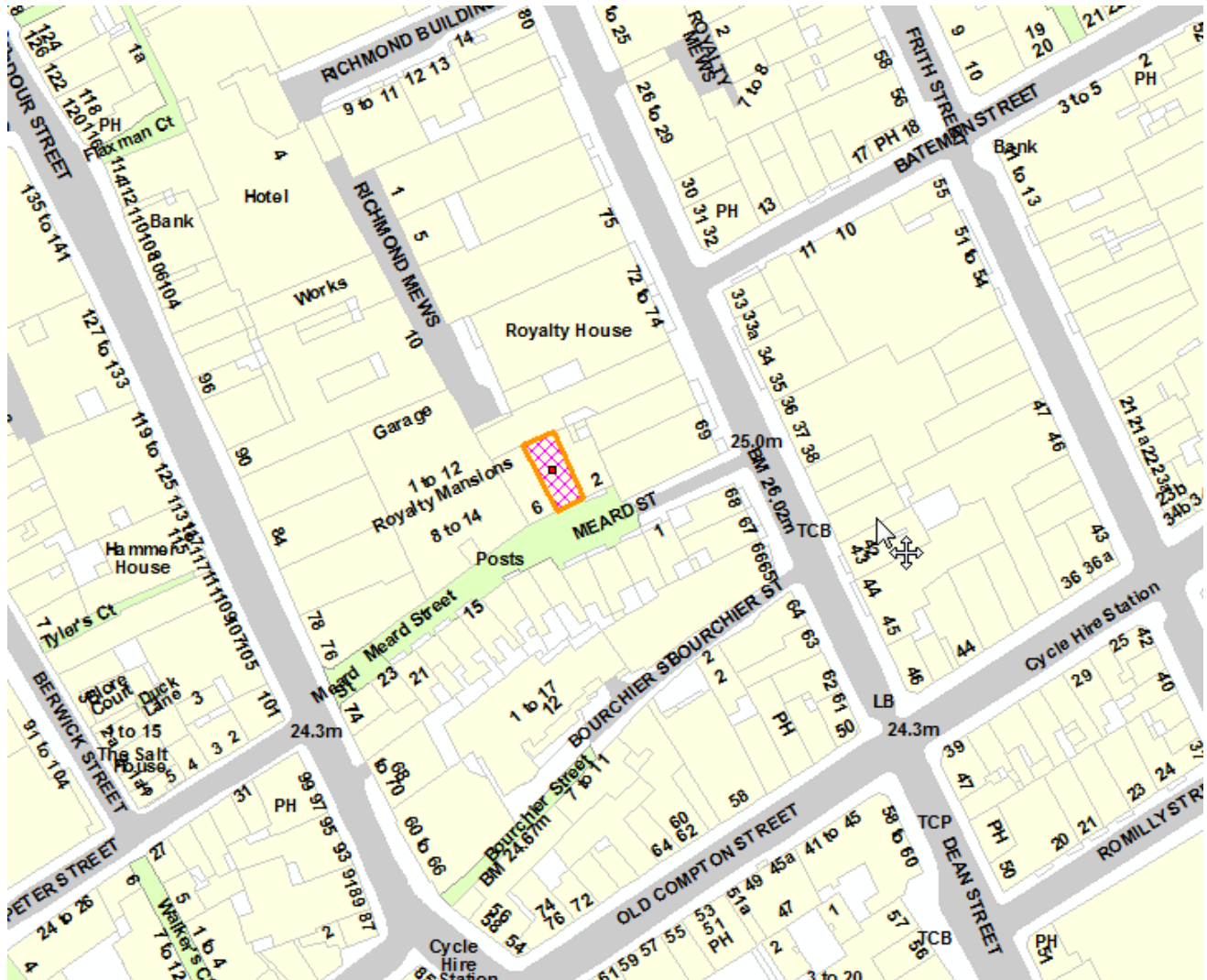
In 2012 an application for a roof terrace on no. 2 was refused by the City Council and the appeal dismissed. The Planning Inspector considered the proposal in the context of the terrace at no.4 but still found the proposal at no. 2 to be unacceptable.

There has been no objection from the Soho Society and 12 letters of support from local residents have been received.

The key issue is the impact of the railings on the special interest of the listed building and the character and appearance of the Soho Conservation Area.

It is considered that, on balance, listed building consent should be granted, given the length of time the railings have been in situ and the lack of any historic complaints.

3. LOCATION PLAN



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PHOTOGRAPHS



View from the west end of Meard Street. Railings just visible from immediately outside buildings on the south side.

View from the roof terrace looking south.



4. CONSULTATIONS

HISTORIC ENGLAND
Authorisation received

SOHO SOCIETY
No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 0;
Total no. of replies: 12
No. of objections: 0
No. in support: 12

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

The building lies on the north side of Meard Street. It is a grade 2 Star listed building in the Soho Conservation Area. The adjoining buildings are also grade 2 Star.

6. THE PROPOSAL

Listed building consent is sought for the retention of railings at roof level.

7. DETAILED CONSIDERATIONS

The detailed considerations revolve around the townscape and design issues.

4 Meard Street is a Grade II star listed property located in the Soho Conservation Area. Meard Street comprises a series of early Georgian Grade II star buildings and has a high degree of characterful uniformity, including at roof level.

Planning permission and listed building consent were granted in 1993 for internal and external alterations including the provision of a secondary means of escape from no.4 across the roof of no.2. However conditions on these approvals required the railings on the flat roof to be set back at least two metres from all edges and ridges of the roof. This would have reduced the size of the enclosed area so that it functioned primarily as a means of escape rather than a roof terrace.

The existing railings on the roof, which were probably installed 20 years ago, do not comply with the condition. The railings are set forward, on the edges of the flat roof. The current owner (the applicant) purchased the top flat in 2002 and was not responsible for the installation of the railings.

In 2012 applications for a roof terrace were refused at 2 Meard Street. An appeal was lodged and subsequently dismissed on 20 June 2013. The Planning Inspector stated:

'They [the railings] represent extensive and unwelcomed clutter. Furthermore, railings in this position are alien to the early Georgian architecture of the building, which is its defining special quality, and would reinforce usage of the roof area in a way that was not originally intended'. (paragraph 7)

The Inspector noted the roof terrace at no.4, and considered it harmful, but did not consider that its existence would support the approval of another terrace at no.2.

In June 2013 the Planning Enforcement Team received a complaint about the terrace at no.4 and began an investigation. This current application arises from this enforcement case. The existing railings have been in place for at least four years and are immune from planning enforcement action. They are not immune from listed building enforcement action (as there is no time limit). The Planning Enforcement Team advised the applicant to relocate the railings in accordance with the 1993 listed building consent but they have not indicated a willingness to do this.

The current application seeks listed building consent for the railings and regularise the matter. There has been no objection from the Soho Society and 12 letters of support from local residents have been received, mainly on the basis that the railings are not visible from street level and the potential loss of the rooftop garden if the railings are removed. No letters of objection have been received.

Historic England has authorised the City Council to determine the application as it thinks fit, but also issued the following observations:

'A roof form is an important part of a listed building of this period, and any permitted addition should be very carefully designed so as to preserve the form and not introduce contrasting materials which detract from the appearance of the building. There is the potential for any roof terrace to be seen in long views and from overlooking buildings, and this should be taken into account in assessing the harm caused'.

The proposed railings cause a degree of harm to the listed building and the surrounding Soho Conservation Area. The railings are barely visible from street level and are visible in private views from the front and rear. The impact of the railings in views is somewhat reduced by the vegetation located on the terrace.

However, the history of this matter should be taken into account.

- a. The principle of railings on the roof was agreed as part of the 1993 consents
- b. The railings are likely to have been in place for almost 20 years and no complaints were received until 2013.

In the light of these matters it is considered, on balance, that consent should be granted.

8. BACKGROUND PAPERS

1. Application form
2. Letter from Historic England (Listed Builds/Con Areas), dated 15 December 2015.

3. Letter from Historic England (Listed Builds/Con Areas), dated 15 December 2015
4. Response from Soho Society, dated 8 December 2015
5. Letter from the occupier of 1 Meard Street , undated
6. Email from the occupier of 44 Lexington Street, dated 4th December 2015
7. Letter from the occupier of Flat 4, Wardour House, 106 Wardour Street , dated 4th December 2015
8. Letter from the occupier of 68 Dean Street, dated 2nd December 2015
9. Email from the occupier of 6 Meard Street, dated 1st September 2015
10. Email from the occupier of 46 Lexington Street, dated 7th December 2015
11. Email from the occupier of 5 Meard Street, dated 10th December 2015
12. Email from anonymous resident at 3 Meard Street, undated.
13. Letter from the occupier of 24 St. James Residences, 23 Brewer Street, dated 4th December 2015
14. Email from the occupier of Flat 7 Royalty Mansions, 8-14 Meard Street, dated 3rd December 2015
15. Email from the occupier of 16 Broadwick Street, dated 7th December 2015
16. Letter from the occupier of the owner of 4 Meard Street, dated 4th December 2015

Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT OWEN BROADWAY ON 020 7641 3923 OR BY EMAIL AT CentralPlanningTeam@westminster.gov.uk

9. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 4 Meard Street, London, W1F 0EF,
Proposal: Retention of existing railings at roof level.
Reference: 15/09822/LBC
Plan Nos: A250; A251; A201.

Case Officer: Owen Broadway

Direct Tel. No. 020 7641 3923

Recommended Condition(s) and Reason(s):

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

Reason:

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

- 2 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission.
(C26AA)

Reason:

To 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 Soho 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)

- 3 The extract flue shown on the drawings does not form part of this consent.

Reason:

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 Soho 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)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan July 2011, Westminster's City Plan: Strategic Policies adopted November 2013, and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 4.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

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

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

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