

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 8 th March 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	Carlton Tavern, 33A Carlton Vale, London, NW6 5EU,		
Proposal	Demolition of existing public house and redevelopment to provide a building comprising of basement, ground and four upper floors to provide a public house (Class A4) at ground floor and basement level and 10 residential units from basement to fourth floor levels; associated landscaping works and cycle parking.		
Agent	Fladgate LLP		
On behalf of	CLTX Ltd		
Registered Number	14/05526/FULL	Date amended/ completed	6 July 2014
Date Application Received	11 June 2014		
Historic Building Grade	Unlisted		
Conservation Area	Adjacent to the Maida Vale Conservation Area		

1. RECOMMENDATION

For Committee's consideration:

1. In light of the material changes in circumstances that have arisen since the determination of the application on 13 January 2015, does the Committee agree that the reason for refusal should be amended to include objection to loss of the existing building?
2. Subject to 1. above, agree the amended reason for refusal set out below (additional text in bold):

'Because of the loss of the existing building (an undesignated heritage asset), and because of the bulk, height and detailed design of the new building, the development would be detrimental to the view from the adjacent Maida Vale Conservation Area, namely the Paddington Recreation Ground, and from Carlton Vale, where the site is viewed in the context of the gateway entrance to the park (i.e. the Recreation Ground). It would therefore harm the appearance of this part of the City and fail to maintain or improve (preserve or enhance) the setting of the neighbouring Maida Vale Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (F) of our Unitary Development Plan that we adopted in January 2007.'

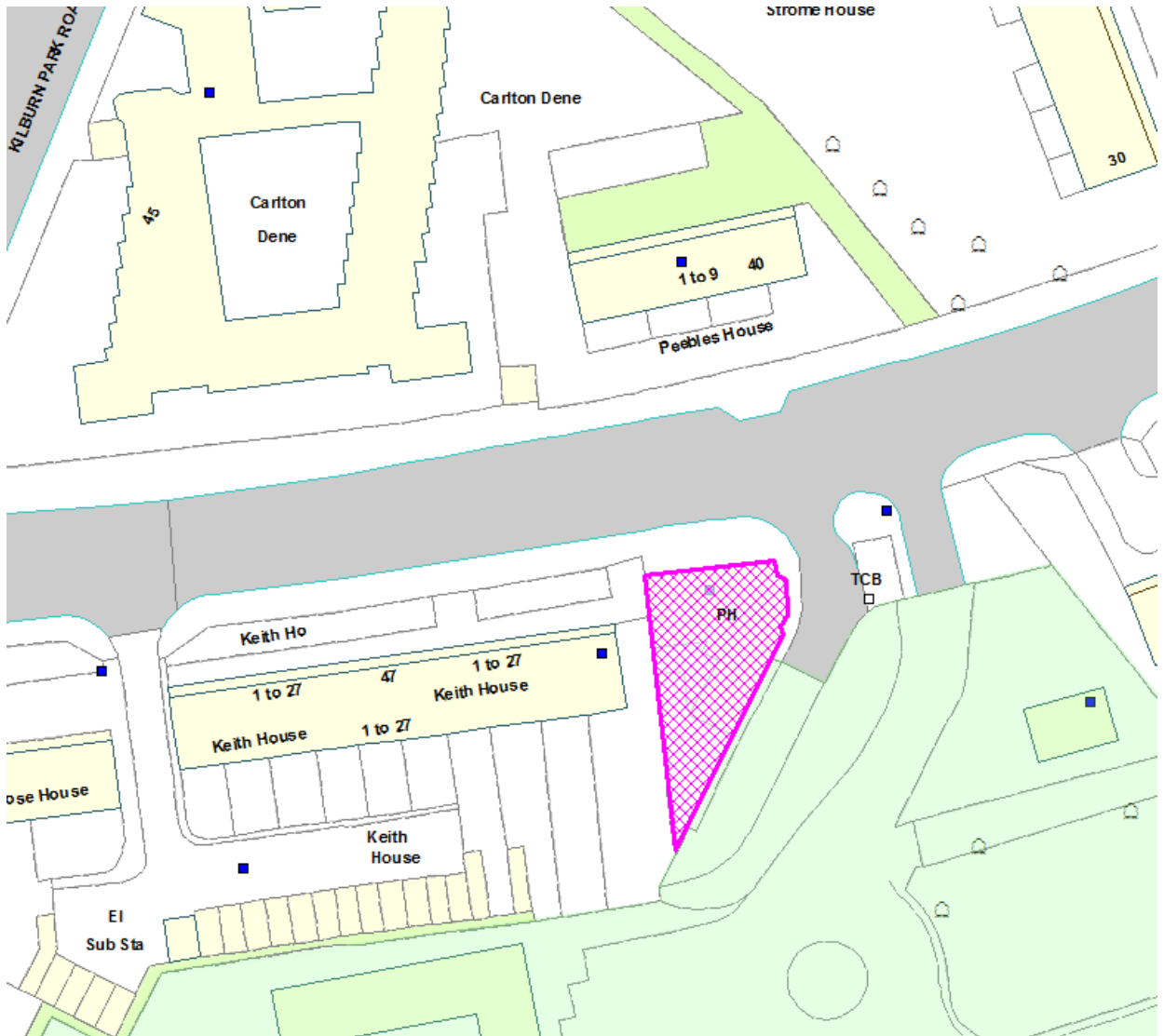
3. Subject to 1. above, agree that the City Council will resist the appeal against refusal of planning permission for the additional reason of the loss of the existing building (as set out in 2. above).

2. SUMMARY

Since the Planning Applications Committee resolved to refuse permission for redevelopment of the site at the committee meeting held on 13 January 2015 there have been several material changes in circumstances; namely, its subsequent unlawful demolition on the 8th April 2015, the subsequent issue of a Historic England report dated 29th April 2015 setting out the heritage value of The Carlton Tavern, and the designation of the site as an Asset of Community Value (ACV) on the 2nd February 2016.

The key issue is the effect of these subsequent events on the City Council's reason for refusing planning permission, which along with the Enforcement Notice issued in respect of the unlawful demolition of the building, is to be the subject of a Public Inquiry scheduled to commence on 17 May 2016 for 8 days.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Street view taken on 18 July 2014 (above) and on 28 April 2015 (below).



5. CONSULTATIONS

None required.

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site is located on the south side of Carlton Vale next to an entrance to the Paddington Recreation Ground and adjacent to the Maida Vale Conservation Area. The surrounding area is characterised by low-rise residential blocks of flats, and there are views of the grade I listed St Augustine's Church between buildings on the opposite side of the road.

6.2 Recent Relevant History

Permission for the redevelopment of the site was refused by the City Council on 13 January 2015. Subsequently, Historic England appraised the building and was considering it for inclusion in the Statutory List of buildings of historic or architectural interest when it was unlawfully demolished on 8 April 2015.

Demolition of the building without notification contravened the requirements of, amongst other things, the Localism Act 2011 because it resulted in the loss of a building capable of being designated as an Asset of Community Value without due process.

The planning enforcement matter was reported to the Planning Applications Committee on 5 May 2015 and the Committee resolved to issue an Enforcement Notice to remedy the breach of planning control (see background papers). The Enforcement Notice was issued on 19 June 2015 and took effect on 24 July 2015. It requires the owner(s) of the land to:

'Rebuild The Carlton Tavern Public House, to match in facsimile the building as it stood immediately prior to its demolition on 8th April 2015, in conformity with the detailed architectural descriptions as to building materials, plan form, exterior and interior attached to this Notice, and in conformity with the photographs attached for the purposes of illustration.'

The City Council obtained an Injunction to prevent clearance of the site or any further demolition on 8 July 2016.

The City Council designated the Carton Tavern as an Asset of Community Value on 2 February 2016.

The refusal of planning permission and the issue of the Enforcement Notice are currently the subject of appeals to be heard at a Public Inquiry commencing 17 May 2016.

7. DETAILED CONSIDERATIONS

At the time of considering the planning application on 13 January 2015 the value of the building as a work of architecture and its townscape contribution were not fully understood. The research subsequently carried out by Historic England revealed its importance and led them to conclude that, had it not been demolished, it was “highly likely” to have been recommended for listing (see copy of Historic England letter and report in the background papers).

In light of this material change in circumstance with regard to the architectural importance of the existing (now demolished) building and the Committee’s previous resolution in respect of the unauthorised demolition of the building (as reflected in the Enforcement Notice issued in June 2015 – see background papers), the Committee is asked to consider whether they would have refused the planning application on additional grounds relating to the loss of the (now demolished) existing building. The reason for refusal that the Committee previously resolved on 13 January 2015 is provided below for information, along with the Amended Reason for Refusal that is recommended by officers so that the reason for refusal of the planning application accurately reflects the material changes in circumstances that have occurred subsequent to the 13 January 2015 committee.

13 January 2015 Reason for Refusal:

‘Because of the bulk, height and detailed design, the new building would be detrimental to the view from the adjacent Maida Vale Conservation Area, namely the Paddington Recreation Ground, and from Carlton Vale, where the site is viewed in the context of the gateway entrance to the park (i.e. the Recreation Ground). It would therefore harm the appearance of this part of the City and would fail to maintain or improve (preserve or enhance) the setting of the neighbouring Maida Vale Conservation Area. This would not meet S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (F) of our Unitary Development Plan that we adopted in January 2007.’

Recommended Amended Reason for Refusal (additional text in bold italics):

*‘**Because of the loss of the existing building (an undesignated heritage asset), and because of the bulk, height and detailed design of the new building, the development** would be detrimental to the view from the adjacent Maida Vale Conservation Area, namely the Paddington Recreation Ground, and from Carlton Vale, where the site is viewed in the context of the gateway entrance to the park (i.e. the Recreation Ground). It would therefore harm the appearance of this part of the City and fail to maintain or improve (preserve or enhance) the setting of the neighbouring Maida Vale Conservation Area. This would not meet S25 and S28 of Westminster’s City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 9 (F) of our Unitary Development Plan that we adopted in January 2007.’*

8. BACKGROUND PAPERS

1. Copy of Decision Letter dated 13th January 2015.
2. Committee Minutes dated 13th January 2015 and transcript of Committee Presentation and Deliberations.
3. Letter from Historic England dated 30th April 2015 and appended report dated 29th April 2015.
4. Committee Report and Resolution seeking authorisation to issue an Enforcement Notice dated 5th May 2015
5. Interim High Court Injunction dated 8th July 2015.
6. High Court Injunction dated 18th January 2016.
7. Copy of Decision Letter dated 2nd February 2016 confirming the listing of the site as an Asset of Community Value.

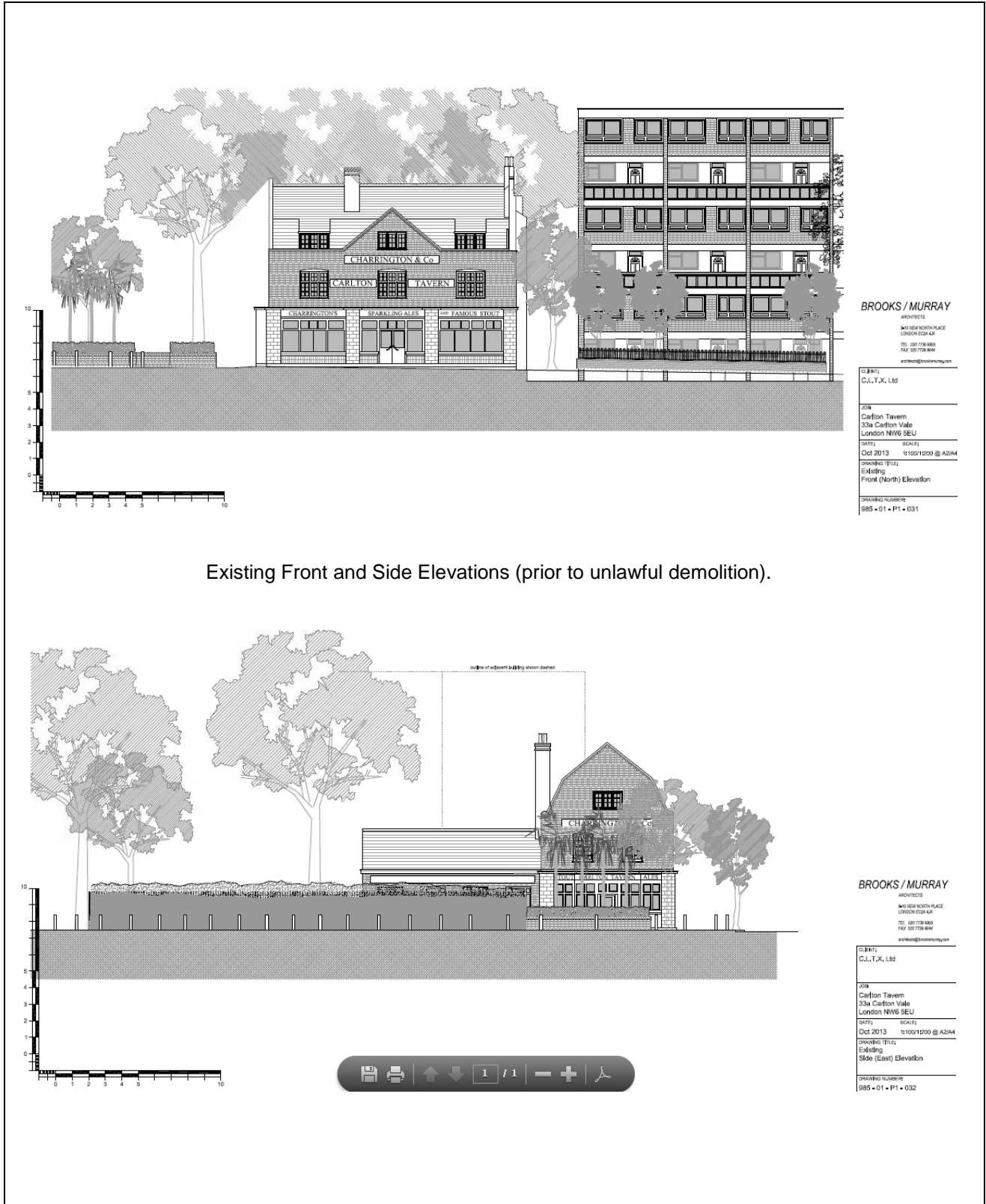
Selected Relevant Drawings

Existing elevations and proposed elevations and plans.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT MATTHEW PENDLETON
ON 020 7641 2535 OR BY EMAIL AT NorthPlanningTeam@westminster.gov.uk

9. KEY DRAWINGS



Existing Front and Side Elevations (prior to unlawful demolition).

BROOKS / MURRAY
 ARCHITECTS
 841 15th NORTH PLACE
 LONDON E20 4JA
 TEL: 020 7736 8883
 FAX: 020 7736 8844
ar@mbsm.com

CLIENT:
 C.J., T.X., Ltd

JOB:
 Carlton Tavern
 33a Carlton Vale
 London NW6 9EU

DATE: 04/04/13 SCALE:
 Oct 2013 1:1000/1200 @ A2/M4

DRAWING TITLE:
 Existing
 Front (North) Elevation

DRAWING NUMBER:
 985 - 01 - P1 - 031

BROOKS / MURRAY
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 841 15th NORTH PLACE
 LONDON E20 4JA
 TEL: 020 7736 8883
 FAX: 020 7736 8844
ar@mbsm.com

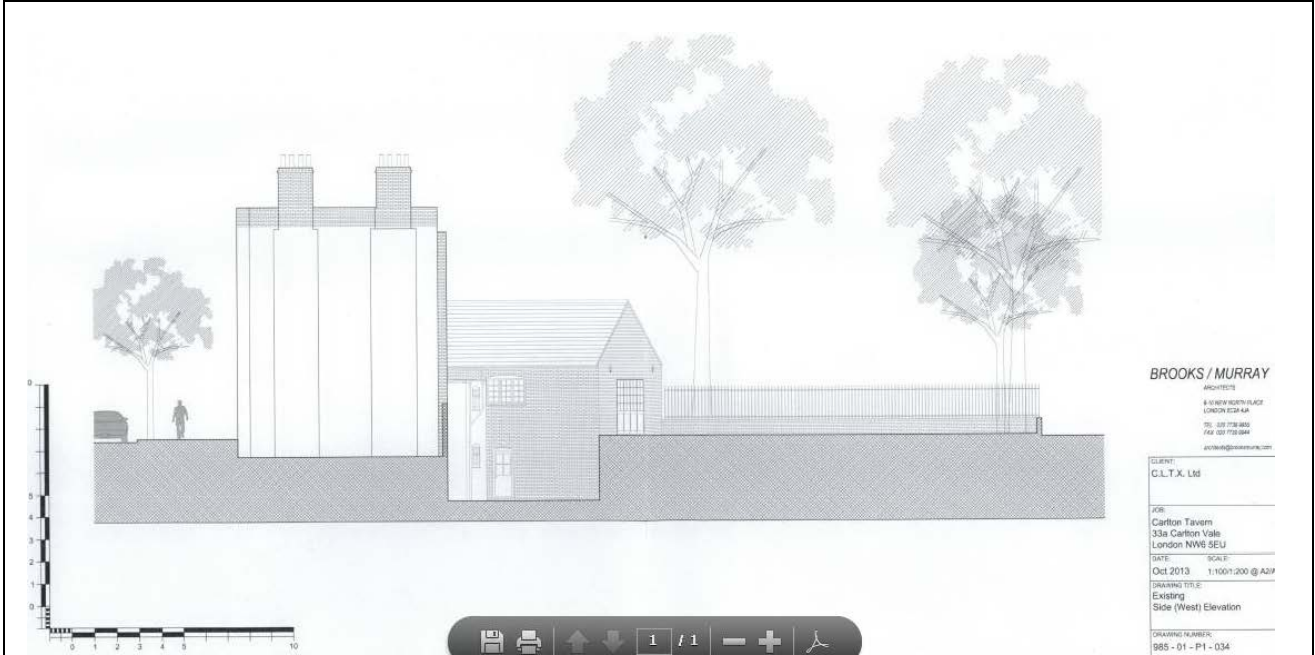
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 C.J., T.X., Ltd

JOB:
 Carlton Tavern
 33a Carlton Vale
 London NW6 9EU

DATE: 04/04/13 SCALE:
 Oct 2013 1:1000/1200 @ A2/M4

DRAWING TITLE:
 Existing
 Side (East) Elevation

DRAWING NUMBER:
 985 - 01 - P1 - 032



BROOKS / MURRAY
ARCHITECTS

8 NEW BETH PLACE
LONDON EC2A 4JF
TEL: 020 776 8665
FAX: 020 776 8664
www.brooksmurray.com

CLIENT:
C.L.T.X. Ltd

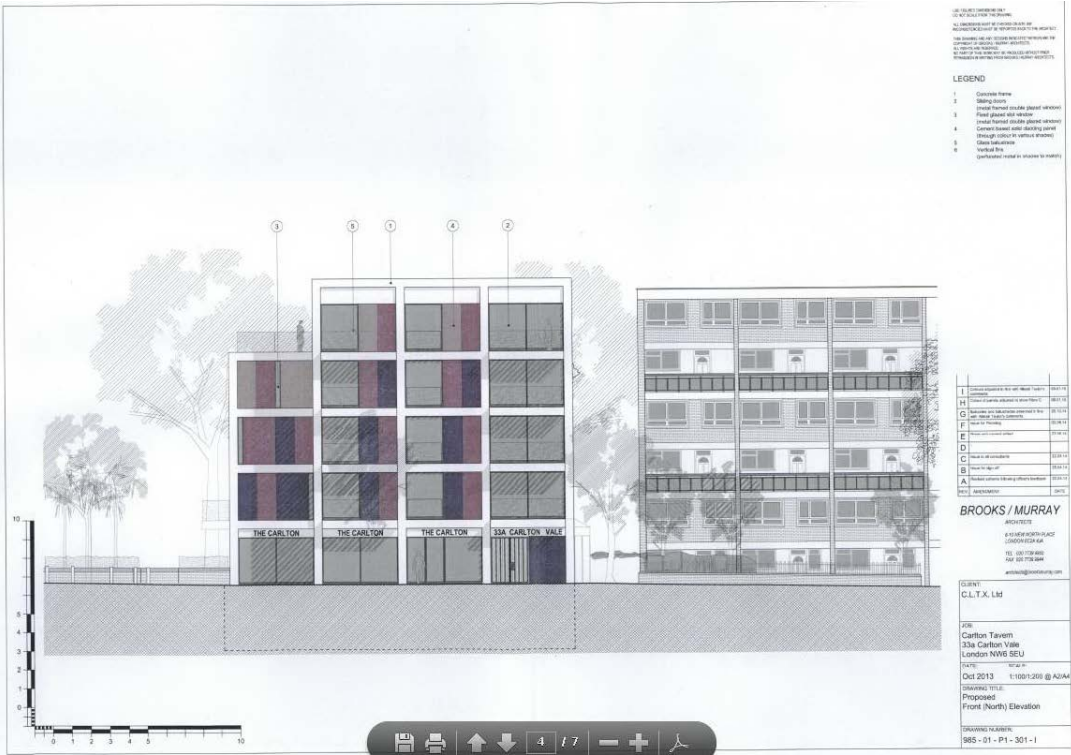
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Carlton Tavern
33a Carlton Vale
London NW6 5EU

DATE: Oct 2013 SCALE: 1:100 @ A3

DRAWING TITLE:
Existing
Side (West) Elevation

DRAWING NUMBER:
985 - 01 - P1 - 034

Above: Existing Rear Elevation (prior to unlawful demolition).



- LEGEND**
- 1 Existing Form
 - 2 Existing Form
 - 3 Proposed new window
 - 4 Proposed new window
 - 5 Proposed new window
 - 6 Proposed new window
 - 7 Proposed new window
 - 8 Proposed new window

1	Existing Form	00/13
2	Existing Form	00/13
3	Proposed new window	00/13
4	Proposed new window	00/13
5	Proposed new window	00/13
6	Proposed new window	00/13
7	Proposed new window	00/13
8	Proposed new window	00/13

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www.brooksmurray.com

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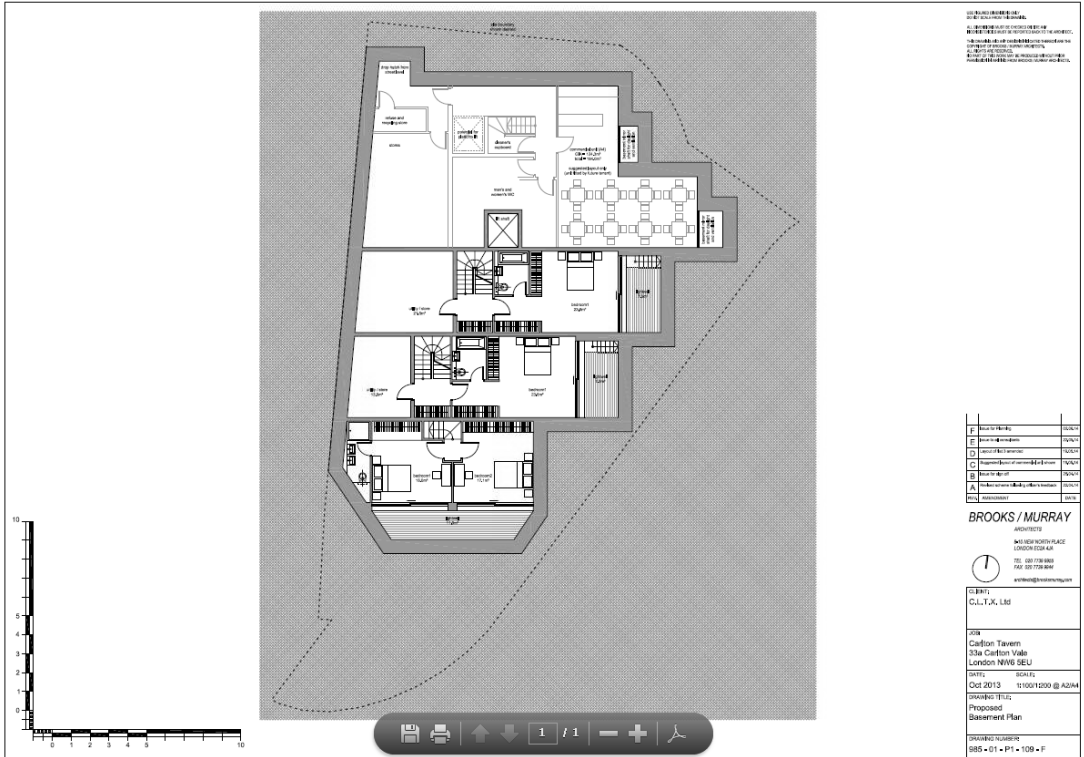
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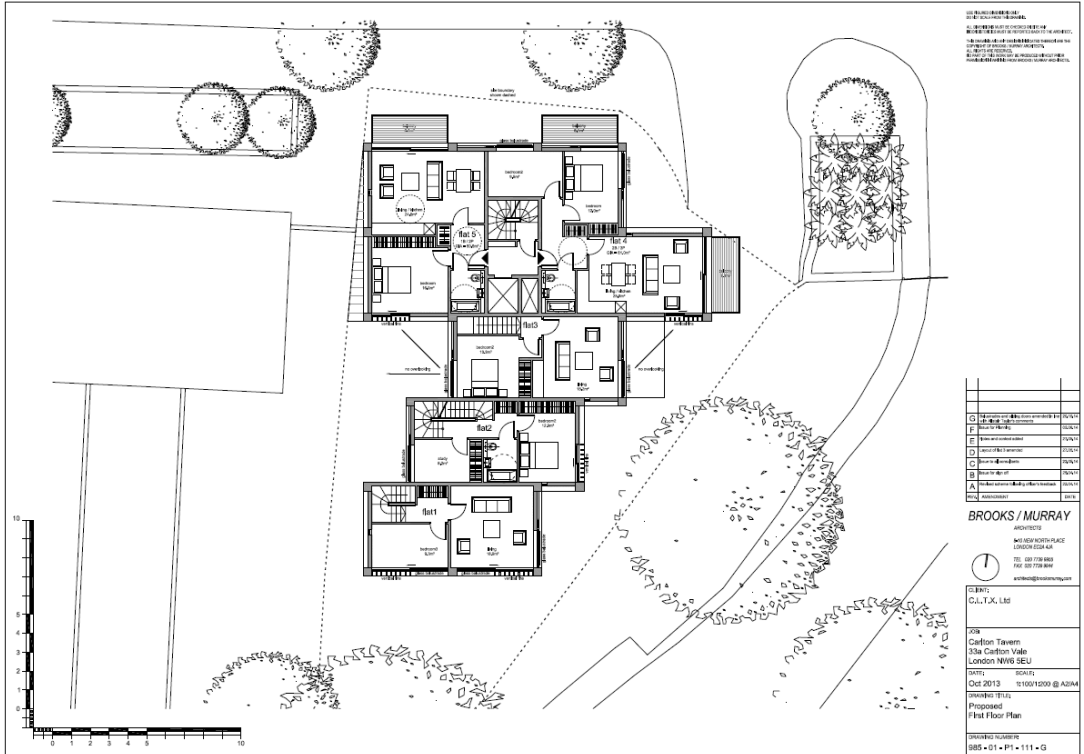
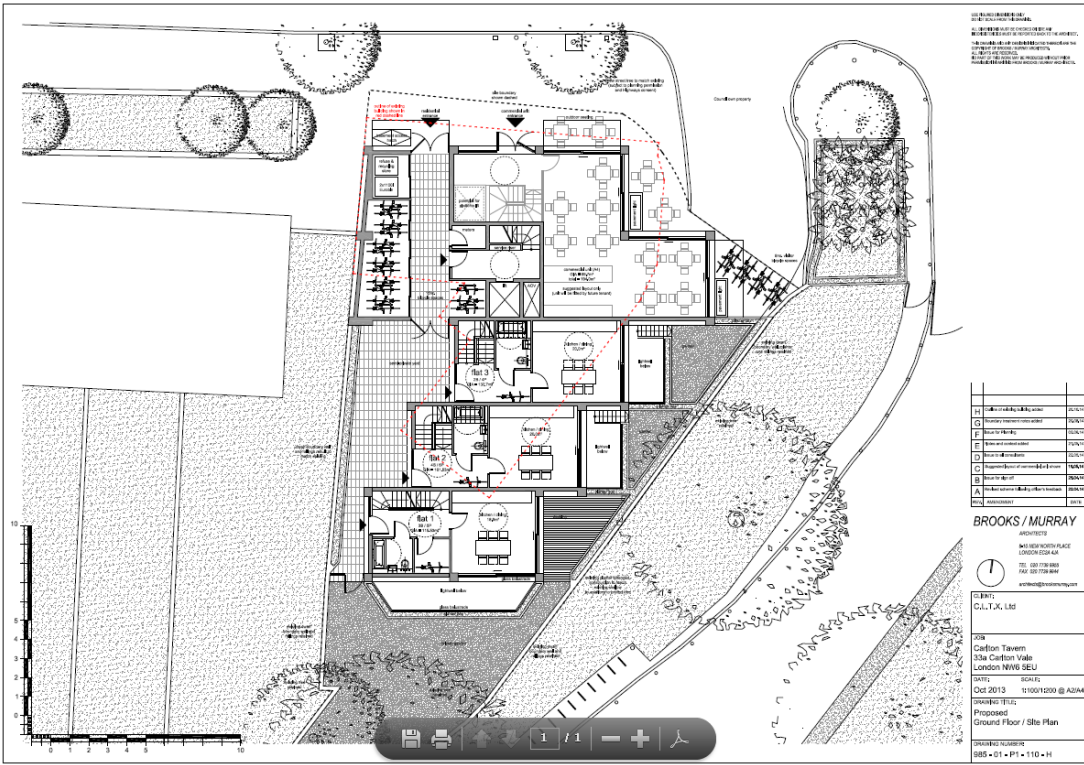
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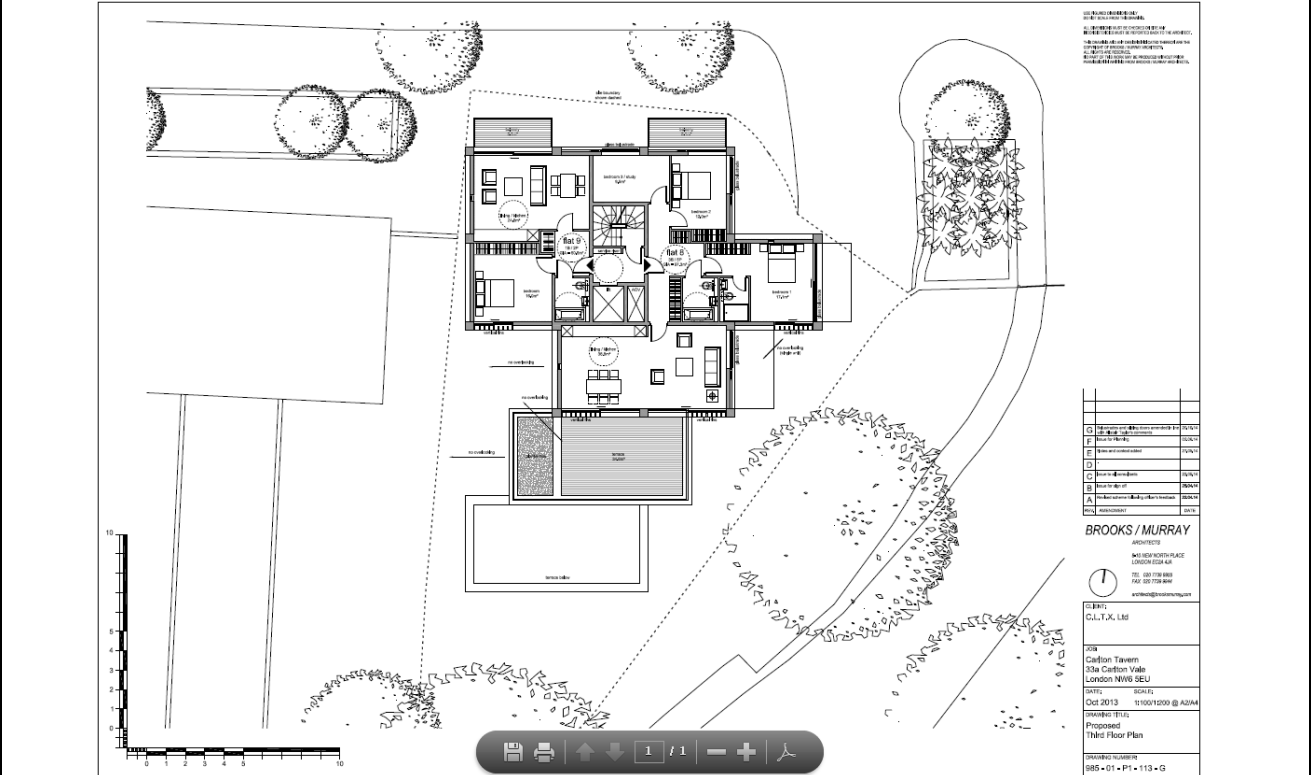
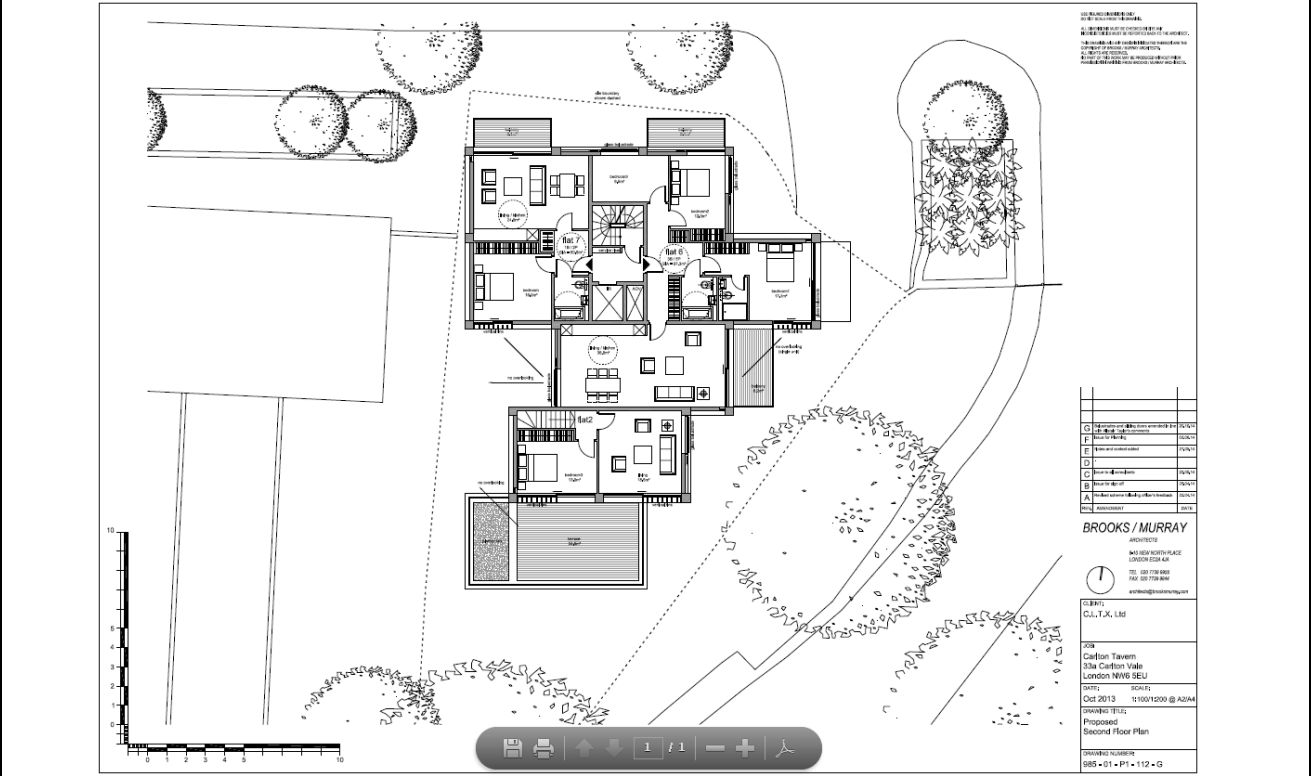
DRAWING TITLE:
Proposed
Front (North) Elevation

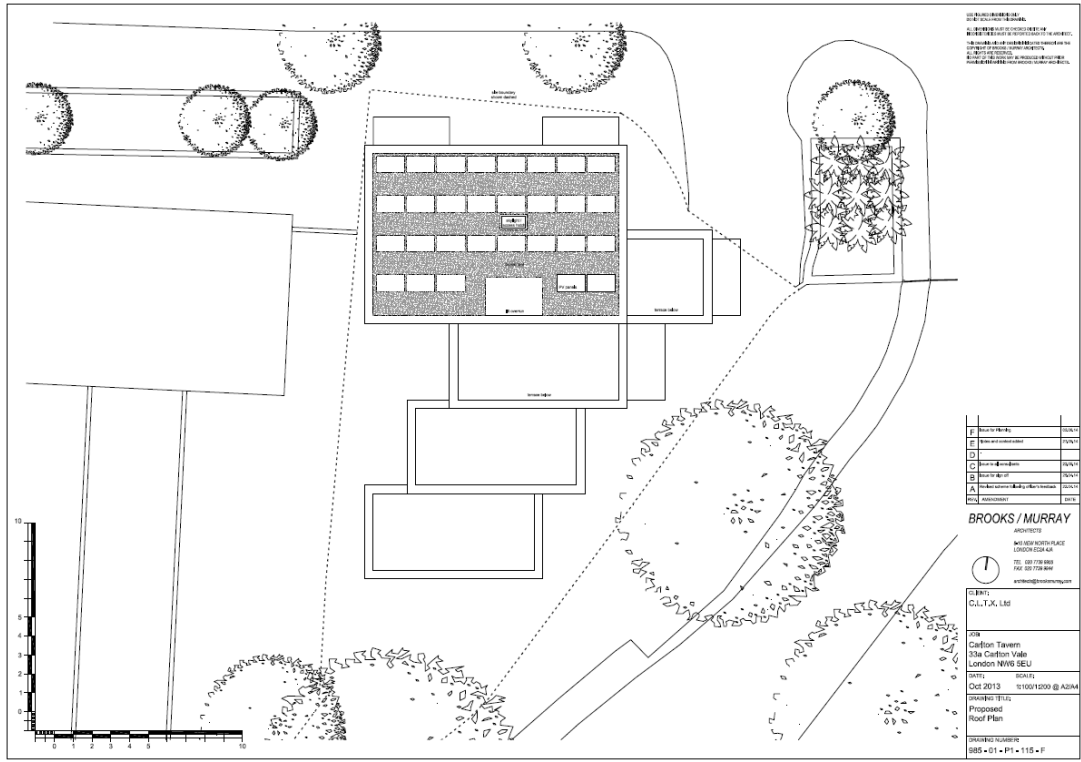
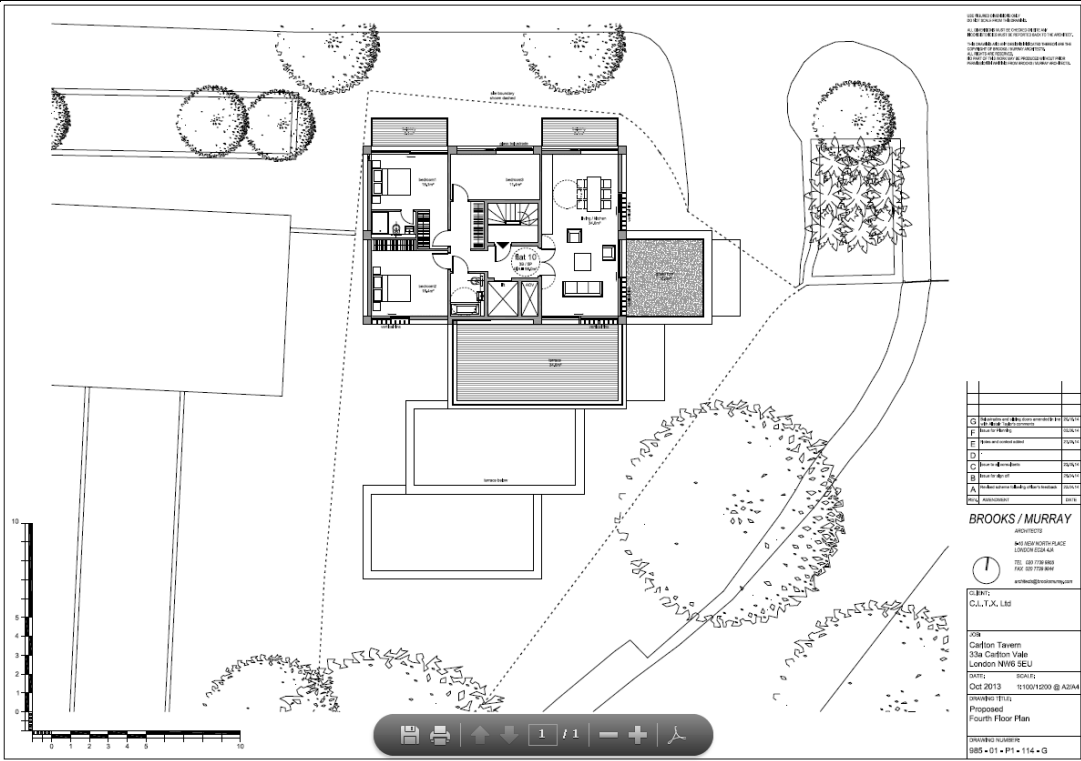
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Item No.

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