

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB-COMMITTEE</b>	<b>Date</b> 16 May 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Abbey Road	
<b>Subject of Report</b>	<b>15-19 Blenheim Terrace, London, NW8 0EH,</b>		
<b>Proposal</b>	Variation of Conditions 1 and 20 of planning permission dated 26 April 2016 (RN: 14/12517/FULL) for demolition of existing buildings and erection of 3x5 bedroom five storey townhouses comprising basement, ground and three upper floors, formation of covered car parking area to rear and alterations to form a side access road; namely, to bring forward the front building line to align with the adjacent building to the south west, amend the detailed design of front and rear facades including revision of form of rear lightwell, addition of rooflights to the main roof and revision of internal layouts.		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	Blenheim Property Holdings Limited		
<b>Registered Number</b>	16/08357/FULL	<b>Date amended/ completed</b>	31 August 2016
<b>Date Application Received</b>	31 August 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St John's Wood		

## 1. RECOMMENDATION

1. Grant conditional permission, subject to completion of a legal agreement to secure the following:
  - a) A financial contribution of £186,713 (index linked) towards alternative Social and Community Uses/ Projects in the vicinity.
  - b) A financial contribution of £328,320 (index linked from the date specified in the original S106 agreement) to the Affordable Housing Fund to deliver affordable housing elsewhere in the City in lieu of on-site provision.
  - c) Highway works in Blenheim Terrace to form access to the off-street parking and amend the location and layout of residents' on-street parking bays (appropriate arrangements to be agreed prior to commencement and highway works to be carried out prior to occupation at the applicant's expense).
  - d) Provision of cost of monitoring of the agreement (£500 for new head of term).
2. If the S106 planning obligation has not been completed by 20 January 2015 then:

- a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue such a decision under Delegated Powers; however, if not;
- b) The Director of Planning shall consider whether permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

## 2. SUMMARY

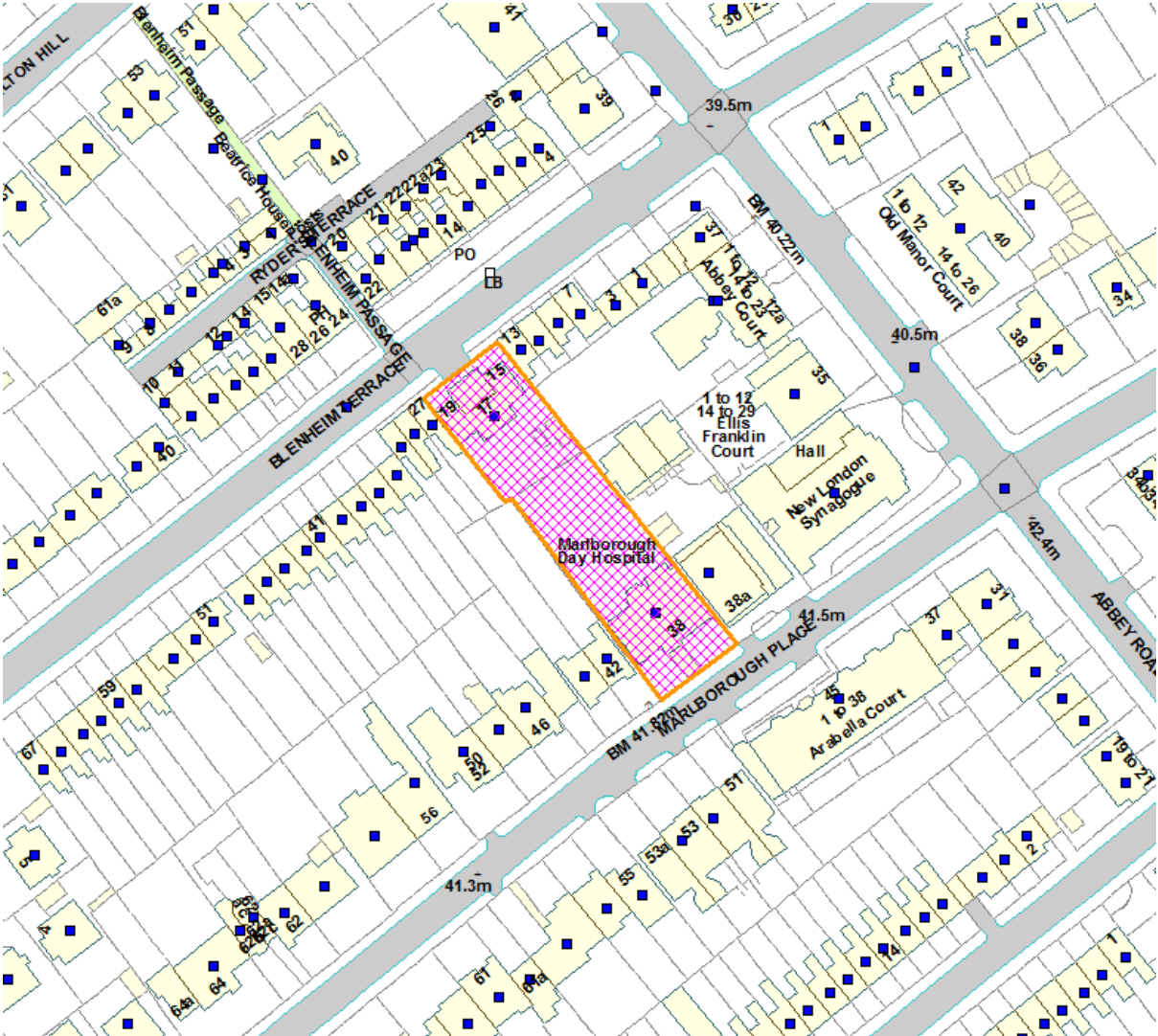
The application seeks approval for variation of Conditions 1 and 20 of planning permission dated 26 April 2016 (RN: 14/12517/FULL) to allow amendments to the previously approved scheme for redevelopment of this site to provide 3x5 bedroom five storey townhouses within a new building comprising basement, ground and three upper floors. The amendments proposed to the previously approved scheme are to bring forward the front building line to align with the adjacent building to the south west (No's.27-31 Blenheim Terrace), amendment of the detailed design of front and rear facades including revision of the form of the rear lightwell, addition of rooflights to the main roof and revision of internal layouts of the three new dwellinghouses.

The key issues in this case are:

- The acceptability of the proposed Affordable Housing offer.
- The impact of the amendments on the appearance of the new building and the character and appearance of the St. John's Wood Conservation Area.
- The impact of the amendments on the amenity of neighbouring residents.
- The impact of the setting forward of the front elevation and front garden on the operation of the public highway in Blenheim Terrace.

The proposed amendments to the previously approved scheme are considered to be acceptable in land use, design, amenity and transportation terms and would accord with the relevant policies in the Unitary Development Plan (UDP) adopted in January 2007 and Westminster's City Plan (the City Plan) adopted in November 2016. The application is therefore recommended for conditional approval, subject to the completion of the legal agreement referred to in Section 1 of this report to secure planning obligations to mitigate the loss of the existing social and community use on the site and to provide affordable housing elsewhere within the City.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (top) and relationship to public highway (bottom).

## 5. CONSULTATIONS

### WARD COUNCILLORS (ABBAY ROAD)

No response to date.

### ST. JOHN'S WOOD SOCIETY

Not clear about reference in description to removal of railings. Object to oversized and conjoined dormer windows, which are dominated by the patio doors within them. Do not object to the realignment of the building but concern about the way in which it joins No.27-31 Blenheim Terrace.

### ARBORICULTURAL MANAGER

Consider there to be too much hard landscape, but note that there is no more than previously approved. Lowered ground levels in Section AA don't seem to match the ground floor plan (extends further into the RPA of the Sycamore tree in section). The footprint of the development has increased into the rear garden as previously there was ground level access into the rear garden and now there is basement access. Basement beyond the rear elevation does not have 1.0m soil depth and a drainage layer over it and and SUDS not provided; however, notes that the basement area affected is 'miniscule'. Section may indicate an increased incursion into the RPA of the Sycamore. Cannot support the loss of garden space and garden amenity in the conservation area due to the terraced lightwell.

### CLEANSING MANAGER

No objection subject to condition to secure provision of bin stores.

### HEAD OF AFFORDABLE AND PRIVATE SECTOR HOUSING

No response to date.

### HIGHWAYS PLANNING MANAGER

Removal of Condition 12 is premature as the lawful use of No.38 is still as a Class D1 use, last used as a medical facility. Use of the medical parking spaces would also result in an over provision of parking for the residential development. Bringing forward the front building line and front gardens would prevent future parking on the existing front forecourt.

### ADJOINING OWNERS/ OCCUPIERS

No. of Consultations: 160; No. of Responses: 1 neutral comment stating that construction works should not disrupt the area unduly and hours of construction works should be limited.

### ADVERTISEMENT/ SITE NOTICE

Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises an unlisted vacant Class D1 building located within the St. John's Wood Conservation Area. Permission was granted previously in 26 April 2016 (RN:

14/12517/FULL) for the replacement of the existing Class D1 medical building with 3 townhouses comprising basement, ground and three upper floors with a covered car parking area to the rear. The loss of the existing medical use of the building (a social and community use) was accepted subject to provision of a financial contribution of £186,713 (index linked) towards the provision of alternative social and community uses in the vicinity of the application site. This financial contribution is secured by a S106 agreement dated 26 April 2016, which requires the contribution to be provided prior to commencement of development.

## 6.2 Recent Relevant History

26 April 2016 – Permission granted for demolition of existing buildings and erection of 3 x 5 bedroom five storey townhouses comprising basement, ground and three upper floors. Formation of covered car parking area to rear and alterations to form a side access road (RN: 14/12517/FULL).

This application was reported to the Planning Applications Committee on 20 October 2015 at which the Committee resolved to grant conditional permission subject to the completion of a legal agreement to secure a financial contribution to of £186,713 (index linked) towards alternative Social and Community Uses/ Projects in the vicinity and highway works in Blenheim Terrace to form access to the off-street parking and amend the location and layout of residents' on-street parking bays. The legal agreement was completed and conditional permission was granted on 26 April 2016.

## 7. THE PROPOSAL

The current application seeks permission for variation of Conditions 1 and 20 of planning permission dated 26 April 2016, which granted permission for redevelopment of this site to provide three dwellinghouses. The amendments proposed are namely to bring forward the front building line to align with the adjacent building to the south west, amendment of the detailed design of the front and rear facades including revision of form of rear lightwell, addition of rooflights in the main roof and revision of the internal layouts.

The scheme initially proposed the removal of Condition 12, which reserves two of the parking spaces to the rear of the site for use by the Class D1 occupier of No.38 Marlborough Place. However, this element of the application has been omitted and therefore the concerns raised by the Highways Planning Manager in respect of this aspect of the application have been addressed.

**Table 1 – Proposed floorspace changes on the site as a result of the proposed development.**

	Existing GIA (m2)	Previously Approved GIA (m2)	Proposed GIA (m2)	+/- (Existing v Proposed GIA)
Medical Facility Use (Class D1)	589	0	0	-589
Residential Use (Class C3)	0	942	1,140	+1,140

Total	589	942	1,140	+551
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The assessment in this report focuses on the amendments to the scheme previously approved on 26 April 2016 and any relevant material changes in circumstances that have occurred since that date. The full report for the previously approved scheme is provided in the background papers for information.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

In land use terms the proposed replacement of the existing medical facility with three dwellinghouses remains acceptable for the reasons set out in the committee report dated 20 October 2015 in relation to the originally approved scheme (see copy of report and minutes in background papers). Given the requirements of S34 in the City Plan, the loss of the social and community use is to be mitigated by the provision of a financial contribution of £186,713 (index linked from the date of the original S106 agreement).

The residential units proposed would be acceptable in terms of their overall size, which is proportionate to the size and form of buildings in the same terrace. The amended internal layouts proposed as part of the current scheme are uncontentious and the scheme would continue to provide three dwellinghouses that will deliver a good standard of family size residential accommodation.

The setting forward of the front building line by approximately two metres, as is proposed by the current application, would result in an uplift in residential floorspace of increase of 198m<sup>2</sup> (GIA), with the floorspace increasing from 942m<sup>2</sup> to 1140m<sup>2</sup>. The increase in floorspace raises the overall floorspace provided by the development above the 1,000m<sup>2</sup> (GIA) threshold above which development must provide affordable housing. In this case the principle of delivering three large family size dwellinghouses on the site has already been accepted by approval of the previous scheme in April 2016 and it is a significant material consideration that the approved scheme remains extant and could be carried out at anytime up to April 2019 without any affordable housing being provided. As such, given the presence of the extant permission and the previously approved arrangement of the site as three dwellinghouses, it is accepted that in this case it is not reasonable or practical to insist on the provision of the affordable housing that is now required to be provided on site.

The applicants do not have any other sites in their ownership in the vicinity of the site and therefore the requirement for affordable housing to be provided off-site in the vicinity, where it cannot be provided on site, cannot reasonably be met. Accordingly, following the cascade in Policy H4 in the UDP (as supplemented by the Interim Guidance Note on Affordable Housing Policy - 2013) and Policy S16 in the City Plan, the provision of a financial contribution in lieu of on-site provision is acceptable. The policy compliant affordable housing financial contribution would be £328,320 and the applicants have agreed to provide this fully policy compliant amount, which is to be captured via a S106 agreement and is payable prior to commencement of development. Subject to the S106 agreement to secure the financial contribution, the proposed scheme would accord with Policy H5 in the UDP and Policy S16 in the City Plan.

## 8.2 Townscape and Design

When considering the previously approved scheme at the Planning Applications Committee meeting on 20 October 2015 the Committee was concerned that the set back front boundary of the previously approved scheme would lead to the continued use of the forecourt area at the front of the site facing Blenheim Terrace for unauthorised parking, which requires vehicles to cross the pedestrian footpath without a crossover.

To address this concern the previously approved scheme was permitted subject to a condition (Condition 20) requiring amendment to the layout of the front of the site to omit the front forecourt area. In addition an Informative was added to the decision letter advising that *'...the Committee considered that any future revised planning application that may be made for redevelopment of this site should deal with this area more holistically and you should consider bringing the front boundary line forward to incorporate this area...'*

In design terms the moving forward of the front building line in this case is considered to be an enhancement relative to the originally approved scheme. Whilst the building would be bulkier than originally approved, this would be contained between the existing terraces to either side and the provision of a consistent building line would enhance the appearance of this part of Blenheim Terrace. The amendments proposed to the building line and to bring forward the front boundary and gardens would therefore be compliant with Policies DES1, DES4 and DES9 in the UDP and Policies S25 and S28 in the City Plan.

The amendments to the detailed design of the front and rear facades have been modified during the course of the application to address initial concerns raised by officers and the St. John's Wood Society. In particular, the combined large dormers have been omitted and the applicants have reverted to the previously approved dormer dimensions, the fenestration to the rear has been reduced in size to maintain a hierarchy of window openings and the front door openings have been centralised on the window opening above at first floor level. Following amendment, these detailed design amendments to the facades are not considered to be minor and are not contentious in design terms.

The roof level cornice has been enlarged in the current scheme to ensure the front elevation of the new building maintains the hierarchy found to the front facade of neighbouring terraces. Whilst this amendment is acceptable in principle and will assist in softening the transition to the more traditionally detailed terrace to the west (Nos. 27 to 31 Blenheim Terrace), it is recommended that detailed elevations and sections of the roof level cornice, including a detail of the junction of proposed cornice with existing cornice to the neighbouring terrace, are secured by condition. The provision of these further details to ensure the detailing of the cornice is appropriate addresses the concerns raised by the St. John's Wood Society.

At roof level the size of the proposed rooflights and their projection above the ridge line of the roof of the building has been reduced and following these amendments the rooflights are considered to be discreetly located and acceptable in design terms.

The form and configuration of the rear lightwells are proposed to be amended to form a full width lower ground floor level 'rear extension' to each of the three houses; whereas the



approved scheme included a lower ground floor 'wing' extending along one side of each of the three rear lightwells. The 'rear extension' now proposed would not have soil depth over it and instead comprises a hard paved terrace; however, this is the same as the previously approved 'wing', which also had no soil depth over it and was instead hard paved. The overall depth of the rear lightwell, basement level 'rear extension' and the steps up to garden level would not project significantly further into the rear garden than in the previously approved scheme. As such, the objections raised on this ground by the Arboricultural Manager cannot be supported as a ground on which to reasonably withhold permission.

The proximity of the basement level 'rear extension' and rear lightwell to the south western boundary wall with No.27 Blenheim Terrace was initially raised as a concern due to the lack of a 'set in' of the basement excavation from this boundary. However, the applicant has subsequently demonstrated that this part of the site is already developed and is not 'garden land' and therefore the Basement Development policy in the City Plan (CM28.1) does not require a 'set in' from the boundary in such circumstances as the land in question has already been developed. The proposed basement is otherwise compliant with Policy CM28.1 in the City Plan.

In summary, the amendments proposed would not harm the appearance of the previously approved building or harm the character and appearance of the conservation area. The amended scheme therefore accords with Policies DES1, DES4 and DES9 in the UDP and S25, S28 and CM28.1 in the City Plan.

### **8.3 Residential Amenity**

In amenity terms the bringing forward of the front building line would not cause a material loss of daylight or sunlight or cause a significant increase in enclosure as the additional bulk would be located between the blank flank walls of the two neighbouring terraces. The windows in the front elevation would be slightly closer to front windows in the terrace opposite; however, the buildings would continue to be separated by the width of Blenheim Terrace and at this distance the current scheme would not give rise to a significant increase in overlooking.

The amendments to fenestration to the front and rear elevations would not significantly alter the degree to which the development would overlook neighbouring windows and gardens as the area of fenestration would remain largely as approved. The alterations to the rear at basement level, including reconfiguration of the rear lightwells, would be below the level of the boundary walls and would not have any adverse impact on the amenity of neighbouring residents.

In summary, the alterations to the previously approved scheme are acceptable and would accord with Policy ENV13 in the UDP and Policy S29 in the City Plan.

### **8.4 Transportation/Parking**

By moving forward the building line to the front of the site, the forecourt area which was to be left undeveloped in the previously approved scheme would be subsumed into the front garden area/ lightwell of the development, with boundary walls provided to its perimeter. This approach to the front of the application site successfully addresses previous

concerns that the front forecourt would be used to facilitate unauthorised off-street parking (see first paragraph of Section 8.2 of this report for context). As a result, the previously imposed condition (Condition 20), which required details of appropriate arrangements to prevent forecourt car parking, has been amended to comprise a compliance condition requiring the boundary walls around the front garden areas now proposed on the forecourt area to be provided prior to occupation and thereafter retained.

The Highways Planning Manager is content with this approach to resolving the Committee's previous concerns regarding the potential for the front forecourt to be used for unauthorised parking and is also satisfied that the forecourt is not public highway land and therefore does not need to be stopped up. He is also content that despite the loss of the forecourt, sufficient footpath width would remain past the site, even allowing for obstructions such as street trees, given that Blenheim Terrace is a cul-de-sac with relatively low footfall.

The alterations to the front building line would not alter the need for access to be created to enable access to the off-street parking to the rear of the site (this is likely to necessitate amendments to on-street parking bays and provision of a crossover in Blenheim Terrace). As such, as per the previously approved scheme, it is recommended that these highway works are secured at the applicant's expense via a S106 agreement.

The proposed amendments are therefore acceptable in transportation terms and would accord with Policies TRANS2 and TRANS3 in the UDP and S41 in the City Plan.

## **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size.

## **8.6 Access**

The proposed dwellinghouses would have level access from the public highway, with lifts within each dwelling providing level access to each floor level.

## **8.7 Other UDP/ Westminster Policy Considerations**

The Arboricultural Manager has commented that he considers there to be too much hard landscaping. However, following amendment to reduce the projection of the stepped rear lightwell into the rear garden, the extent of the rear lightwell is almost identical in size to the previously approved application (projection of 6 metres in to the rear garden) and therefore permission could not reasonably be withheld on this ground. Furthermore, a significant area of undeveloped garden land would be provided (as per the approved scheme) and it should be noted that large single storey former Class D1 buildings are being removed from the rear of the site as part of this scheme. As such, the proportion of soft landscaped area would not be dissimilar to the existing situation on this site; albeit, the landscaped areas would be relocated. Further details of hard and soft landscaping are to be secured by condition as per the previously approved scheme.

The Arboricultural Manager also advises that he believes that the lower ground level lightwell seems to extend further in to the garden area in section than it does on plan. This was the case when the application was initially submitted; however, following revision of

the application (as referenced in the preceding paragraph) the projection into the rear garden is now limited to 6 metres and this is no greater than previously approved. Therefore the current application would not materially increase the impact of the development on the root protection area of the Sycamore tree, or any of the other trees, to the rear of the site.

As noted in Section 8.2 of this report, the lower ground floor level 'rear extension', where a single storey projects from the main footprint of the building, does not have any soil depth or a drainage layer over. However, as the Arboricultural Manager notes, the area in question is small and is designed as a coherent part of the main body of the new building. It is therefore not a part of the building that requires 'hiding' below the landscaping of the rear garden and therefore the lack of soil depth over this part of the lower ground floor is not objectionable in landscaping terms. A significant proportion of garden areas that are to be provided for the three dwellinghouses will be capable of hosting mature planting.

For the reasons set out in this section, the concerns raised by the Arboricultural Manager have been addressed and subject to the recommended tree protection and landscaping conditions, the amended scheme accords with Policies ENV16 and ENV17 in the UDP and Policy CM28.1 in the City Plan.

## **8.8 London Plan**

The application does not raise any strategic issues.

## **8.9 National Policy/Guidance Considerations**

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

## **8.10 Planning Obligations**

The draft 'Heads of Terms' for the legal agreement are proposed to cover the following issues (see Sections 8.1 and 8.4 of this report for explanations of why these obligations are required to make the development acceptable):

- a) A financial contribution of £186,713 (index linked) towards alternative Social and Community Uses/ Projects in the vicinity.
- b) A financial contribution of £328,320 (index linked from the date specified in the original S106 agreement) to the Affordable Housing Fund to deliver affordable housing elsewhere in the City in lieu of on-site provision.
- c) Highway works in Blenheim Terrace to form access to the off-street parking and amend the location and layout of residents' on-street parking bays (appropriate arrangements to be agreed prior to commencement and highway works to be carried out prior to occupation at the applicant's expense).
- d) Provision of cost of monitoring of the agreement (£500 for new head of term).

The development is liable to pay Westminster's and the Mayor's Community Infrastructure Levy (CIL). In terms of the Westminster CIL, only the uplift in residential floorspace proposed created by the current application (198m<sup>2</sup>) will be CIL liable as the previously approved scheme was permitted in April 2016, prior to the adoption of the Westminster

CIL on 1 May 2016. Therefore based on the applicant's floorspace figures, the estimated CIL liability would be £108,900 for Westminster's CIL (£550 per square metre in the Residential Prime Area), and £70,000 for the Mayor's CIL (£50 per square metre in Zone 1). However, it should be noted that these amounts are provisional and may be subject to any relief or exemptions that may apply in accordance with the Community Infrastructure Levy Regulations 2010 (as amended).

### **8.11 Environmental Impact Assessment**

The proposed development is of insufficient scale to require the submission of an Environmental Impact Assessment. Where relevant environmental issues have been considered in other sections of this report.

### **8.12 Other Issues**

The concerns expressed by one neighbouring resident regarding the impact of construction works are to be addressed by conditions to restrict the hours of construction works, particularly noisy works of excavation and basement construction, and to require the development to be carried out in accordance with a construction management plan. The construction management plan will require the applicant to set out measures to limit the impact of construction works on the amenity of neighbouring residents and the operation of the local highway network. These conditions mirror those imposed when granting permission for the previously approved scheme in April 2016.

## **9. BACKGROUND PAPERS**

1. Application form.
2. Email from the St John's Wood Society dated 10 October 2016.
3. Memo from the Cleansing Manager dated 23 September 2016.
4. Memo from the Highways Planning Manager dated 28 September 2016.
5. Memo from the Arboricultural Manager dated 17 October 2016.
6. Email from the occupier of Flat 1, 13 Blenheim Terrace dated 24 September 2016.
7. Previous Decision letter dated 26 April 2016.
8. Committee report and minutes dated 20 October 2015.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT [ogibson@westminster.co.uk](mailto:ogibson@westminster.co.uk).

10. KEY DRAWINGS

**Approved front elevation (top)**

**Proposed front elevation (bottom)**

**Material Key:**

- 1 Zinc standing seam mansard roof
- 2 Brickwork to match local London stock
- 3 Silver wood-aluminium bay window with dark grey double glazed door
- 4 Dark grey PPC double glazed window with stone reveal and stone surround
- 5 Reconstituted stone cornice
- 6 Brick wall to match local London stock with dark grey metal railings and gate
- 7 Reconstituted stone capping
- 8 Rusticated reconstituted stone base

**Planning:**

- A The cornice detailing increased in size and scale to relate to the neighbouring buildings.
- B The front doors mouldings/surroundings realigned with the elevation above. (Critical layout amendments)
- C The shadow gap terminates below the cornice.
- D The rooflights decreased dimensions, more subtle form.

**Approved front elevation (top) details:**

- As submitted Section 73 Application on 17.08.2016
- Amendments following Planning Officer comments:

**Proposed front elevation (bottom) details:**

- As submitted Section 73 Application on 17.08.2016
- Amendments following Planning Officer comments:

**Project Information:**

Client: CHMVL NHS Foundation Trust  
 Project: 15-19 Barnham Terrace  
 Location: St Leonards Wood  
 Proposed: North Elevation

**Planning:**

15-19 Barnham Terrace, London, SE18 2JH  
 15-19 Barnham Terrace, London, SE18 2JH  
 15-19 Barnham Terrace, London, SE18 2JH  
 15-19 Barnham Terrace, London, SE18 2JH

**16006 PL172 A**



CONSTRUCTION WORK SHALL BE IN ACCORDANCE WITH THE DRAWING.

WORK IS PROPOSED FOR THE REAR ELEVATION OF THE BUILDING. THE DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION.

REVISIONS TO THE PROVISION OF THE DRAWING SHALL BE IN ACCORDANCE WITH THE DRAWING. THE DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION.

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Author	Designer
Checker	Approver
Issue Date	Issue No.
Revision	Revision

**BroadwayMalyan™**  
Architectural Urban Design

15-19 Bartholin Terrace  
St John Wood  
Proposed  
South Brinsford

16006 PL171 D

- Material Key:**
- 1 Zinc standing seam mansard roof.
  - 2 Brickwork to match local London stock.
  - 3 Dark grey PPC double glazed window with reconstructed stone reveal and surround.
  - 4 Reconstructed stone cornice.
  - 5 Silver anodised aluminium bay window with white timber double glazed door.
  - 6 Recessed balcony with dark grey PPC double glazed window with reconstructed stone reveal and surround, and dark grey metal railings.
  - 7 Dark grey PPC double glazed window with reconstructed stone reveal and surround, and dark grey metal railings.
  - 8 Two storey double glazed window with dark grey timber frame, and reconstructed stone reveal and surround.

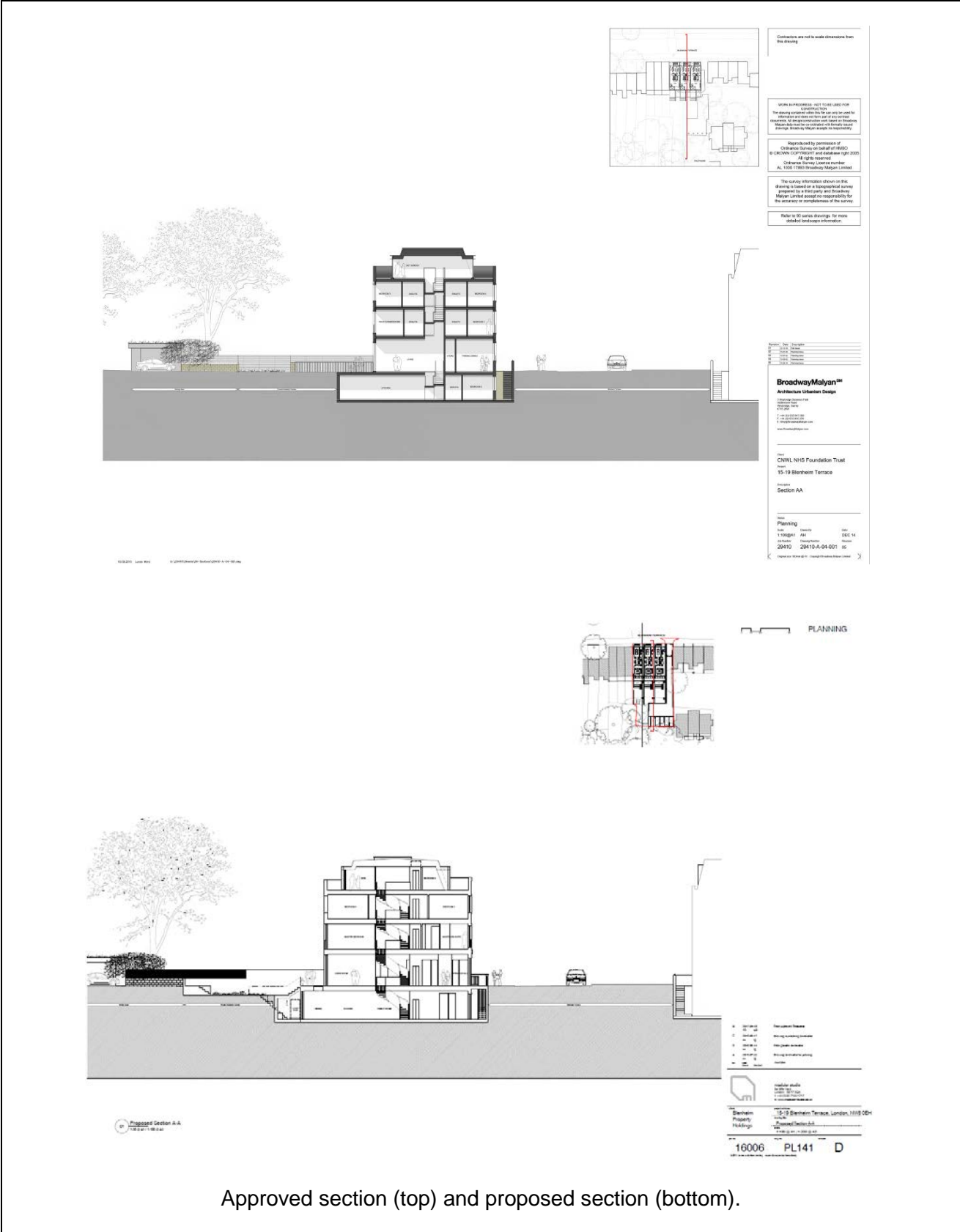
PLANNING



- Proposed Full Rear Elevation, E2  
16006-PL171-D-01
- As submitted on 08/11/2016  
Amendments following Planning Officer comments:
- G.1** The windows at First Floor level to be in smaller dimensions. The sills to void also comparable to the one in the approved scheme.
- Material Key:**
- 1 Zinc standing seam mansard roof.
  - 2 Brickwork to match local London stock.
  - 3 Dark grey PPC double glazed window with reconstructed cast iron reveal and surround.
  - 4 Reconstructed stone cornice.
  - 5 Zinc bay with dark grey PPC double glazed sliding door.
  - 6 Full high dark grey PPC double glazed sliding window.
  - 7 Dark grey PPC double glazed window with reconstructed stone reveal and surround, and dark cast iron railings.

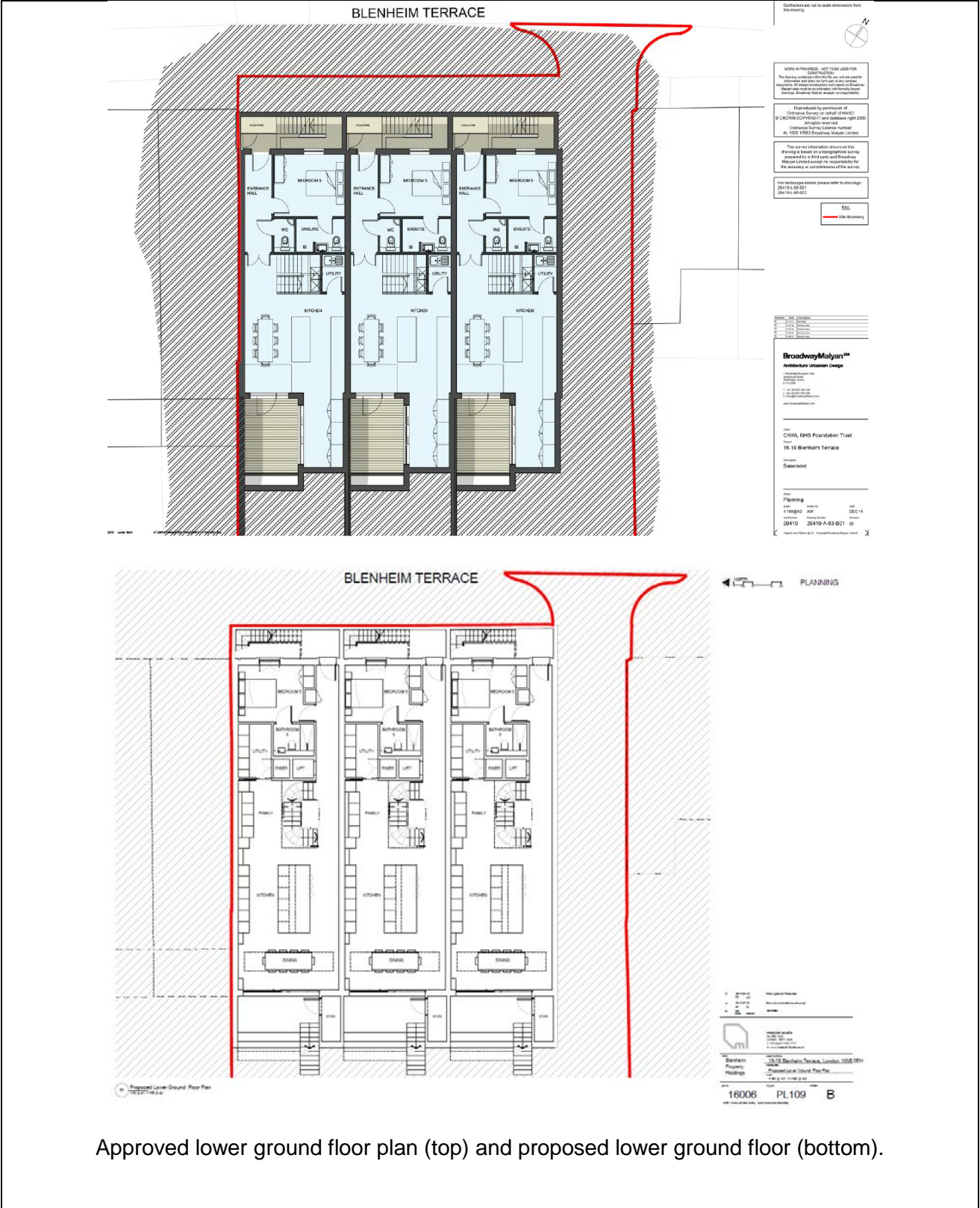
16006 PL171 D

Approved rear elevation (top) and proposed rear elevation (bottom).



Approved section (top) and proposed section (bottom).

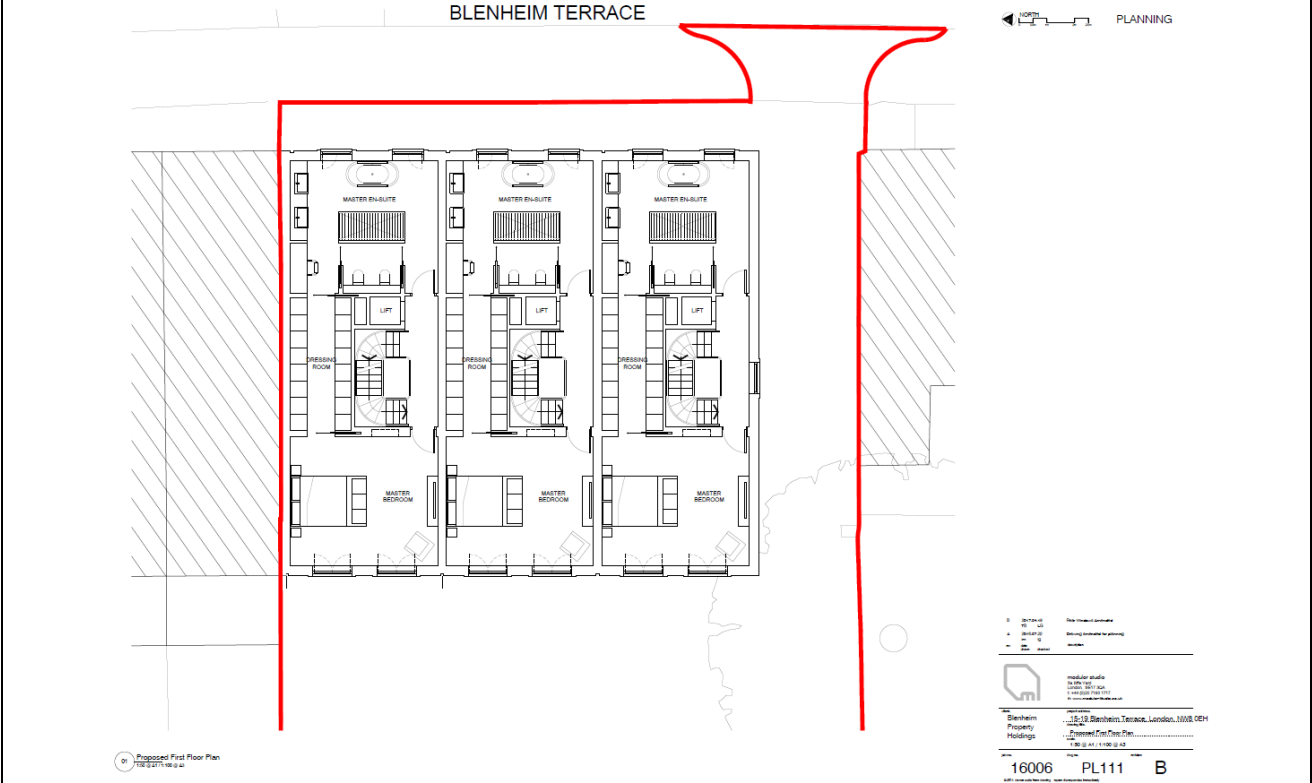
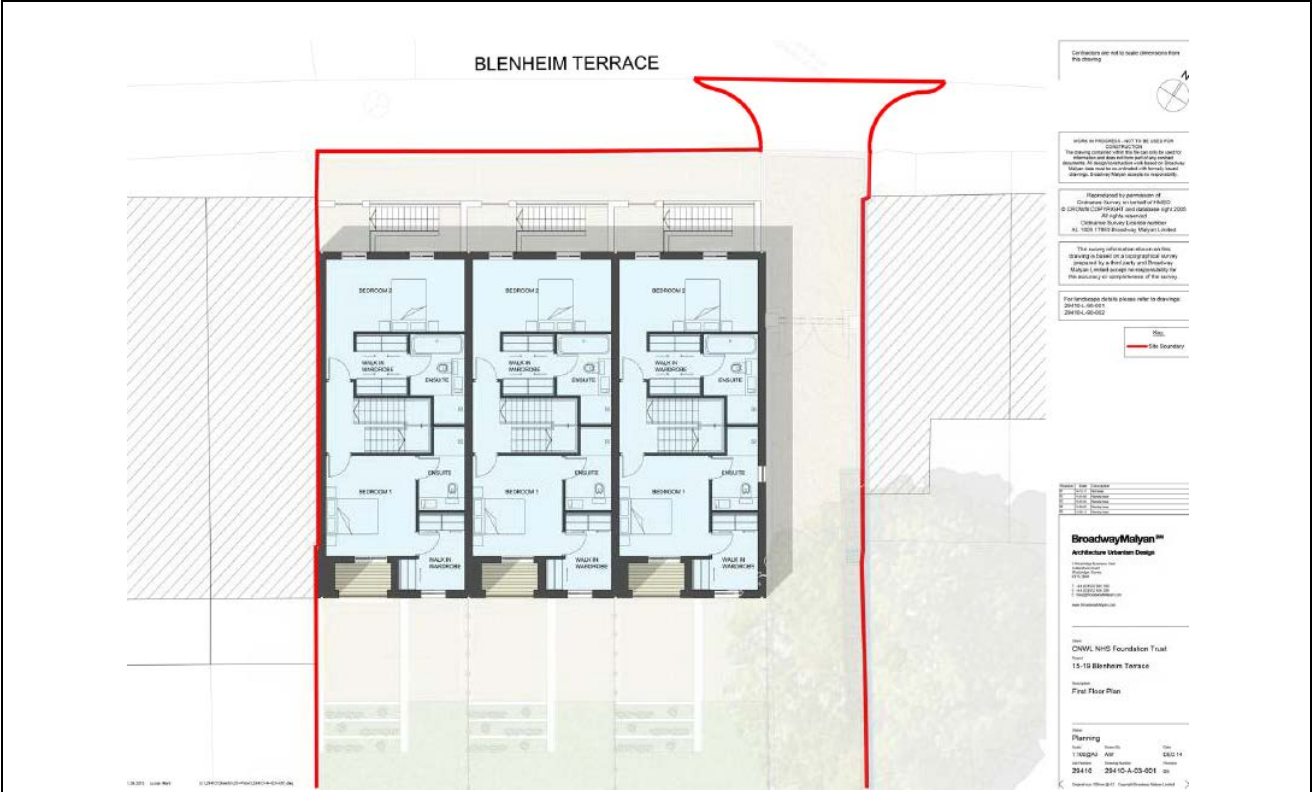




Approved lower ground floor plan (top) and proposed lower ground floor (bottom).



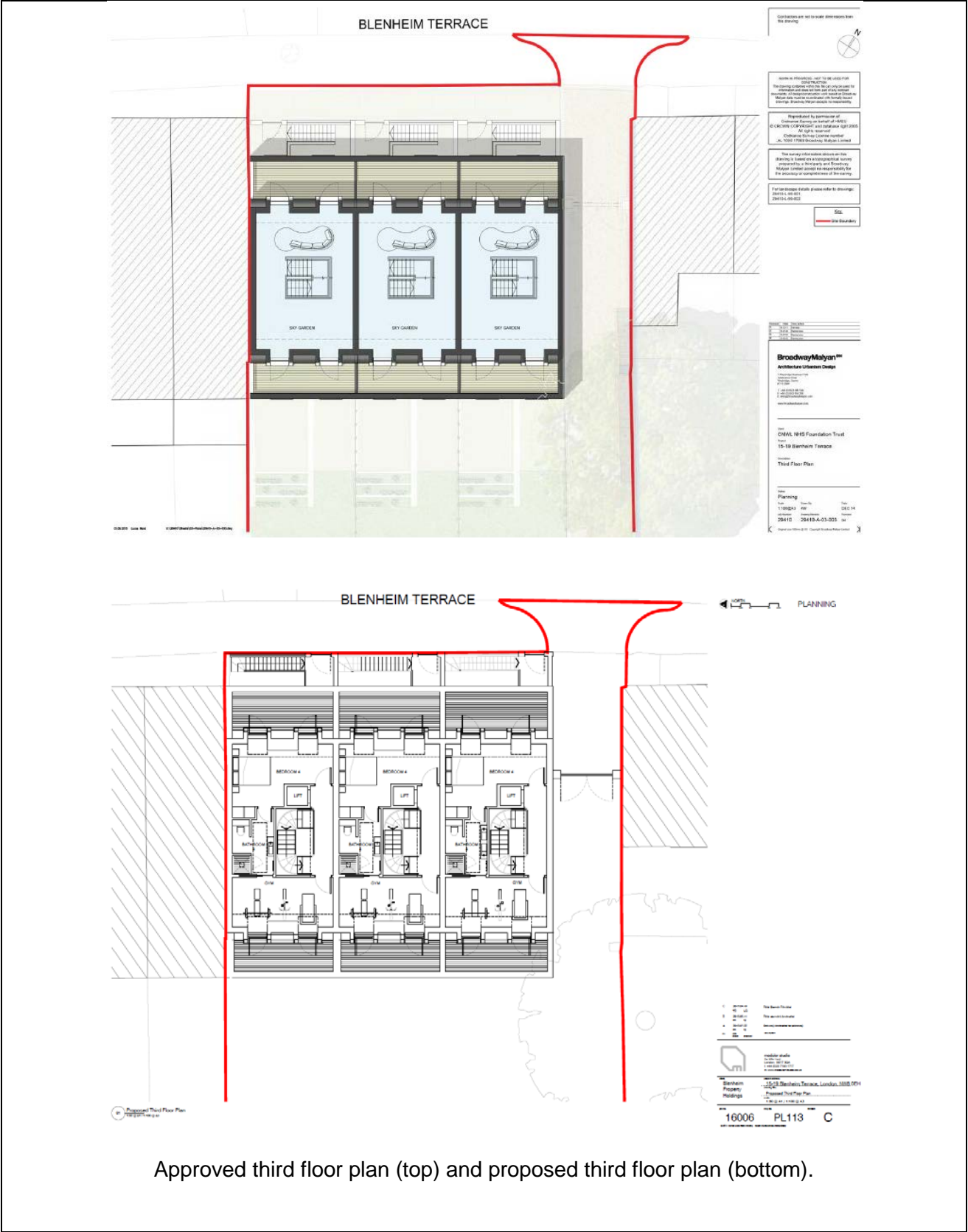


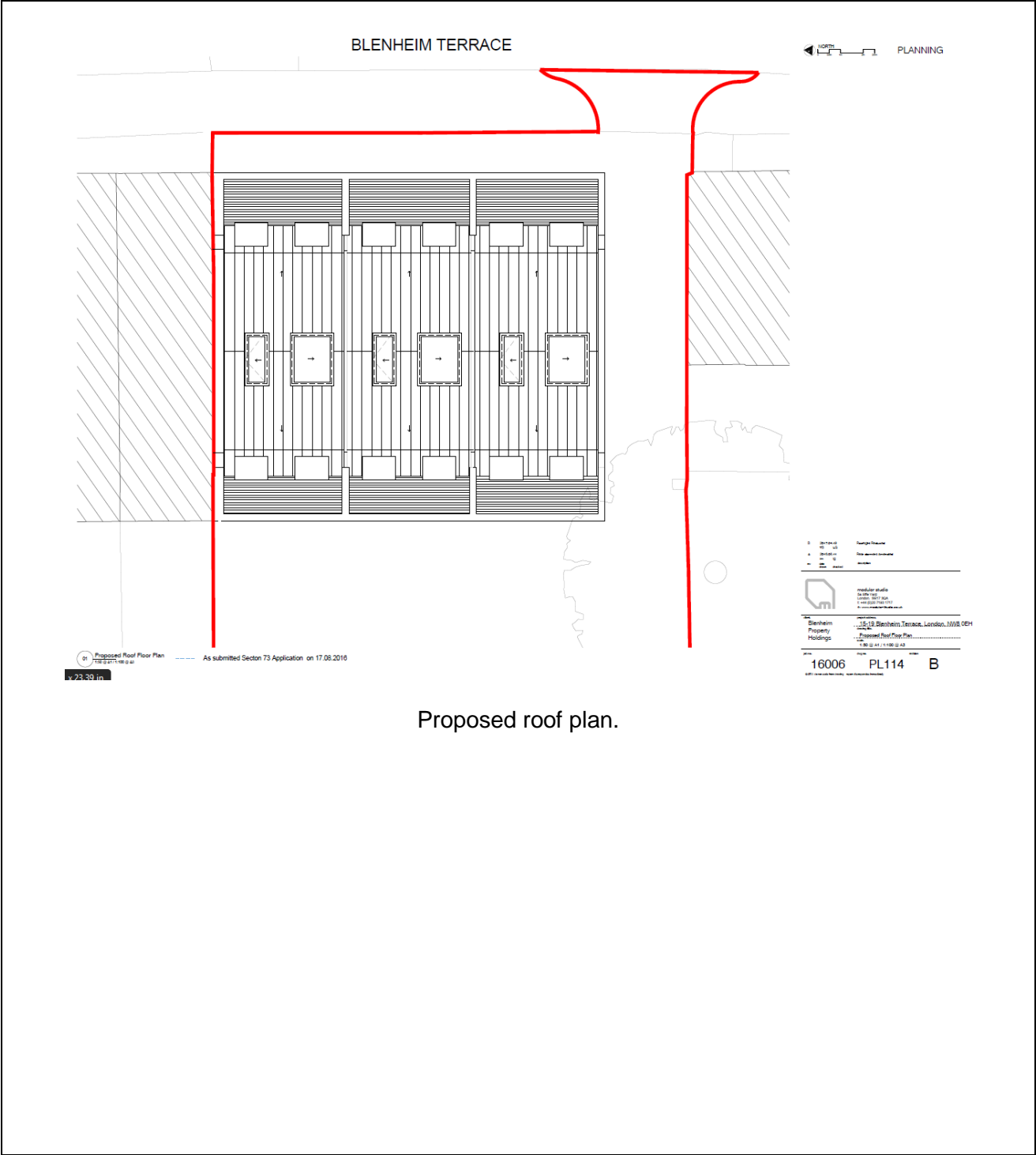


Approved first floor plan (top) and proposed first floor (bottom).



Approved second floor plan (top) and proposed second floor plan (bottom).





Proposed roof plan.

**DRAFT DECISION LETTER**

**Address:** 15-19 Blenheim Terrace, London, NW8 0EH,

**Proposal:** Variation of Conditions 1 and 20 of planning permission dated 26 April 2016 (RN: 14/12517/FULL) for demolition of existing buildings and erection of 3x5 bedroom five storey townhouses comprising basement, ground and three upper floors, formation of covered car parking area to rear and alterations to form a side access road; namely, to bring forward the front building line to align with the adjacent building to the south west, amend the detailed design of front and rear facades including revision of form of rear lightwell, addition of rooflights to the main roof and revision of internal layouts.

**Reference:** 16/08357/FULL

**Plan Nos:** **DRAWINGS AND DOCUMENTS ORIGINALLY APPROVED (RN: 14/12517/FULL):**

29410-A-03-100 Rev.02, 29410-A-03-101 Rev.02, 29410-A-03-102 Rev.02, 29410-A-03-200 Rev.02, 29410-A-05-100 Rev.01, 29410-A-05-101 Rev.01, 29410-A-02-001 Rev.02, 29410-A-02-002 Rev.03, 29410-A-03-B01 Rev.05, 29410-A-03-000 Rev.05, 29410-A-03-001 Rev.05, 29410-A-03-002 Rev.05, 29410-A-03-003 Rev.04, 29410-A-04-001 Rev.05, 29410-A-05-001 Rev.05, 29410-A-05-002 Rev.05, 29410-A-05-003 Rev.04, 29410-A-05-004 Rev.05, 29410-A-05005 Rev.01, 29410-L-05-90-001 Rev.04, 29410-L-05-90-002 Rev.04, Planning Statement dated December 2014, Heritage Statement dated December 2014, Design and Access Statement dated 1 October 2015, Tree Survey Report (CBA10266v1 Rev.A), Code for Sustainable Homes Pre-Assessment Estimator (Code Level 4), Floorspace Schedule dated 2 July 2015 (Rev.02), Structural Methodology dated December 2014, Site Rationalisation Strategy by Nexus Planning dated December 2014 and letter from the Central and North West London NHS Foundation Trust dated 18 December 2014.

**AS AMENDED BY DRAWINGS AND DOCUMENTS HEREBY APPROVED:** PL001, P109 Rev.B, PL110 Rev.C, PL111 Rev.B, PL112 Rev.A, PL113 Rev.C, PL114 Rev.B, PL141 Rev.D, PL142 Rev.A, PL170 Rev.C, PL171 Rev.D, PL172 Rev.A, PL173, PL600 Rev.B, PL601 Rev.B, Application Statement by Modulus Studio dated 17 August 2016 (Rev.B - as amended by drawings hereby listed) and Heritage Advice Note dated April 2016. Email from Rebecca Gunn (Gerald Eve) dated 24 April 2017.

**Case Officer:** Oliver Gibson

**Direct Tel. No.** 020 7641 2680

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

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 **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 shall provide the following details:
- 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.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 4 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have



approved. (C29BB)

Reason:

To maintain the character of the St. John's Wood Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) 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. (R29AC)

- 5 You must apply to us for approval of samples 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 any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan adopted November 2016 and DES 1, DES 4, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 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)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan adopted November 2016 and DES 1, DES 4, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 You must apply to us for approval of detailed drawings of the following parts of the development:
- a) All new windows and doors at a scale of 1:20 or larger.
  - b) All new window and door surrounds and cornices at a scale of 1:20 or larger.
  - c) Typical elevations and sections of the banded rendering to the front facade at basement and ground floor level at a scale of 1:20 or larger (elevation and section).
  - d) Front boundary wall, gates and railings and staircases within front lightwells at a scale of 1:20 or larger., (e) All new boundary walls, gates and fences to the rear of the site at a scale of 1:50 or larger.
  - e) Plan and elevation of the waste and recycling stores at a scale of 1:50 or larger.
  - f) Detailed elevations and sections of roof level cornice, including a detail of the junction of proposed cornice with existing cornice to the terrace to the south west.

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 detailed drawings prior to occupation of the dwellinghouses. (C26DB)



Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan adopted November 2016 and DES 1, DES 4, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 8 You must apply to us for approval of detailed drawings showing the following alteration to the scheme: Provision of privacy screens between the balconies at third floor level. 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)

Reason:

To protect the amenity of neighbouring residents and 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 St. John's Wood Conservation Area. This is as set out in S25, S28 and S29 of Westminster's City Plan adopted November 2016 and ENV 13, DES 1, DES 4, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 9 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the dwellinghouses, erect any extensions to the dwellinghouses or erect any outbuildings or structures within the rear gardens without our permission. This is despite the provisions of Classes A, B, C, D and E of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

Reason:

To protect the amenity of neighbouring residents and 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 St. John's Wood Conservation Area. This is as set out in S25, S28 and S29 of Westminster's City Plan adopted November 2016 and ENV 13, DES 1, DES 4, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 10 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 11 You must provide car parking spaces CP1, CP2 and CP3 shown on the drawing 29410-L-90-001 Rev.04 and these car parking spaces shall only be used for the parking of vehicles of people living in the residential dwellinghouses hereby approved. One of these car parking spaces shall be made permanently available to the occupiers of each of the three dwellinghouses. (C22BA)

Reason:

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)

- 12 You must provide car parking spaces CP4 and CP5 shown on the drawing 29410-L-90-001 Rev.04 and these car parking spaces shall only be used for the parking of vehicles of persons working at or visiting the Class D1 use at No.38 Marlborough Place. (C22BA)

Reason:

To provide parking spaces for the medical facility at No.38 Marlborough Place in lieu of the dedicated parking spaces to be removed from the public highway in Marlborough Place. This is in accordance with STRA 25 and TRANS 22 of our Unitary Development Plan that we adopted in January 2007. (R22BB)

- 13 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 without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 14 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number 29410-L-90-001 Rev.04. You must clearly mark them and make them available at all times to everyone occupying the dwellinghouses. (C14FB)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

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

- The sedum green roof to the parking courtyard structure.

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

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

- 16 Notwithstanding the outline landscaping scheme shown on drawings 29410-L-90-001 Rev.04 and 29410-L-90-002 Rev.04, 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 one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees that comprise part of the landscaping scheme that we approve or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St. John's Wood 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 (November 2016) 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)

- 17 **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 the 'Tree Survey Plan' appended to the Tree Survey Report dated November 2014. 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 and the tree protection measure proposed should include a programme of supervision by an arboriculturalist who is registered with the Arboricultural Association or has the level of qualifications or experience (or both) needed to be registered. You must then carry out the work according to the approved details. (C31AC)

Reason:

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 (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 18 Notwithstanding the annotated facing materials for the car port structure shown on drawing 29410-A-05005 Rev.01, you clad the fascia of this structure in zinc cladding to match the zinc cladding used on the proposed townhouses.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) 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)

- 19 **Pre Commencement Condition.** Notwithstanding the submitted Structural Methodology dated December 2014, you must apply to us for approval of a detailed Structural Methodology Statement that accords with the requirements set out in Appendix 1 of our 'Basement Development in Westminster' Supplementary Planning Document (2014). You must not start any work until we have approved what you have sent us. The development must then be carried out in accordance with the Structural Methodology Statement we approve.

Reason:

To safeguard neighbouring buildings from works of excavation and basement construction, so as to ensure that the character and appearance of this part of the St. John's Wood Conservation Area is maintained. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013, DES 1 and DES 9 of our Unitary Development Plan that we adopted in January 2007 and our Supplementary Planning Document 'Basement Development in Westminster' (2014).

- 20 You must erect the front boundary walls and railings around the front garden areas in accordance with the drawings hereby approved prior to occupation of the dwellinghouses. Thereafter you must permanently retain the front boundary walls and railings in accordance with the approved drawings.

Reason:

To prevent parking on the existing forecourt area, so as to maintain the safety of pedestrians and ensure that the appearance of the development is suitable and that it contributes to the character and appearance of this part of the St. John's Wood Conservation Area. This is as set out in S25 S28 and S41 of Westminster's City Plan adopted November 2016 and DES 1, DES 4, DES 9 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

### **Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 3 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 4 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 5 The tree protection method statement must include details of the site setup, vehicle access, materials storage, concrete mixing and welfare facilities.

- 6 If you find that you need to remove and rebuild any of the walls shown for retention, and in particular the retaining wall closest to T7, which follows the footpath between 16-19 Blenheim Terrace and 38 Marlborough Place, you will need to amend and resubmit the tree protection method statement.
- 7 For the avoidance of doubt the Construction Management Plan required under condition 3 shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act 1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.
- 8 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [siteenquiries@ccscheme.org.uk](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 9 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 10 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , [www.westminster.gov.uk/cil](http://www.westminster.gov.uk/cil) , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form** , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> , Forms can be submitted to [CIL@Westminster.gov.uk](mailto:CIL@Westminster.gov.uk) , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**
- 11 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point. , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and the development. You will have to pay all administration, design, supervision and other costs. We

will carry out any work which affects the road. For more advice, please phone 020 7641 2642.  
(I69AA)

- 12 This permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to measures to mitigate the loss of the previous social and community use from this site and the lack of on-site affordable housing provision. (I55AA)

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.