

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 20 October 2015	Classification For General Release	
Addendum Report of Director of Planning		Wards involved Abbey Road	
Subject of Report	15-19 Blenheim Terrace, London, NW8 0EH		
Proposal	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.		
Agent	Nexus Planning		
On behalf of	Central and North West London NHS Foundation Trust (CNWL)		
Registered Number	14/12517/FULL	TP / PP No	TP/4509
Date of Application	18.12.2014	Date amended/ completed	16.09.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

1. Does the Committee agree that the proposed amalgamation of the Central and North West London NHS Foundation Trust's Child and Adolescent Mental Health Services on to a single alternative site as part of their site rationalisation strategy and the provision of a financial contribution of £186,713 towards alternative Social and Community Use provision in the vicinity of the site justifies the loss of the existing social and community floorspace on this site.

2. Subject to 1. above, grant conditional permission, subject to completion of a legal agreement to secure the following:

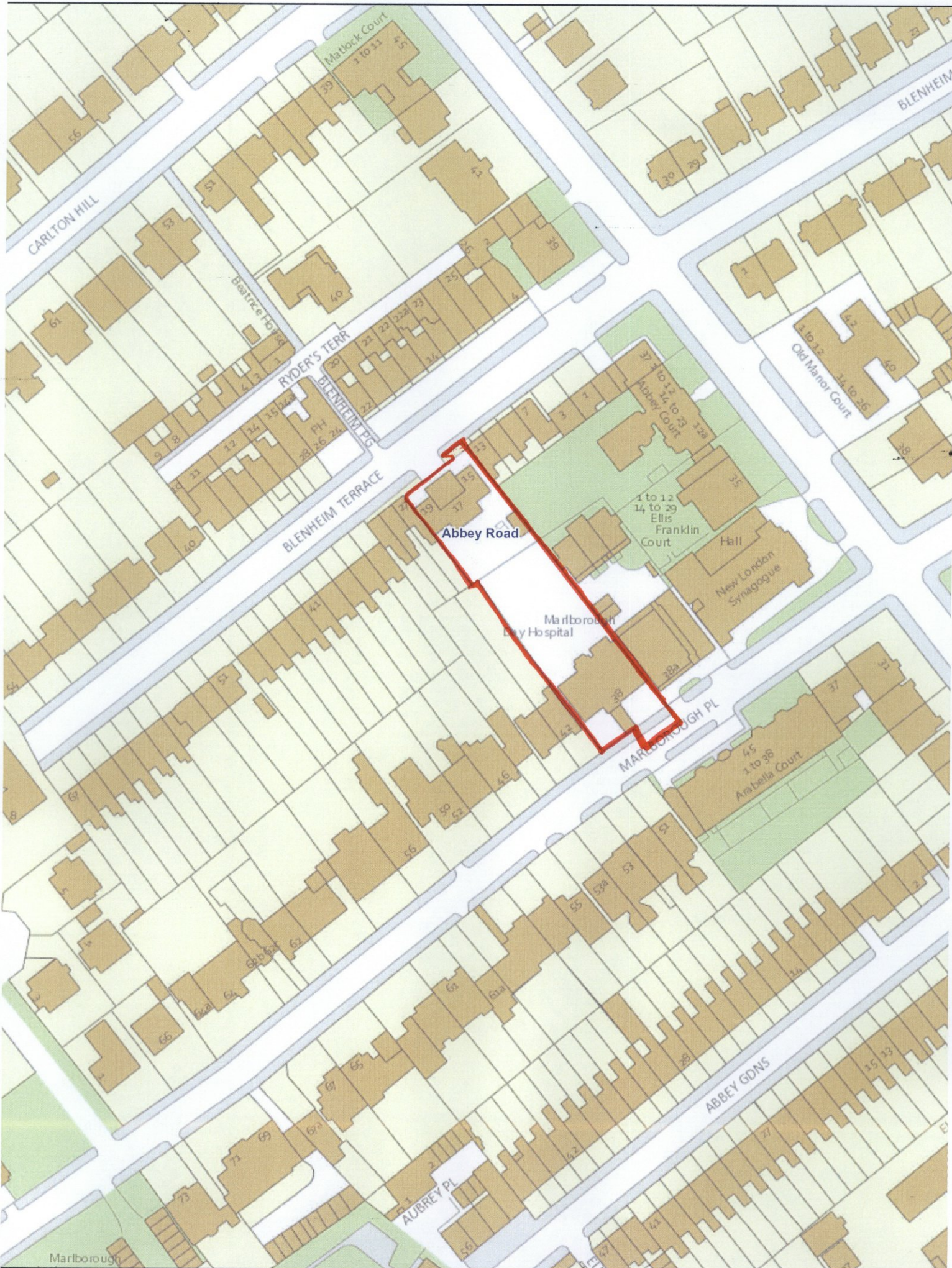
- (i) A financial contribution of £186,713 (index linked and payable prior to commencement of development) towards alternative Social and Community Uses/projects in the vicinity.
- (ii) Highway works in Blenheim Terrace and Marlborough Place to form access to the off-street parking and amend the location 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).

(iii) Provision of costs for monitoring of agreement (£500 per Head of Term).

3. If the S106 planning obligation has not been completed by 20 January 2016 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.





15 -19 BLE NHEIM TERRACE, NW8

2. SUMMARY

This application was reported to the Planning Applications Committee on 18 August 2015 at which the Committee resolved to defer the application to allow the applicant more time to change the design of the front elevation, to move the property access to the other side of the building and to review the parking arrangements to see if on-street spaces can be saved.

The applicant has amended the scheme to seek to address the Committee's concerns in design terms. The scheme comprises a building of the same footprint, bulk and height as previously proposed, but the detailed design and palette of materials have been revised to deliver a building that is more complimentary to the prevailing character and appearance of this part of the St. John's Wood Conservation Area. The principal changes comprise the provision of a rusticated white rendered base to the front elevation, omission of linked ground and first floor windows to the front elevation, provision of reconstituted stone window surrounds and coping and cladding of the roof storey in standing seam zinc cladding rather than bronze coloured cladding. Black aluminium windows and dormers with standing seams are proposed to retain a contemporary element within what is otherwise a more traditional building typology.

The applicant has explored the potential to move the vehicular access to the parking courtyard to the rear of the site to the western side of the site and furthermore they have confirmed that this was considered in the initial development of the scheme. The applicant advises that they discounted this option for the following reasons:

(i) The site forms the threshold between the part of Blenheim Terrace to the east that has retail uses at ground floor level and the more predominantly residential character of the street as it continues to the west. For this reason the applicant considers that it is more appropriate for the 'break' in the ground floor frontage to occur next to the final shop unit at ground floor level on the south side of Blenheim Terrace.

(ii) Shifting the footprint of the proposed building to the eastern side boundary of the site would result in a much greater incursion into the root protection area of the Hornbeam tree located within the rear garden of Abbey Court to the east of the application site. This would be likely to be contentious in arboricultural terms due to the adverse impact on this neighbouring tree, which makes a positive contribution to the character of the conservation area. In addition (and not mentioned by the applicant), the creation of a vehicular route along the western boundary of the site would be likely to necessitate significant level changes to the rear of the site within the root protection area of the Sycamore tree in the rear garden of No.42 Marlborough Place. As the scheme is currently designed, the existing raised garden level around the base of this tree would be retained and would not be disturbed.

(iii) There are services (waste water, soil vent pipes, kitchen and bathroom extracts) on the side elevation of No.13 Blenheim Terrace and these would need to be relocated, which would cause disruption to the occupiers of No.13.

The applicant's full response regarding the relocation of the vehicular access to the site is provided in the background papers.

Building Control have advised that they require further structural methodology details to confirm that the basement excavation proposed is compliant with the guidance set out in the 'Basement Development in Westminster' SPD (2014). It is recommended a more detailed structural methodology is secured via a pre-commencement condition.

3. CONSULTATIONS

LATE REPRESENTATIONS REPORTED VERBALLY TO THE PLANNING APPLICATIONS COMMITTEE DATED 18 AUGUST 2015

COUNCILLOR GRAHAME

Regrets loss of existing NHS building and ILEA unit for school children with mental health issues. Hopes this service is replicated elsewhere.

COUNCILLOR RIGBY

Seeks a financial contribution of £5,200 for children on the A2 Dominion Estate by funding the Regent's Park Football Club or alternative appropriate funding to allow the City Council to provide a sports programme for children on that estate.

COUNCILLOR MOHIDRA

Queries how demand for social and community use is identified.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS

Letter from the applicant (the Central and North West London NHS Foundation Trust) in support of the application and setting out their consultation with other social and community uses in the vicinity.

REPRESENTATIONS RECEIVED IN RESPONSE TO RECONSULTATION ON REVISED SCHEME (SEPTEMBER 2015)

ST. JOHN'S WOOD SOCIETY

Welcome amendments, but consider the top cornice to be poorly proportioned.

BUILDING CONTROL

Request that further structural details including phasing and construction details are submitted.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 171; Total No. of Replies: 2.

Two emails from one respondent raising objection on the following grounds:

- Scheme is in breach of Policy DES4 as established building line is not respected.
- Front boundary should align with both neighbouring buildings.
- Set back front boundary would allow parallel parking on private forecourt.
- Facades should replicate the building style of the street in a scholarly manner and the proposal does not do this.
- Proposed building does not justify the demolition of the existing unlisted building of merit.
- Use of bronze metal is not justified and would harm the appearance of the conservation area.

BACKGROUND PAPERS

1. Application form.
2. Representations as reported to the Planning Applications Committee dated 18 August 2015.

REPRESENTATIONS REPORTED VERBALLY TO THE PLANNING APPLICATIONS COMMITTEE ON 18 AUGUST 2015

3. Email from Councillor Mohindra dated 6 August 2015 and responses from case officer.
4. Email from Councillor Rigby dated 8 August 2015.
5. Letter from the Central and North West London NHS Foundation Trust dated 14 August 2015.
6. Email from Councillor Grahame dated 14 August 2015.

REPRESENTATIONS RECEIVED SINCE THE PLANNING APPLICATIONS COMMITTEE ON 18 AUGUST 2015

7. Email from the St. John's Wood Society dated 7 October 2015.
8. Email from Building Control dated 6 October 2015.
9. Emails from the occupier of 52 Blenheim Terrace dated 2 September 2015 and 27 September 2015.
10. Letter from Nexus Planning on behalf of the applicant dated 11 September 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY E-MAIL – nbarrett@westminster.gov.uk

RESOLUTION

2 15-19 BLENHEIM TERRACE, NW8

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.

Additional representations were received from Councillor Robert Rigby (08.08.15 & 05.08.15) and Nexus Planning Ltd (15.07.15 & 06.06.15).

Late representations were received from Councillor Barbara Grahame (14.08.15) and Central and North West NHS Foundation Trust (14.08.15).

RESOLVED:

The application was deferred to allow the applicants more time to change the design of the front elevation, to move the property access to the other side of the building and to review the parking arrangements to see if on-street spaces can be saved.

APPENDIX

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 18 August 2015	Classification For General Release	
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Subject of Report	15-19 Blenheim Terrace, London, NW8 0EH		
Proposal	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.		
Agent	Nexus Planning		
On behalf of	Central and North West London NHS Foundation Trust (CNWL)		
Registered Number	14/12517/FULL	TP / PP No	TP/4509
Date of Application	18.12.2014	Date amended/ completed	06.07.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone.		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

1. Does the Committee agree that the proposed amalgamation of the Central and North West London NHS Foundation Trust's Child and Adolescent Mental Health Services on to a single alternative site as part of their site rationalisation strategy and the provision of a financial contribution of £186,713 towards alternative Social and Community Use provision in the vicinity of the site justifies the loss of the existing social and community floorspace on this site.

2. Subject to 1. above, grant conditional permission, subject to completion of a legal agreement to secure the following:

- (i) A financial contribution of £186,713 (index linked and payable prior to commencement of development) towards alternative Social and Community Uses/projects in the vicinity.

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(ii) Highway works in Blenheim Terrace and Marlborough Place 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)

(iii) Provision of costs for monitoring of agreement (£500 per Head of Term).

3. If the S106 planning obligation has not been completed by 18 November 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 site comprises an unlisted building located within the St. John's Wood Conservation Area. The building is vacant, but was previously used as a Class D1 medical use by the Central and North West London NHS Foundation Trust.

The application seeks permission for demolition of the existing buildings and erection of 3 x 5 bedroom five storey townhouses comprising basement, ground and three upper floors. It is also proposed to create a covered car parking area to the rear and alter the eastern side of the site to form a vehicular access road to the parking area.

The proposed development would result in the loss of the existing social and community use from the site and the proposal forms part of the Central and North West London NHS Foundation Trust's site rationalisation strategy for its Child and Adolescent Mental Health Service, which is to be relocated to a single site. The Committee considered an earlier part of this strategy at the Planning Applications Committee on 21 April 2015, when it resolved to grant permission for the conversion of the building at No. 17 Paddington Green from social and community use (as a Class D1 medical use) to residential use.

The key issues in this case are:

- The loss of the social and community floorspace provided on this site.
- The appearance of the proposed building and its impact on the character and appearance of the St. John's Wood Conservation Area.
- The impact of the development on the amenity of neighbouring residents.
- The impact of the development on the availability of on-street parking.
- The impact of the development on neighbouring trees.

The Committee's views are sought on the acceptability of the loss of the existing social and community use of this site, given the particular circumstances of this case, which are set out in detail in Section 6.1 of this report. Subject to the loss of the social and community use being found to be acceptable, the proposed development is considered to be acceptable in all other respects and would, subject to the recommended conditions and the planning obligations set out in Section 1 of this report, accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan).

3. CONSULTATIONS

CONSULTATION RESPONSES ON INITIALLY SUBMITTED SCHEME (JANUARY 2015)

WARD COUNCILLORS (ABBAY ROAD)

Any response to be reported verbally.

ST. JOHN'S WOOD SOCIETY

Objection. Proposals have a poor relationship with the street and buildings. Hope to meet with the architects so that Members questions can be answered.

ARBORICULTURAL MANAGER

Any response to be reported verbally.

BUILDING CONTROL

Any response to be reported verbally.

CHILDREN'S SERVICES

Any response to be reported verbally.

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CLEANSING MANAGER

No objection, subject to revised waste and recycling storage details being secured by condition.

GO GREEN MANAGER

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER

Objection. Crossover in Blenheim Terrace would result in a loss of a minimum of two on-street residents bays, which are in an area of high occupancy. The provision of the current medical bays in Marlborough Place are not considered to overcome this concern as they are some distance from the lost bays and may still be required in connection with the lawful use of 38 Marlborough Place as a Class D1 medical use. Amendment of the crossover to the south west side of the site should be considered as this would not result in a loss of on-street parking bays. The car parking on-site needs to be amended to provide 6.7m in front of the spaces to allow vehicles to enter and exit.

ENVIRONMENTAL HEALTH

Objection. Remote rooms are shown that have no protected routes and therefore the internal layouts are unacceptable in terms of fire safety. Conditions and Informatives recommended.

ENGLISH HERITAGE

Authorisation to determine application in accordance with national and local policy guidance.

NHS CENTRAL LONDON

Any response to be reported verbally.

THAMES WATER

No objection. General advice provided on surface water drainage.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 171; Total No. of Replies: 8.

Eight emails/letters from seven respondents raising objection on all or some of the following grounds:

Design

- Buildings would stand out against rest of Georgian street and look harsh next to existing properties.
- Colour and design is inappropriate.
- Design is inconsistent with neighbourhood and would be an eyesore.
- Bronze metal cladding would be out of character.
- Comparison in application of design with similar building in Abbey Road is disingenuous given different/more diverse setting to the example building.
- New building would overshadow the street and reduce sunlight to the street.
- Basement development is inappropriate on a historic street.

Highways/Parking

- Loss of two on-street residents parking bays.
- Access to parking should be on the west side of the site where no parking would be lost and perhaps new bays could be added.
- Vehicular access that would be created would be narrow and dangerous

Other Issues

- Loss of parking during construction.

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- Noise and disruption from construction works.
- Hours of work should be restricted to weekdays only.
- Adverse structural impact of proposed basement.
- A Construction Management Plan has not been submitted.
- Road is a cul-de-sac and therefore there will be increased disruption during construction from construction vehicles.
- Adverse impact on the water table.

ADVERTISEMENT/SITE NOTICE: Yes.

CONSULTATION RESPONSES ON REVISED SCHEME - AMENDED FRONT BOUNDARY WALL, AMENDED FACADE TREATMENT AND FENSTRATION PATTERN, REDUCTION IN SIZE OF REAR LIGHTWELLS, ENLARGEMENT OF PARKING COURTYARD (JULY 2015)

WARD COUNCILLORS (ABBAY ROAD)
Any response to be reported verbally.

ST. JOHN'S WOOD SOCIETY
Any response to be reported verbally.

ARBORICULTURAL MANAGER
No objection.

HIGHWAYS PLANNING MANAGER
Objection. Grounds of objection remain as previously expressed in respect of initially submitted scheme in respect of loss of residents on-street parking and location of crossover. Initial concerns regarding dimensions of parking courtyard to the rear of the site have been overcome by amendments.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS
No. Consulted: 171; Total No. of Replies: 0.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application relates to the unlisted 1920/30s building at Nos.15-19 Blenheim Terrace. The building is located within the St. John's Wood Conservation Area. The building is vacant, but was previously used as a Class D1 medical use by the Central and North West London NHS Foundation Trust. The building is currently vacant and has not been used for a number of years by the NHS Foundation Trust.

The NHS Foundation Trust continues to use the Grade II listed building at No.38 Marlborough Place, which form the other street frontage of this dual frontage site, to provide part of their Child and Adolescent Mental Health Service (CAMH). Whilst it is within the current application site boundary, no alterations or change of use are proposed to No.38 Marlborough Place and at the current time this building is to continue to provide part of the CAMH service in Westminster. However, it is understood that the service is likely to relocate from this building also, but at a later stage in the NHS Foundation Trust's site rationalisation strategy for their CAMH service.

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4.2 Relevant History

4.2.1 Application Site

15 March 1985 – Permission granted for the erection of a ground floor rear extension in connection with the use of the premises as a Day Centre for the Elderly and alterations for the front boundary wall (84/04929/1884).

4.2.2 Other Central and North West London NHS Foundation Trust Sites

21 April 2015 - The Planning Applications Committee resolved to grant permission for the use of No.17 Paddington Green as five residential units (4x1 bedroom flats and 1x3 bedroom dwellinghouse), erection of a single storey roof extension to existing side addition, excavation of the floor level to part of existing basement floor, replacement of the existing front boundary and associated external alterations and landscaping to the front and rear (14/12015/FULL).

The Committee resolved to grant conditional permission, subject to a legal agreement to secure a financial contribution of £96,240 towards social and community uses in the vicinity of the application site in lieu of the loss of social and community floorspace from the site itself. Permission has yet to be issued as the legal agreement has yet to be completed.

The above application formed the first phase of the NHS Foundation Trust's site rationalisation strategy.

5. THE PROPOSAL

The application seeks permission for demolition of the existing buildings and erection of 3 x 5 bedroom five storey townhouses comprising basement, ground and three upper floors. It is also proposed to create a covered car parking area to the rear and alter the eastern side of the site to form a vehicular access road to the parking area.

The application forms part of the Central and North West London NHS Trust's wider site rationalisation strategy for its Child and Adolescent Mental Health (CAMH) Service, which has previously been provided in Westminster across two sites; namely, this site (including No.38 Marlborough Place) and the site at No.17 Paddington Green, W2, for which the Committee recently resolved to grant permission for conversion to residential accommodation in April 2015.

The NHS Foundation Trust's intention is to co-locate the whole of its CAMH service on a single 'hub' site, which is likely to be at their existing purpose built premises in Woodfield Road. The rationalisation strategy has been phased with CAMH service staff initially having been moved to the Marlborough Place site before being relocated to the permanent 'hub' site, which is expected to happen within the next year to 18 months.

The scheme has been revised during the course of the application to address initial concerns raised by officers with regard to the appropriateness of the detailed design and its impact on the character and appearance of the St. John's Wood Conservation Area. The revised scheme has been the subject of re-consultation in July 2015.

6. DETAILED CONSIDERATIONS

6.1 Land Use

6.1.1 Site Rationalisation Strategy Overview

The lawful use of the building is as a Class D1 healthcare use that is defined by the City Council's adopted development plan policies as being a social and community use. The site was used up until early 2012 by the Central and North West London NHS Foundation Trust to provide part of its Child and Adolescent Mental Health Service (CAMH), with the single storey block to the rear used as a children's day nursery.

The CAMH service is for children and young people aged between 0-18 years. The CAMH service provides specialist staff comprising Child Psychotherapists, Nurses, Child and Adolescent Psychiatrists, Child Psychologists and Family Therapists. They work directly with children and parents, as well as with the other key services important to a child's life and development, such as schools, paediatricians and social care providers where relevant. The service is also commissioned/funded by the City Council and the Mayor of London to provide highly specialised local projects in the mental health field.

Traditionally this service has been delivered across a number of geographical sites in the City, including children centres, schools, homes and two main hubs, one at 38 Marlborough Place/ 15-19 Blenheim Terrace, NW8 and one at 17 Paddington Green, W2. However, the NHS Foundation Trust advises that it has had to operate with significantly reduced funding in recent years and that its budget is likely to be further reduced over forthcoming financial years. In this context, it is seeking to rationalise the number of sites it operates its CAMH service from. The Foundation Trust also identifies that in addition to producing a capital return and budgetary savings that will fund the CAMH service in Westminster going forward, the rationalisation of the service on to a single site represents an opportunity to review and enhance its current clinical and management practices, resulting in appreciable service improvements for patients.

To demonstrate the aims and objectives of the site rationalisation strategy, the applicant has submitted a site rationalisation strategy, produced on its behalf by its planning consultants. This has been supplemented by a letter from the NHS Foundation Trust's Associate Director of Major Capital Projects. These documents set out the background to their proposal in the current application to seek permission for residential use of the site and these are provided in full in the background papers.

The site rationalisation strategy identifies that the relocation of the CAMH service in Westminster on to a single site (understood to be likely to be at the Foundation Trust's existing purpose built medical facility in Woodfield Road, W9), to form a service 'hub', would contribute to the following improvements to the service:

- Enable consistent on-site management and leadership of the CAMH service.
- Reduce travel times for service staff thereby improving efficiency.
- Create a clearer and single point of access to the service.
- Allow implementation of a single operating protocol and shared systems across the whole of the service.

6.1.2 Loss of Social and Community Use

In terms of the proposed loss of the existing social and community floorspace from this site, the relevant policies are Policy SOC1 in the UDP and Policy S34 in the City Plan.

Policy SOC1(E) in the UDP adopted in 2007 states, 'Proposals which involve the redevelopment or change of use of community facilities will be required to include adequate replacement facilities. Where the facility is surplus to the needs of the existing provider, any new development on the site should include an alternative community facility. Where adequate replacement facilities are not proposed then the City Council will refuse planning permission for this type of proposal'.

Policy S34 in the City Plan adopted in 2013 sets out that 'All social and community floorspace will be protected, except where existing provision is being reconfigured, upgraded or is being re-located in order to improve services and meet identified needs as part of a published strategy by a local service provider. In all such cases the Council will need to be satisfied that the overall level of social and community provision is improved and there is no demand for an alternative social and community use for that floorspace. In those cases where the Council accepts a loss or reduction of social and community floorspace, the priority replacement use will be residential'.

Policy S34 in the City Plan was more recently adopted in November 2013 and expands upon Policy SOC1. Therefore, where there is conflict between the two policies, the requirements of Policy S34 in the City Plan must take precedence.

To seek to address the requirements set out in the first sentence of Policy S34, the applicant has submitted their site rationalisation strategy for the CAMH service and accompanying supporting letter (see background papers). Whilst this is not in the form of a published strategy, these documents serve to underline the need for the Trust to reconfigure and re-locate the CAMH service in Westminster on to a single 'hub' site. The document also sets out (as listed in summary in Section 6.1.1), the intended improvements that this will deliver to the service that is provided to patients.

In respect of the second sentence in Policy S34, the Trust has not provided any evidence, such as evidence of unsuccessful marketing of the premises for social and community use, to demonstrate that there is no demand for use of the application site by an alternative social and community occupier. In this context, it is unclear whether there would be demand from other parts of the social and community use sector for reuse of the existing buildings or use of the site to provide a new social and community use within a redeveloped building.

In tandem with revisions to the scheme submitted in early July 2015, the applicant has offered, in principle, to provide a financial contribution of £186,713 towards alternative social and community use provision in the vicinity of the application site to seek to mitigate the loss of the existing 589m² (GIA) of social and community floorspace from the site. The applicant has derived this figure from the per square metre financial contribution that was secured in April 2015 as part of the earlier planning application for conversion of the CNWL NHS Foundation Trust's former site at No.17 Paddington Green to residential use. The financial contribution of £96,240 in that case is to be utilised to fund two social and community projects in the vicinity of that site.

In terms of identifying how this financial contribution proposed in relation to this site could potentially be utilised, the applicant has sought to engage directly with Ward Councillors and local social and community uses (including the St John's Wood Practice, St John and St Elizabeth Hospital, the Wellington Hospital, George Eliot Junior School, The American School in London, Carlton Hill Community Nursery, Arnold House School and Abercorn School), but advise that to date they have not received any responses to this local engagement. Officers are in the process of reviewing whether there are currently any suitable projects in the vicinity of the site to which a financial contribution would serve to mitigate the loss of the social and

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community use on this site, whilst complying with the tests for planning obligations set out in Section 6.10 of this report. An update on this aspect of the proposal will be reported verbally to the Committee.

Should a suitable social and community use (or uses) that could benefit from the proposed financial contribution not be found to mitigate the loss of the existing social and community use, the financial contribution could alternatively be allocated to the Council's affordable housing fund given that Policy S34 in the City Plan identifies that *'In those cases where the Council accepts a loss or reduction of social and community floorspace the priority replacement use will be residential'*. It would therefore be reasonable to seek to maximise the benefits of the development in terms of increasing the housing stock in the City if the social and community use is to be lost without the full justification for that loss that is required by Policy S34.

In summary, it is the applicant's assertion that the continued provision of the CAMH service it provides in Westminster is of utmost importance and that without the site rationalisation strategy, of which this application comprises the second stage, the service will be significantly adversely affected, as it will be unable to adapt to be able to operate using more modern working practices, whilst responding to forthcoming budgetary reductions. Whilst this is a compelling argument in favour of site rationalisation, the current application is clearly deficient in terms of its response to the normal policy expectation for the site to be reprovided for alternative social and community use in the first instance. For this reason, the Committee's views are sought on the acceptability of the loss of the existing social and community use of this site, given the divergence of the current application from the normal policy expectation and the offer of a financial contribution in lieu of the non-policy compliant loss of social and community floorspace.

6.1.3 Proposed Residential Accommodation

Policy S34 identifies that should the loss of the existing social and community use be considered acceptable, the appropriate alternative use would be as residential accommodation. Therefore, subject to the Committee's views in respect of the loss of the social and community use on this site, the redevelopment of the site to provide three dwellinghouses is considered to be acceptable in land use terms.

The proposed development would provide 3 x 5 bedroom dwellinghouses, which are commensurate in scale with similar residential properties along this side of Blenheim Terrace. In this context, the dwellinghouses, which would be generous in size and provide a good standard of residential accommodation, are not considered to be overly large given the local context. Each dwellinghouse would have a well-proportioned private garden area to the rear providing private amenity space, as well as roof terraces at top floor level.

The mix of units proposed would accord with Policy H5 as all of the units would be family size units with three or more bedrooms.

6.2 Design and Townscape

In design terms the scheme proposes the complete demolition of the existing building on the site, which predominantly dates from the late 1920s/early 1930s, albeit it has a later single storey annex built in the late 1980s. The St. John's Wood Conservation Area Audit identifies the building, along with all other unlisted buildings in Blenheim Terrace as an unlisted building of merit within the St. John's Wood Conservation Area. However, this assessment appears inaccurate when considered in more detail. The building is much later in date than the grander Victorian terraces to either side, the building is set back further than the front building line of

both adjoining terraces and the bulk, form and detailed design has little relationship to any other buildings in Blenheim Terrace. The detailed design of the building is sparse in comparison to neighbouring buildings and it lacks the pleasing proportions of other buildings in the street, as it has little semblance of an architectural hierarchy to its street façade. For these reasons, notwithstanding the designation provided in the conservation area audit, in this case it is considered that the building makes a neutral contribution to the character and appearance of the St. John's Wood Conservation Area and its demolition could therefore be considered acceptable, provided the replacement building proposed is of sufficient design quality to maintain or enhance the character and appearance of the St. John's Wood Conservation Area.

The proposed replacement building comprises a more contemporary interpretation of the surrounding Victorian terraces, rather than a replica of the neighbouring terrace buildings. The proposed buildings would form a short terrace of the same proportions and form as the neighbouring buildings on this side of Blenheim Terrace, albeit with lightwells to the rear. However, the lightwells would be relatively modest in scale and as such, the height, bulk and form of the proposed buildings are considered to be acceptable.

The detailed design of the proposed dwellinghouses reflects the plot widths and vertical emphasis of the neighbouring terraces, with the base of the buildings rusticated using banded brickwork rather than stucco render. Following amendment, the fenestration is to be formed in timber to reflect the window framing material found in the vicinity of the site and the pattern of fenestration to the rear has been amended to comprise a more restrained order that is more consistent with the pattern of fenestration found in neighbouring terraces. Like the base of the building, the parapet line of the building is to be highlighted above second floor level with banded brickwork, with a vertical shadow gap between each dwellinghouse to emphasise the vertically of the composition to the front elevation.

In terms of materials, the buildings would be faced in stock brickwork, details of which are to be secured by condition. The window reveals and header panels are to be formed in a bronze coloured metal cladding and this is considered to be an appropriate method of mirroring the decorative mouldings found on buildings in the neighbouring terraces. It is recommended that the precise specification of this material is reserved by condition, as the bronze anodised aluminium annotated on the application drawings may not deliver a suitably 'hand crafted' finished appearance, which is vital to the overall success of the architectural composition, if it is to successfully mirror the domestic appearance of neighbouring residential buildings in the street.

The third floor roof level would also be clad in a bronze coloured metalwork and, like the window surrounds, it is recommended that the precise material is reserved by condition to ensure that the colour and texture of the material is appropriate to the residential character of this part of the St. John's Wood Conservation Area.

Further conditions are recommended to secure additional details of the front boundary walls, boundaries to the rear of the site and all new windows and doors.

To the rear the proposal includes a parking courtyard structure to provide cover to cars parked in this area. Whilst the provision of a car parking area with an associated covering structure in the centre of a site such as this within the St. John's Wood Conservation Area would not normally be considered acceptable in design terms, given the low level buildings of little design quality in this location at present, the provision of the parking area and associated structure is not objectionable in this case. The proposed structure would comprise a simple open frame structure clad in bronze finished metalwork to match the metalwork to the dwellinghouses, with a sedum green roof above, so that in views from neighbouring properties

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2

it is as unobtrusive a structure as possible and appears as a continuation of neighbouring planted garden areas. A condition is recommended to ensure that the sedum green roof is provided on the parking courtyard structure.

Overall, subject to the recommended conditions, the replacement buildings proposed are considered to be of sufficient design quality to enhance the character and appearance of this part of the St. John's Wood Conservation Area and therefore the demolition of the existing building on this site is considered to be justified. A condition is recommended to ensure that it is only demolished as part of a comprehensive programme of works for the redevelopment of the site. Furthermore, the proposed development would not have an adverse impact on the setting of the listed building at No.38 Marlborough Place, which forms part of the wider application site, but which is not altered in any way by the current application. The application maintains the existing boundary line between the two buildings in its existing location. Accordingly, the proposed development is considered to be in accordance with Policies DES1, DES4, DES9 and DES10 in the UDP and Policies S25 and S28 in the City Plan.

6.3 Amenity

In amenity terms the proposed dwellinghouses would reflect the form and building lines of neighbouring properties on the south side of Blenheim Terrace. Consequently, the bulk and form of the proposed buildings would have no significant adverse impact on the amenity of neighbouring residents in terms of loss of light or increased sense of enclosure.

The proposed dwellinghouses would introduce additional windows and a raised terrace to the rear elevation. However, the windows would have a similar relationship to neighbouring properties as is the case between existing properties in the same terrace, whilst the proposed terrace would be inset into the facade at first floor level and would therefore not cause significant overlooking to neighbours to either side.

The roof terraces at top floor level will require privacy screens between them to prevent overlooking between the new dwellinghouses and these are to be secured by condition. These terraces would be sufficiently high and set back so as not to cause significant overlooking to neighbouring windows and gardens of existing properties.

In summary, subject to the recommended conditions, the proposed development is acceptable in amenity terms and would accord with Policies ENV6 and ENV13 in the UDP and Policies S29 and S32 in the City Plan

6.4 Transportation/Parking

The Highways Planning Manager and local residents note that on-street parking in Blenheim Terrace is already subject to high levels of occupancy. This issue is intensified by Blenheim Terrace being a cul-de-sac, thereby limiting alternative parking provision for residents, particularly those towards the western end.

The applicant proposes to provide a parking area on the site to provide five off-street parking spaces, with a new vehicular access road formed along the eastern boundary of the site between the parking area and Blenheim Terrace, which would necessitate the removal of two, possibly three, existing on-street parking spaces. Three of the new off-street spaces would provide a parking space for each of the new dwellinghouses, with the other two parking spaces provided to the remaining Class D1 CAMH service use at No.38 Marlborough Place. The provision of these two spaces to the CAMH service premises would enable three on-street medical use bays in Marlborough Place to be returned to residents parking bays. This would ensure that there would be no net loss of on-street parking in the vicinity of the

application site and there may be a gain of one space. Given the reduction in the size of the Class D1 medical use on this site, the reduction from three on-street spaces allocated to this use to two off-street spaces, is considered to be acceptable.

Notwithstanding the strategy set out in the preceding paragraph, the Highways Planning Manager and objectors are concerned that the re-provision of on-street parking in Marlborough Place would not adequately mitigate the loss that would be caused in Blenheim Terrace, which is estimated would be two to three on-street spaces. Whilst these concerns are understood in the context of high existing parking demand in Blenheim Terrace, given the proximity of the replacement on-street parking in Marlborough Place to the application site, it is considered that it would be unreasonable to withhold permission on grounds of the loss of on-street parking specifically in Blenheim Terrace.

It is recommended that appropriate arrangements are arrived at prior to the commencement of development to secure the necessary amendments to on-street parking in Blenheim Terrace and Marlborough Place, the installation of a crossover to serve the off-street parking in Blenheim Terrace and the relocation of all necessary street furniture in Blenheim Terrace. These highway works must be carried out prior to occupation of the dwellinghouses. It is recommended that these planning obligations are secured via the S106 agreement that will accompany the permission. Subject to these planning obligations being secured to ensure the provision of the off-street parking provision, the proposed parking strategy would accord with Policy TRANS23 in the UDP and the objections raised cannot be supported.

Cycle storage is proposed in the front lightwell of each dwellinghouse, below the front lightwell staircase and this cycle storage provision is considered to be acceptable.

The scheme includes separate stores for waste and recycling and these are to be secured by condition to ensure that the development accords with Policy ENV12 in the UDP.

6.5 Economic Considerations

As set out in Section 6.1 of this report, the economic benefits of the applicant's site rationalisation strategy are recognised.

6.6 Equalities and Diversities (including Access)

The scheme includes the provision of step free access to all three of the proposed dwellinghouses.

6.7 Other UDP/Westminster Policy Considerations

A condition is recommended to remove permitted development rights from the new dwellinghouses so that the building cannot be altered in such a way that it would harm their appearance or have an adverse impact on the amenity of neighbouring residents.

Environmental Health have raised concern regarding the internal layout of the dwellinghouses as they consider that they contain remote rooms requiring escape in emergency via kitchen areas. However, this is not a ground on which planning permission can be withheld as this issue can be resolved by provision of additional internal partitions to create a fire protected corridor or by installation of more complex internal fire detection equipment, neither of which would require the benefit of planning permission. The applicant has been made aware of the concerns that have been raised by Environmental Health.

6.8 London Plan

The proposal does not raise significant strategic issues and does not have significant implications for the London Plan.

6.9 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

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

6.10 Planning Obligations

On 6 April 2010 the Community Infrastructure Levy (CIL) Regulations came into force which make it unlawful for a planning obligation to be taken into account as a reason for granting planning permission for a development, or any part of a development, whether there is a local CIL in operation or not, if the obligation does not meet all of the following three tests:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development;
- (c) fairly and reasonably related in scale and kind to the development.

Policy S33 of the City Plan relates to planning obligations. It states that the Council will require mitigation of the directly related impacts of the development; ensure the development complies with policy requirements within the development plan; and if appropriate, seek contributions for supporting infrastructure. Planning obligations and any Community Infrastructure Levy contributions will be sought at a level that ensures that the overall delivery of appropriate development is not compromised.

From 6 April 2015, the Community Infrastructure Levy Regulations (2010 as amended) impose restrictions on the use of planning obligations requiring the funding or provision of a type of infrastructure or a particular infrastructure project. Where five or more obligations relating to planning permissions granted by the City Council have been entered into since 6 April 2010 which provide for the funding or provision of the same infrastructure types or projects, it is unlawful to take further obligations for their funding, or provision into account as a reason for granting planning permission. These restrictions do not apply to funding or provision of non-infrastructure items (such as affordable housing) or to requirements for developers to enter into agreements under section 278 of the Highways Act 1980 dealing with highway works. The recommendations and detailed considerations underpinning them in this report have taken these restrictions into account.

The City Council has consulted on the setting of its own Community Infrastructure Levy, which is likely to be introduced later in 2015. In the interim period, the City Council has issued interim guidance on how to ensure its policies continue to be implemented and undue delay to development avoided. This includes using the full range of statutory powers available to the Council and working proactively with applicants to continue to secure infrastructure projects by other means, such as through incorporating infrastructure into the design of schemes and co-ordinating joint approaches with developers.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

The proposed development would provide generous private gardens to the rear and a landscaping condition is recommended to ensure that these are planted to reflect the prevailing character of the St. John's Wood Conservation Area.

The Arboricultural Manager has confirmed no objection to the application as the measures proposed to protect trees on the site and to the rear of adjacent properties would be sufficient to prevent harm occurring to these trees. A condition and Informatives are recommended to ensure that adequate tree protection measures are provided during construction works.

The sedum green roof over the parking courtyard structure is welcomed in biodiversity terms and a condition is recommended to ensure this is provided and thereafter retained.

6.12 Other Matters

6.12.1 Basement Excavation

A number of objections to the application relate to the impact of the excavation of the basement floor of the new dwellinghouses on the stability of neighbouring properties and boundary walls.

In terms of the progression of our policy towards basements, the City Council recently adopted its Supplementary Planning Document (SPD) 'Basement Development in Westminster' on 24 October 2014. The SPD provides detailed advice on how current policy is implemented in relation to basement development. It does not introduce any additional restrictions on basement development above and beyond the precautionary approach that the City Council had already adopted in response to such development.

The Draft Basements Policy remains the subject of consultation and unlike the SPD, has not yet been adopted. It is this document which will provide a specific basement policy and it will form part of the local plan (replacing the UDP) in due course. It has some, but only very limited, legal weight (known as material weight or a material consideration). It will not gain more legal weight until after consultation and amendment and will need to be tested at an independent examination before formal legal adoption.

The new basements policy may introduce restrictions on basement excavations provided there is a valid planning reason for doing so, but, as explained above, it has to go through a formal process including an examination in public by an independent Inspector and then legal adoption and it is not, therefore, likely to be formally adopted until early 2016. As such, at the present time permission could not be withheld on the basis of the emerging draft basement policy.

Concern has been raised by neighbouring residential occupiers over the impact of the proposed basement excavation on the structure and foundations on adjoining properties. While the Building Regulations determine whether the detailed design of buildings and their

foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework (NPPF) March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

Officers consider that in the light of the above it would be justifiable to adopt a precautionary approach to these types of development where there is a potential to cause damage to adjoining structures. To address this, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

This report is under consideration by the District Surveyor (Head of Building Control) and his advice on the acceptability of the structural approach and the consideration of the local hydrology will be reported verbally to the Committee.

Should the District Surveyor advise that the applicant's structural and ground investigation reports are satisfactory, we are not approving these documents or conditioning that the works shall necessarily be carried out in accordance with the reports. Their purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. The reports will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

6.12.2 Construction Management

A draft Construction Management Plan has been submitted but lacks any significant detail and does not provide firm commitments on the management of construction. This is

understandable given that a contractor has yet to be appointed and therefore a pre-commencement condition is recommended to secure a fully detailed Construction Management Plan in accordance with the requirements set out in Appendix A.2 of the 'Basement Development in Westminster' SPD (October 2014).

7. CONCLUSION

The Committee's views are sought on the acceptability of the loss of the existing social and community use of this site, given the particular circumstances of this case, which are set out in detail in Section 6.1 of this report. Subject to the loss of the social and community use being found to be acceptable, the proposed development is considered to be acceptable in all other respects and would accord with the relevant policies in the UDP and the City Plan, subject to the conditions set out in the draft decision letter appended to this report and the planning obligations set out in the recommendation in Section 1.

BACKGROUND PAPERS

1. Application form.
2. Letter and email from the St. John's Wood Society dated 22 January 2015 and 11 March 2015.
3. Memo and email from the Arboricultural Manager dated 2 April 2015 and 13 July 2015.
4. Email from Thames Water dated 3 February 2015.
5. Memos from the Highways Planning Manager dated 4 February 2015 and 13 July 2015.
6. Letter from English Heritage dated 5 February 2015.
7. Memo from the Cleansing Manager dated 6 February 2015.
8. Memo from Environmental Health dated 19 February 2015.
9. Email from the occupier of 7b Blenheim Terrace dated 28 January 2015.
10. Letter and email from the occupier of 41 Blenheim Terrace both dated 9 February 2015.
11. Email from the occupier of 44 Blenheim Terrace dated 9 February 2015.
12. Email from the occupier of 36 Blenheim Terrace dated 9 February 2015.
13. Email from the managing agent for properties at Nos.27, 29 and 31 Blenheim Terrace dated 12 February 2015.
14. Email from the occupier of 28 Blenheim Terrace dated 22 February 2015.
15. Email from the occupier of 52 Blenheim Terrace dated 17 March 2015.
16. Email from the occupier of 39 Blenheim Terrace dated 17 July 2015.
17. Site Rationalisation Strategy by Nexus Planning dated December 2014.
18. Letter from the Central and North West London NHS Foundation Trust dated 18 December 2014.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY E-MAIL – nbarrett@westminster.gov.uk

DRAFT DECISION LETTER

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

Proposal: 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.

Plan Nos: 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.

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 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)

Reason:

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)

- 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: 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.

- 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: 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 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: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013 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.
- (f) Plan and elevation of the waste and recycling stores at a scale of 1:50 or larger.

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.
(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: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013 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 medical facility 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 TRANS 10 of our Unitary Development Plan that we adopted in January 2007.

- 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: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013 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: 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)

- 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: 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)

- 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: 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)

- 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).

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: Strategic Policies adopted November 2013, 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 or visit www.ccscheme.org.uk.
- 9 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:
- (i) A financial contribution towards alternative Social and Community uses/ projects in the vicinity.
 - (ii) Highway works in Blenheim Terrace and Marlborough Place 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).
 - (iii) Provision of costs for monitoring of agreement.
- 10 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. If you would like more information, you can contact Ray Gangadeen on 020 7641 7064. (I54AA)
- 11 This development has been identified as potentially liable for payment of the Mayor of London's Community Infrastructure Levy (CIL). Responsibility for paying the levy runs with the ownership of the land, unless another party has assumed liability. We will issue a CIL Liability Notice to the landowner or the party that has assumed liability with a copy to the planning applicant as soon as practicable setting out the estimated CIL charge.
If you have not already done so you must submit an **Assumption of Liability Form** to ensure that the CIL liability notice is issued to the correct party. This form is available on the planning portal at <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>
Further details on the Mayor of London's Community Infrastructure Levy can be found on our website at: <http://www.westminster.gov.uk/services/environment/planning/apply/mayoral-cil/>.
You are reminded that payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay.
- 12 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)

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As Reproduced
 To 18/08/15
 PAC

Revision	Date	Description
01	14-03-08	Revise
02	15-03-08	Planning issue
03	15-07-08	Planning issue

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Client
 CNWL NHS Foundation Trust

Project
 15-19 Blenheim Terrace
 St John's Wood

Description
 Proposed
 North Elevation

Status

Planning

Scale
 1:100@A3
 Drawn By
 AW
 Date
 DEC 14

Job Number
 29410
 Drawing Number
 29410-A-05-001
 Revision
 03

Original size 100mm @ A3 Copyright Broadway Malayan Limited



Material Key:

- 1 Bronze coloured metal mansard roofing.
- 2 Brickwork to match local London stock.
- 3 Bronze anodised aluminium bay window with timber double glazed door.
- 4 Timber double glazed window with bronze anodised aluminium perimeter and over panel.
- 5 3 no. projecting brick courses.
- 6 Local London stock brick wall with bronze coloured metal railings and gate.
- 7 Projecting brick courses in matching London stock brick.
- 8 Two storey double glazed feature timber window with bronze anodised aluminium perimeter, over panel and bronze coloured railings.
- 9 Bronze anodised aluminium front door, side and over panel and perimeter.

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AS REPORTER TO R108/15 PAC



Material Key:

- ① Bronze coloured metal mansard roof.
- ② Brickwork to match local London stock.
- ③ Double glazed window with timber window frame and bronze anodised aluminium and over panel perimeter.
- ④ 3 no. projecting brick courses.
- ⑤ Bronze anodised aluminium bay window with timber double glazed door.
- ⑥ Recessed balcony with bronze anodised aluminium perimeter, timber double glazed window with bronze coloured railings.
- ⑦ Timber double glazed window with bronze anodised aluminium perimeter and railings.
- ⑧ Two storey double glazed feature window with timber frame and bronze anodised aluminium perimeter.

Revision	Date	Description
01	14/01/15	Preparation
02	10/01/15	Planning issue
03	10/01/15	Planning issue

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Client
CNWL NHS Foundation Trust
 Project
**15-19 Blenheim Terrace
 St John's Wood**
 Description
**Proposed
 South Elevation**

Status
Planning

Scale	Drawn By	Date
1:100@A3	AW	DEC 14
Job Number	Drawing Number	Revision
29410	29410-A-05-004	03



Revised
Scheme

ER GREEN

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**Revised
 Schemes**

Reference	Date	Description
01	14/11/14	3rd issue
02	14/11/14	Planning issue
03	11/01/15	Planning issue
04	11/01/15	Planning issue
05	11/01/15	Planning issue

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Client
CNWL NHS Foundation Trust
 Project
**15-19 Blenheim Terrace
 St John's Wood**
 Description
**Proposed
 North Elevation**

Scale

Planning	Drawn By	Date
1:100@A3	AW	DEC 14
29410	Drawing Number	Revision
29410-A-05-001	05	

Original size 100mm @ A3 Copyright Broadway Mayan Limited



Material Key:

- ① Zinc standing seam mansard roof.
- ② Brickwork to match local London stock.
- ③ Silver anodised 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.

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**REVISED
 SCHEME**



Revision	Date	Description
01	15/12/14	Final issue
02	16/12/14	Planning issue
03	16/12/14	Planning issue
04	16/12/14	Planning issue
05	16/12/14	Planning issue
06	16/12/14	Planning issue

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Client
CNWL NHS Foundation Trust
 Project
**15-19 Blenheim Terrace
 St John's Wood**
 Description
**Proposed
 South Elevation**

Scale
Planning
 Scale: 1:100@A3
 Date: DEC 14
 Job Number: 29410
 Drawing Number: A-05-004
 Revision: 05

Original size 100mm @ A3 Copyright Broadway Malayan Limited

Material Key:

- ① Zinc standing seam mansard roof.
- ② Brickwork to match local London stock.
- ③ Dark grey PPC double glazed window with reconstituted stone reveal and surround.
- ④ Reconstituted 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 reconstituted stone reveal and surround with dark grey metal railings.
- ⑦ Dark grey PPC double glazed window with reconstituted stone reveal and surround, and dark grey metal railings.
- ⑧ Two storey double glazed window with dark grey timber frame, and reconstituted stone reveal and surround.

Contractors are not to scale dimensions from this drawing

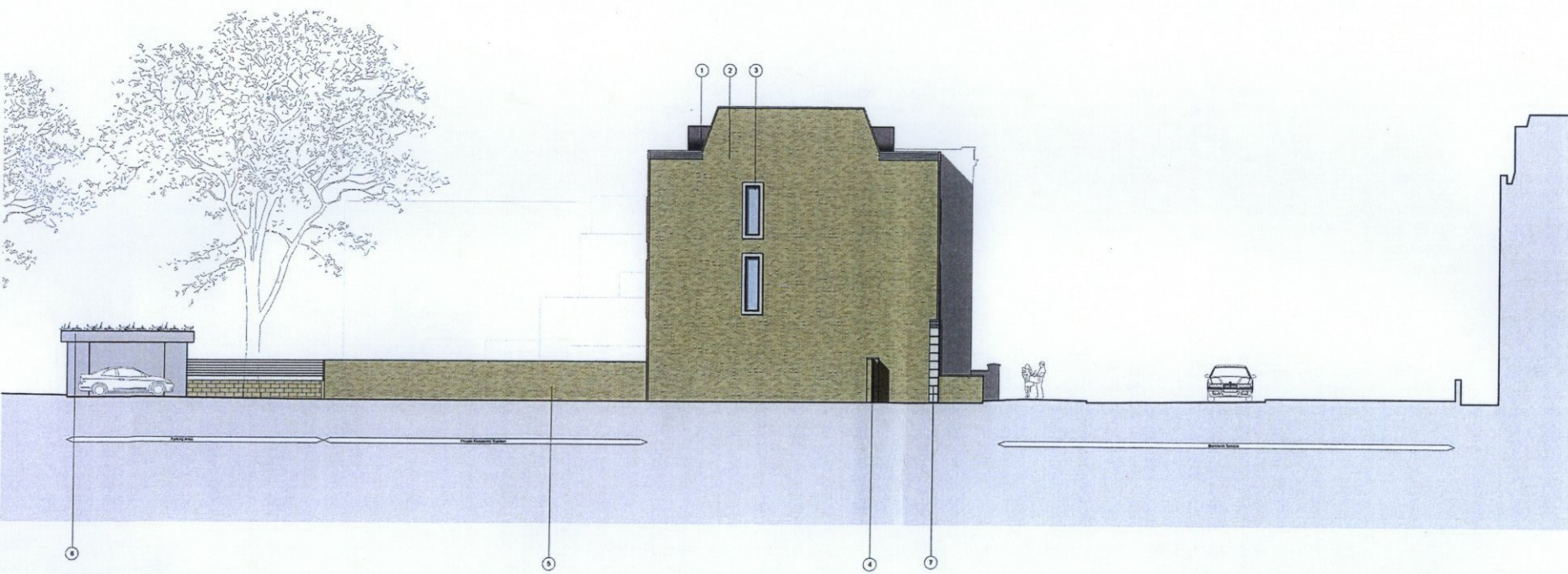
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**REVISIT
 SCHEME**



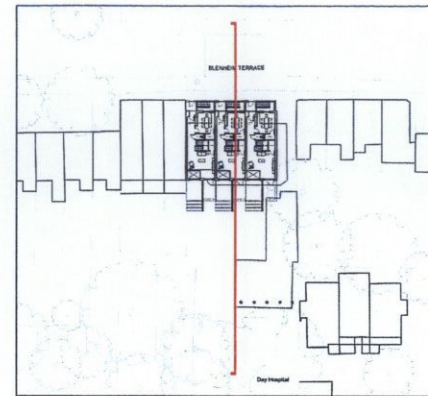
Revision	Date	Description
01	14-10-18	Final Issue
02	16-11-18	Planning Issue
03	15-01-02	Planning Issue
04	10-01-02	Planning Issue
05	14-01-10	Planning Issue

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Client
CNWL NHS Foundation Trust
 Project
15-19 Blenheim Terrace
 Description
Proposed East Elevation

Status
Planning
 Scale 1:100@A1
 Drawn By AH
 Date DEC 14
 Job Number 29410
 Drawing Number 29410-A-05-003
 Revision 04

- Material Key:**
- ① Silver anodised aluminium bay window.
 - ② Brickwork to match local London stock.
 - ③ Dark grey PPC double glazed window with reconstituted stone reveal and surround.
 - ④ Entrance gate with grey coloured metal panels.
 - ⑤ External brick garden wall to match local London stock.
 - ⑥ Copark with solum roof.
 - ⑦ Reconstituted stone return.



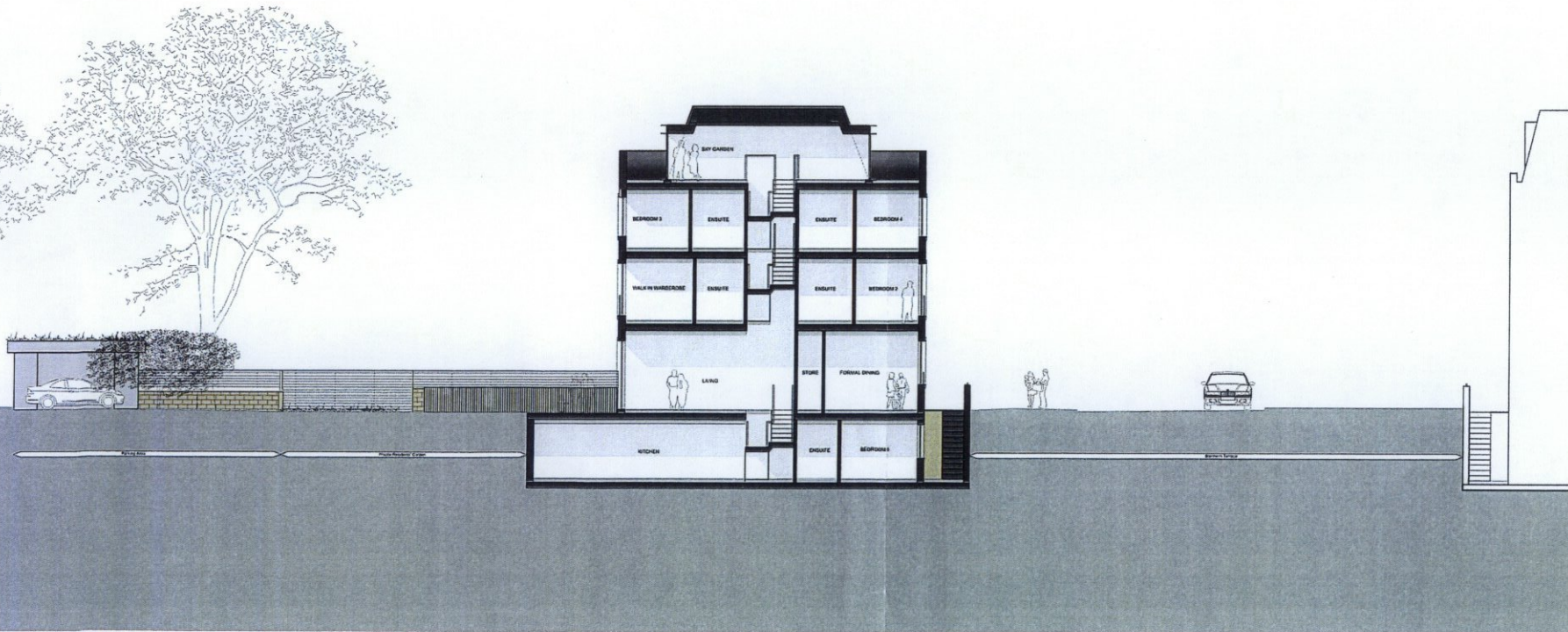
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Revision	Date	Description
01	14-10-08	Free issue
02	14-01-08	Planning issue
03	15-07-02	Planning issue
04	15-09-02	Planning issue
05	15-08-02	Planning issue

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Client
CNWL NHS Foundation Trust
Project
15-19 Blenheim Terrace


Description
Section AA

Status
Planning
Scale 1:100@A1
Drawn By AH
Date DEC 14
Job Number 29410
Drawing Number 29410-A-04-001
Revision 05

Original size 100mm @ A1 Copyright Broadway Malyan Limited

BLENHEIM TERRACE

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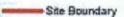


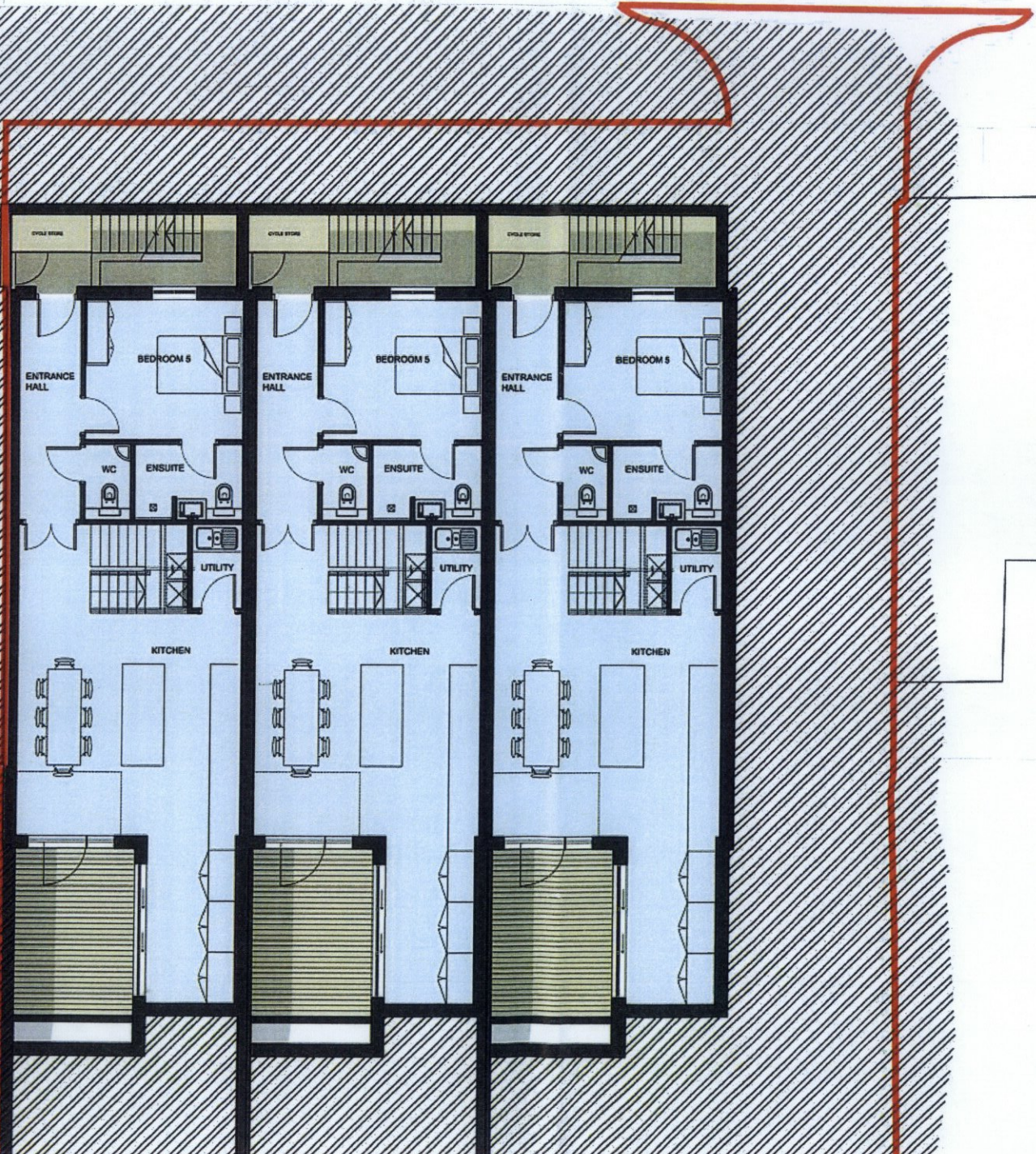
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For landscape details please refer to drawings:
 29410-L-00-001
 29410-L-00-002

Key:
 Site Boundary



Revision	Date	Description
01	16/12/11	Final issue
02	16/12/11	Permit issue
03	11/01/12	Permit issue
04	11/01/12	Permit issue
05	12/01/12	Permit issue

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Client
CNWL NHS Foundation Trust
 Project
15-19 Blenheim Terrace
 Description
Basement

Scale
Planning
 Scale: 1:100@A3
 Drawn By: AW
 Date: DEC 14
 Job Number: 29410
 Drawing Number: 29410-A-03-B01
 Revision: 05

BLENHEIM TERRACE

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For landscape details please refer to drawings:
29410-L-90-001
29410-L-90-002

Key:
 Site Boundary
 Existing Building Line
H Healthcare Car Space

Revision	Date	Description
01	14-02-11	Prepared
02	16-01-08	Planning Issue
03	15-02-02	Planning Issue
04	15-05-02	Planning Issue
05	15-09-11	Planning Issue

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Client
CNWL NHS Foundation Trust

Project
15-19 Blenheim Terrace

Description
Ground Floor Plan

Planning

Scale	Drawn By	Date
1:100@A1	AW	DEC 14
Job Number	Drawing Number	Revision
29410	29410-A-03-000	05

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For landscape details please refer to drawings:
 29410-L-99-001
 29410-L-99-002

Key:
 Site Boundary



Revision	Date	Description
01	24/12/14	2 Rev issue
02	14/01/15	3 Rev issue
03	19/07/15	Planning issue
04	14/08/15	Planning issue
05	14/08/15	Planning issue

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Client
CNWL NHS Foundation Trust
 Project
15-19 Blenheim Terrace
 Description
First Floor Plan

Sheet
Planning
 Scale: 1:100@A3
 Drawn By: AW
 Date: DEC 14
 Job Number: 29410
 Drawing Number: 29410-A-03-001
 Revision: 05
 Original Size: 130mm x 91mm
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BLENHEIM TERRACE

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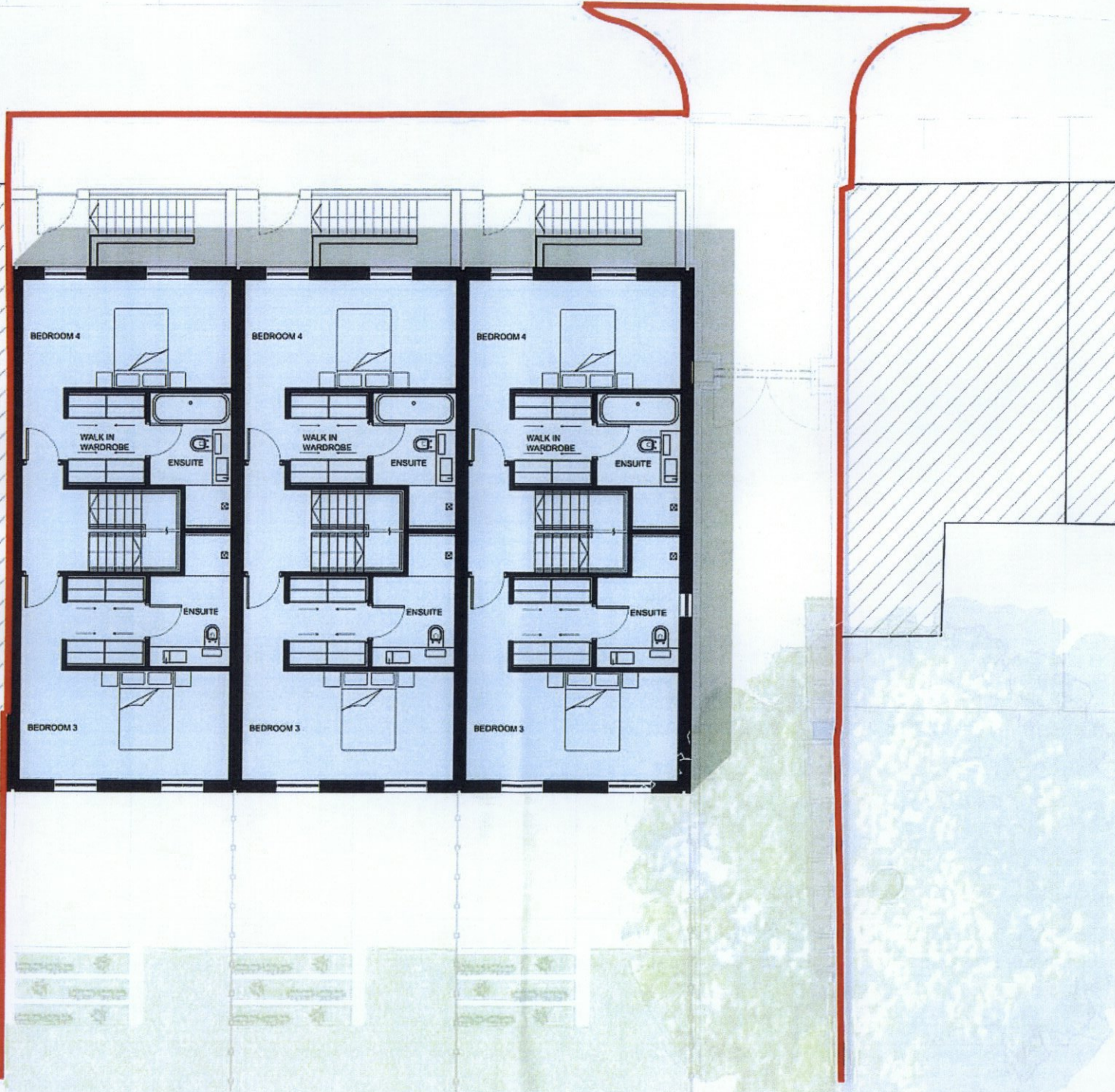
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For landscape details please refer to drawings:
 29410-L-90-001
 29410-L-90-002

Key:
 Site Boundary



Reference	Code	Description
01	10-01-01	Structure
02	10-01-02	Structure
03	10-01-03	Structure
04	10-01-04	Structure
05	10-01-05	Structure

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Client
CNWL NHS Foundation Trust
 Project
15-19 Blenheim Terrace
 Description
Second Floor Plan

Scale
Planning
 Scale: 1:100@A3
 Drawn By: AW
 Date: DEC 14
 Job Number: 29410
 Drawing Number: 29410-A-03-002
 Revision: 05

Original scale 1:200 @ A3 Copyright Broadway Malyan Limited

BLENHEIM TERRACE

Contractors are not to scale dimensions from this drawing




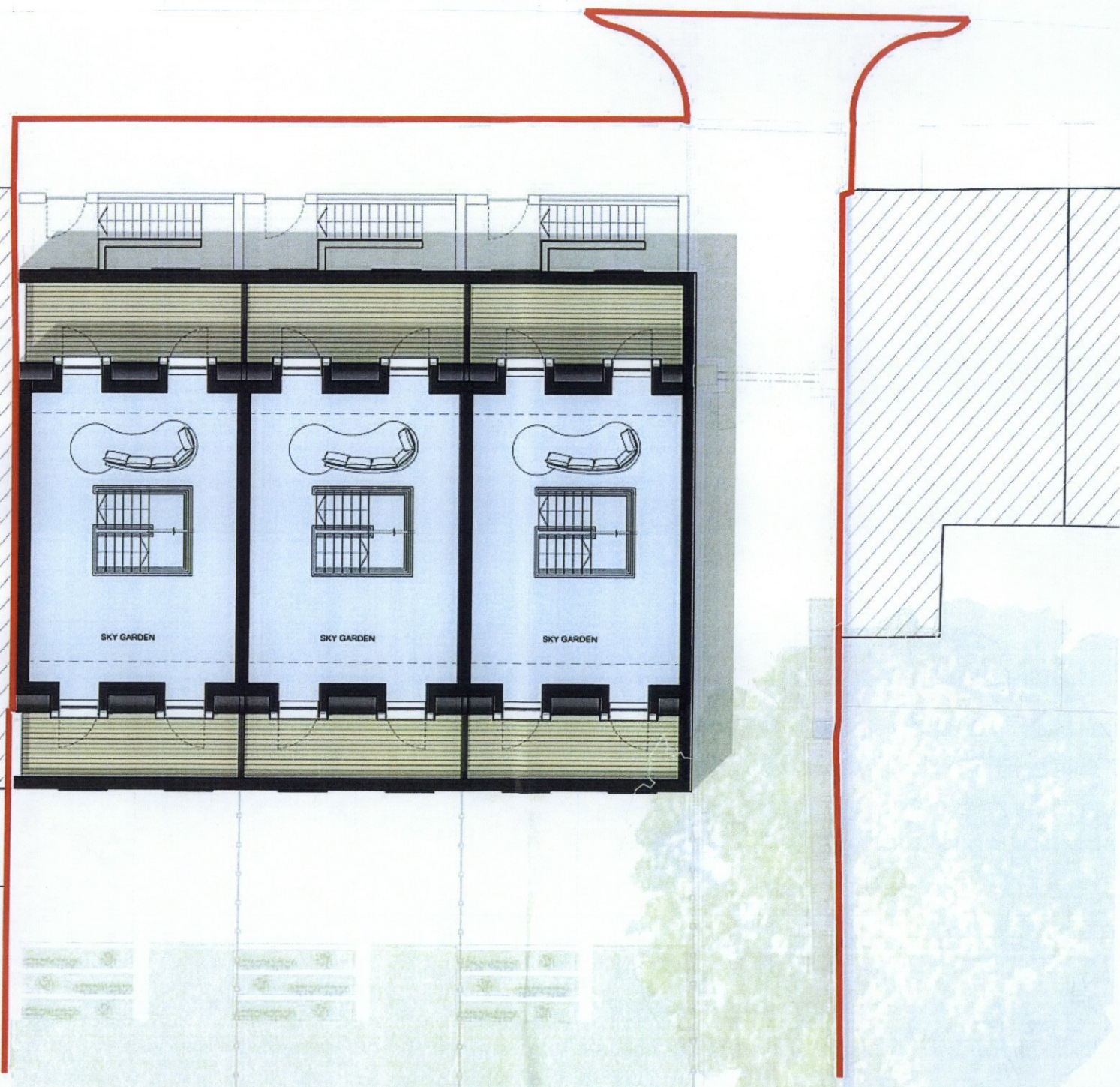
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For landscape details please refer to drawings:
 29410-L-90-001
 29410-L-90-002

Key:
 Site Boundary



Revised	Date	Description
01	14.11.09	Pre-work
02	10.01.10	Planning/Rev
03	19.01.10	Planning/Rev
04	10.02.10	Planning/Rev

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Client
CNWL NHS Foundation Trust
 Project
15-19 Blenheim Terrace

Discipline
Third Floor Plan

Scale

Scale	Drawn By	Date
1:100@A3	AW	DEC 14

Job Number	Drawing Number	Revision
29410	29410-A-03-003	04

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