

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 21 August 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Bryanston And Dorset Square	
<b>Subject of Report</b>	<b>14 Montagu Street, London, W1H 7EX</b>		
<b>Proposal</b>	Alterations including the installation of glazed opaque balustrades in connection with the provision of a roof terrace at rear first floor level.		
<b>Agent</b>	Brooks Architects Ltd		
<b>On behalf of</b>	Dr J and Dr S Smith		
<b>Registered Number</b>	18/04764/FULL & 18/04765/LBC	<b>Date amended/ completed</b>	11 June 2018
<b>Date Application Received</b>	7 June 2018		
<b>Historic Building Grade</b>	Grade II		
<b>Conservation Area</b>	Portman Estate		

## 1. RECOMMENDATION

- i. Refuse permission.
- ii. Refuse listed building consent.
- iii. Agree reasons for refusing listed building consent as set out in informative 1 of the decision notice.

## 2. SUMMARY

14 Montagu Street forms part of a short terrace of Grade II listed buildings, which date from c.1810-1820. It is located within the Portman Estate Conservation Area. To the rear of the main house is a later mews building dating to 1910. The building is in use as a single family dwelling house (Class C3).

Permission and listed building consent are sought for alterations in connection with the use of the roof of the mews building as a terrace. In order to gain access to the terrace, it is proposed to change a rear living room window to a pair of double doors and erect a cantilevered walkway. The terrace will be enclosed by obscured glazed balustrades 1700mm in height on the northern and southern party walls, with a lower glazed balustrades 1100mm high on the western mews elevation.

The key issues for consideration are;

- the impact on residential amenity
- the impact on the appearance of the Grade 2 listed building and the character and appearance of the Conservation Area.

UDP Policy ENV13 seeks to protect and improve the residential environment and to resist proposals which would result in a material loss of privacy to adjoining occupiers. Similarly, City Plan Policy S29 seeks to safeguard the amenity of existing residents.

An objection has been received from the occupant of 115 George Street a residential premises immediately to the north of site. The objection is made on the grounds that the proposed 1700mm opaque glass screen would result in a loss of daylight and sunlight to a living room. The living room is lit by glazed rooflights which sit adjacent to the application premises and windows on the western elevation facing across Montagu Mews South. The erection of a screen close to the boundary between the properties would have some impact on the daylight and sunlight to the closest rooflights. There would however be no impact on the windows facing across Montagu Mews South, and overall there would be no material impact to either daylight or sunlight to the living room.

The obscure glazed screens would ensure that use of the roof as a terrace would not result in a loss overlooking and a loss of privacy to any of the surrounding properties.

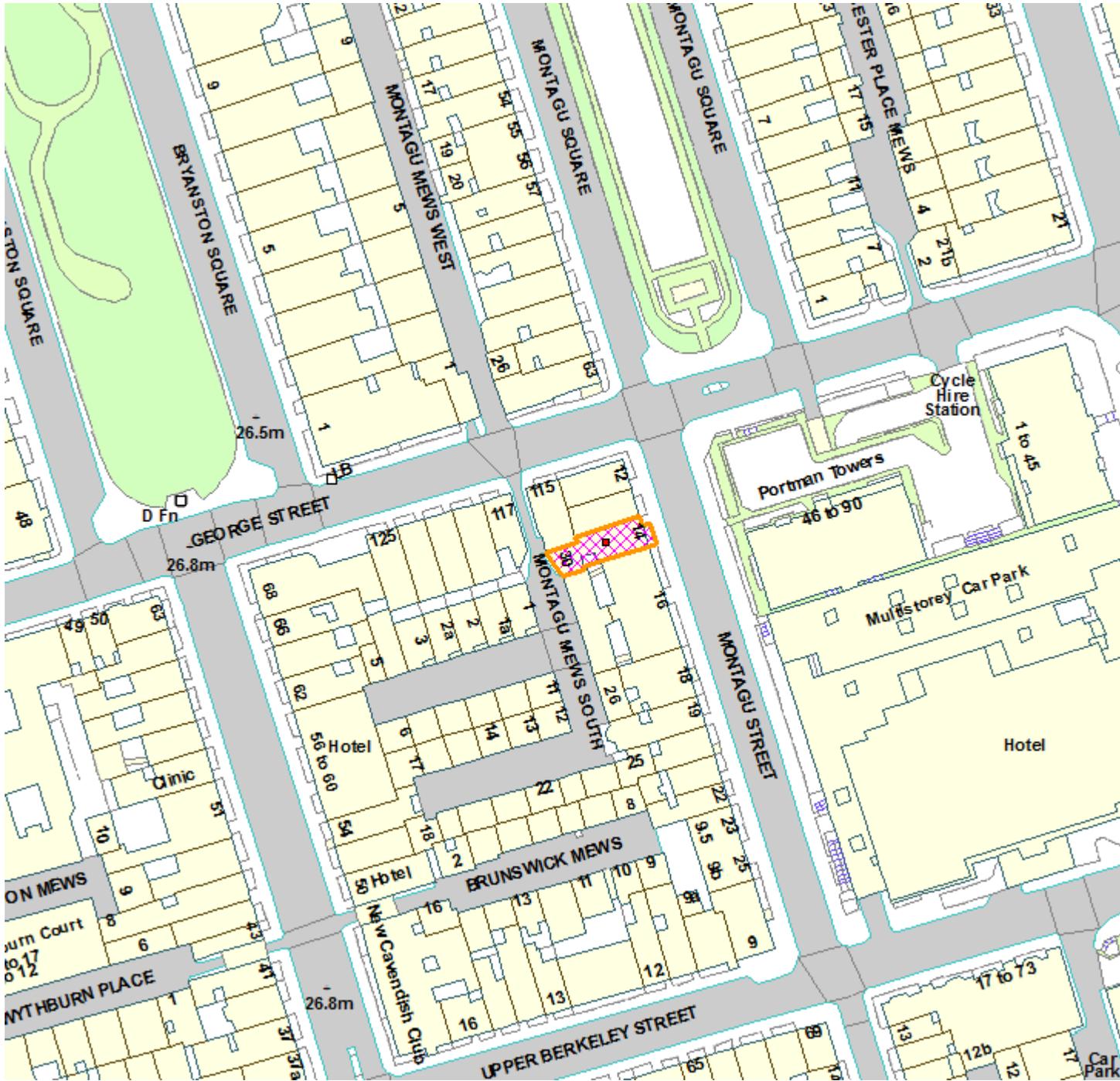
With regards to design, the special interest of the listed building stems primarily from the principal building, however, the mews properties at the rear provide a positive contribution to its significance and setting. Montagu Mews South provides a positive contribution to the Portman Conservation Area. The character of these buildings derives from the simple detailing of the front facades and the mixture of small square projecting bays with flush coach doorways.

An objection received that the modern glass screen and balustrade and walkway are unacceptable materials that would add to clutter at odds with the Conservation Area and would have a negative impact on the entrance to the Mews.

There are a number of roof terraces in the area, however these are bounded predominantly by plain black railings of a modest height, which reflect the established palette of materials. The proposal would result in the provision of expanses of obscured glazing surrounding the terrace. This screening would sit above a 1<sup>st</sup> floor bay window. The proposed screening would be prominent in views from the Mews and would be an unacceptable addition to the building. The loss of the rear sash window and walkway over the lightwell would also detract from the appearance of the listed building and the Conservation Area.

The applications are contrary to Policy DES 1, DES 6, DES9 and DES10 of the City of Westminster Unitary Development Plan adopted January 2007 and S25 and S28 of the City Plan adopted November 2016, accordingly the applications are recommended for refusal.

### 3. LOCATION PLAN



4. PHOTOGRAPHS

To the south



View from rear living room window



To the north



View of rear of property



View from the south on Montagu Mews South



## 5. CONSULTATIONS

### MARYLEBONE ASSOCIATION

Any response to be reported verbally

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 26

Total No. of replies: 2

2 objections on the following grounds:

- Loss of light
- Unacceptable in design terms, the works are out of keeping with the historic building, materials are unacceptable adding to clutter.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MIKE WALTON BY EMAIL AT [MWALTON@WESTMINSTER.GOV.UK](mailto:MWALTON@WESTMINSTER.GOV.UK).

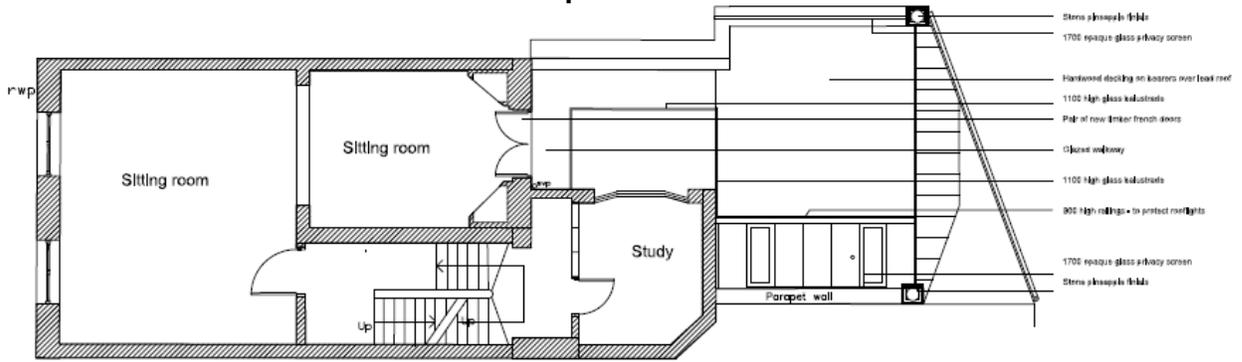
6. KEY DRAWINGS

Proposed Rear Elevation



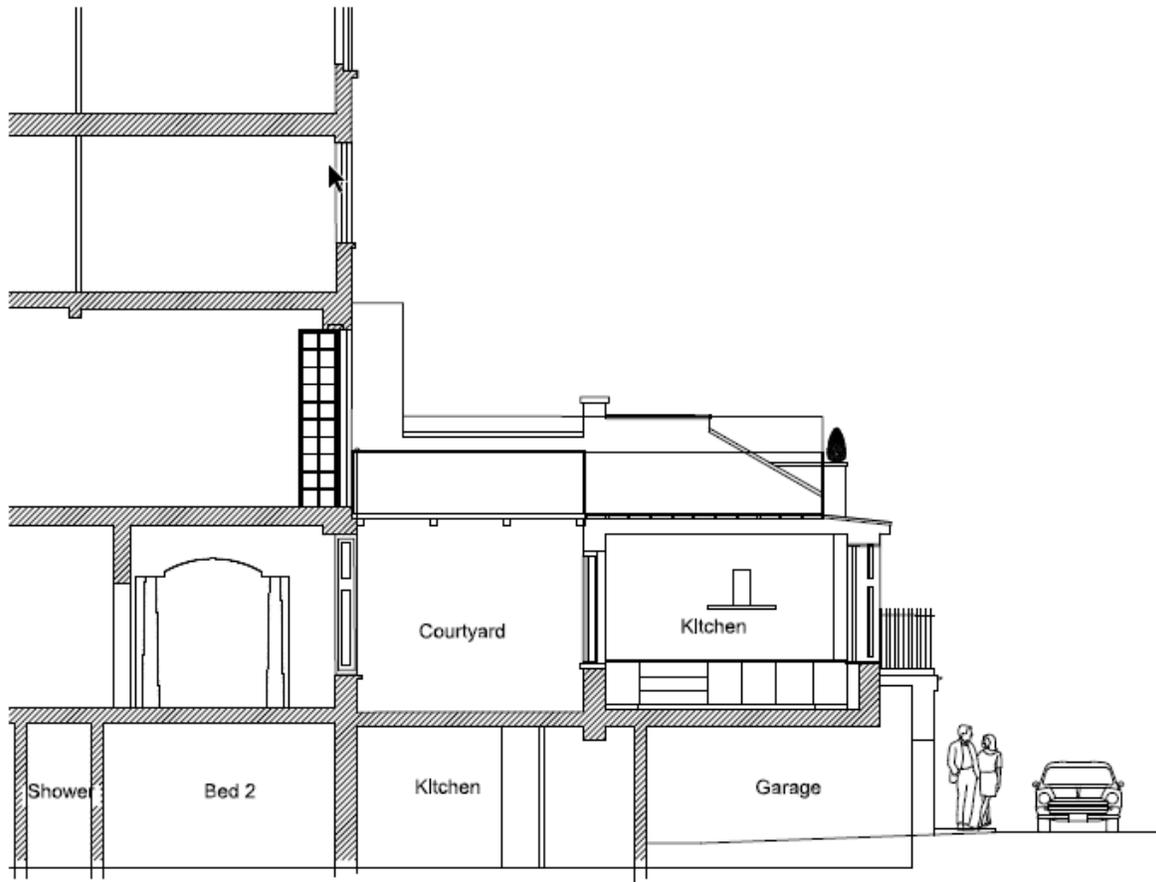
Rear Elevation 1:50  
Proposed roof terrace

### Proposed Plan



Rear Section 1:50  
Proposed roof terrace

### Proposed Section



Rear Section 1:50  
Proposed roof terrace

**DRAFT DECISION LETTER**

**Address:** 14 Montagu Street, London, W1H 7EX

**Proposal:** Alterations including the installation of glazed opaque balustrades to create a rear roof terrace at first floor level..

**Reference:** 18/04764/FULL

**Plan Nos:** BAL02

**Case Officer:** Damian Lavelle

**Direct Tel. No.** 020 7641 5974

**Recommended Condition(s) and Reason(s)**

- Reason:
- 1 Because of loss of fabric, height and extent of railings the proposed roof terrace would harm the special interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1 , DES6, DES9 and DES10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in paragraphs HB1 and HB2 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (X17EB)

**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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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

**DRAFT DECISION LETTER**

**Address:** 14 Montagu Street, London, W1H 7EX

**Proposal:** Alterations including the installation of glazed opaque balustrades to create a rear roof terrace at first floor level.

**Reference:** 18/04765/LBC

**Plan Nos:** BAL02

**Case Officer:** Damian Lavelle

**Direct Tel. No.** 020 7641 5974

**Recommended Condition(s) and Reason(s)**

Reason:

- 1 Because of loss of fabric, height and extent of railings the proposed roof terrace would harm the special interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES6, DES9 and DES10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in paragraphs HB1 and HB2 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings

**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 so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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