

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 6 February 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Marylebone High Street	
<b>Subject of Report</b>	<b>1 Upper Wimpole Street, London, W1G 6LA</b>		
<b>Proposal</b>	Demolition and rebuilding of rear outbuilding and link, behind retained Weymouth Street façade, including excavation of a basement beneath the rear courtyard and outbuilding. Associated extension of the lightwell; mansard roof extension to the outbuilding, incorporating dormers and rooflights, all to create a medical centre with new access from Weymouth Street. Internal alterations to the main building at ground floor level in connection with its use as a self-contained flat.		
<b>Agent</b>	None.		
<b>On behalf of</b>	Shakib & Co		
<b>Registered Number</b>	17/10164/LBC	<b>Date amended/ completed</b>	22 November 2017
<b>Date Application Received</b>	15 November 2017		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	Harley Street		

## 1. RECOMMENDATION

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

## 2. SUMMARY

Planning permission and listed building consent were granted on 18 September 2017 for the following development:

Use of ground floor as self-contained residential flat (Class C3); excavation of a basement beneath the rear courtyard and outbuilding and associated extension of the lightwell, mansard extension to the outbuilding roof incorporating dormers and rooflights, all to provide a medical use (Class D1) on rear basement and ground floors with new access from Weymouth Street.

These applications were assessed on the understanding that the existing single storey outbuilding and link were to be retained and altered. The applications stated that no demolition was proposed and the submitted drawings did not clearly show the extent of demolished fabric. On this basis, there was no requirement to consult Historic England and the national amenity societies. However, in

subsequent discussions with the applicant it has become clear that the application was intended to include works of partial demolition to these parts of the building. There is therefore a question about the status of the listed building consent granted (because the necessary consultations were not carried out).

The current application for listed building consent seeks to clarify the extent of demolition proposed and to enable the City Council to carry out the consultations required. There is no need for a new application for planning permission.

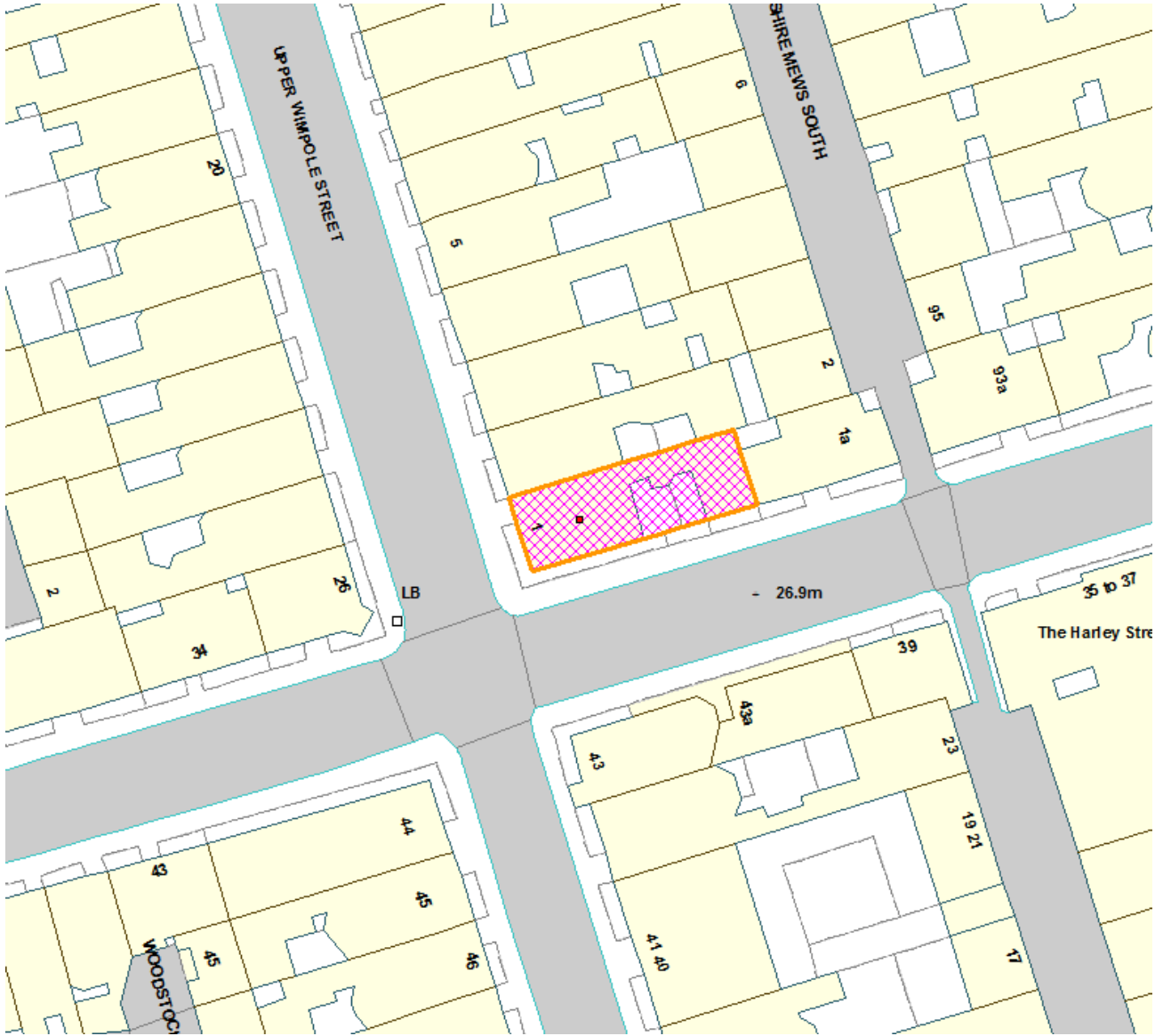
The main issue for consideration is:

- The impact of the proposed demolition works on the special interest of the listed building.

The proposed demolition works relate to the removal of the existing single storey outbuilding to the rear of the site, apart from the Weymouth Street frontage which is to be retained, and the removal of the link between the outbuilding and the principal building. These demolition works are considered acceptable in design and listed building terms.

Historic England and the national amenity societies have been consulted. Historic England have issued authorisation for the City Council to determine the application as it sees fit. No comments have been received from the national amenity societies. One objection has been received from an adjacent occupier on the grounds of harm to their amenity and privacy. However, since the application is solely for listed building consent which only assesses the impact upon the special interest of the building, the Council cannot give any weight to objections on amenity grounds. It is recommended that conditional listed building consent be granted.

### 3. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

#### 4. PHOTOGRAPHS



Photograph 1: Existing outbuilding to rear of site with link from principal building.



Photograph 2:  
Outbuilding viewed from  
Weymouth Street,  
showing elevation to be  
retained.



Photograph 3: Link between principal building and outbuilding.



Photograph 4: Interior of outbuilding showing timber wall panelling.

## 5. CONSULTATIONS

### MARYLEBONE ASSOCIATION:

Comments received requesting officers take into account impact of proposals on neighbours' amenity to light, sight lines and locations of openings.

### HISTORIC ENGLAND:

Authorisation to determine as seen fit

### ANCIENT MONUMENTS SOCIETY:

Any response to be reported verbally.

### COUNCIL FOR BRITISH ARCHAEOLOGY:

Any response to be reported verbally.

### THE GEORGIAN GROUP:

Any response to be reported verbally.

### SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS:

Any response to be reported verbally.

### TWENTIETH CENTURY SOCIETY:

Any response to be reported verbally.

### THE VICTORIAN SOCIETY:

Any response to be reported verbally.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 42

Total No. of replies: 2

No. of objections: 1

Other: 1 (neutral)

### Grounds of objection:

- Loss of privacy to a ground floor bedroom
- Increased disturbance from commercial access
- Increased lightspill
- Harm to value of residential property

PRESS ADVERTISEMENT/ SITE NOTICE- Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

This is a grade II listed building located within the Harley Street Conservation Area. The building consists of a basement, ground floor and three upper storeys and is located on a corner site with frontages to both Upper Wimpole Street to the west and Weymouth



Street to the south. A single storey outbuilding is located to the rear of the site, linked to the principal building with a narrow two storey link.

## 6.2 Recent Relevant History

Planning permission and listed building consent were refused on 9 September 2014 (14/06599/FULL and 14/06600/LBC) for use of the front part of ground floor as one-bedroom flat (Class C3), partial demolition of outbuilding, excavation beneath footprint, and erection of three storey building over basement, ground, first floor level for use as medical consulting rooms (Class D1).

The following reasons for refusal were given:

1. Because of its height and bulk the replacement outbuilding would harm the appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Harley Street Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 6, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007.
2. The replacement outbuilding would make the people living in the basement flat at 1 Upper Wimpole Street feel too shut in. This is because of its bulk and height and how close it is to windows in that property. This would not meet S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

Planning permission and listed building consent (17/03107/FULL and 17/03108/LBC) were granted on 18 September 2017 for use of the ground floor as a self-contained residential flat (Class C3); excavation of a basement beneath the rear courtyard and outbuilding and associated extension of the lightwell, mansard extension to the outbuilding roof incorporating dormers and rooflights, all to provide a medical use (Class D1) on rear basement and ground floors with new access from Weymouth Street and internal alterations to the main building at ground floor level.

## 7. THE PROPOSAL

The applications for which permission was granted on 18 September 2017 were assessed on the basis that the existing outbuilding and link were to be retained and extended/ excavated at basement and roof level. The application form stated that no demolition was proposed and the drawings suggested that the external walls were to be retained. Historic England and the national amenity societies were not, therefore, consulted.

A condition was attached to the listed building consent which stated the following:

'Notwithstanding the approved drawings, the existing wall panelling and corncicing to the east, south and west walls in the room labelled 'Consultant's Room 3' is to be retained in situ and protected during construction works. The panelling and door to the north wall of this room is to be carefully removed, protected and then

reinstated to the new wall. Any additional infill panelling and corncicing shall be detailed to match the existing.'

However, following the granting of planning permission and listed building consent, the applicant advised officers that they intended on demolishing part of the outbuilding and link to facilitate the approved development. They argued that this was always part of the proposals but officers consider that this was not at all clear from the application submissions.

The current application seeks to address the ambiguities of the previous application, and to seek listed building consent to demolish the outbuilding and link (including the internal panelling), whilst retaining the facade on Weymouth Street.

The application also seeks consent for all of the works approved in the 2017 applications, including the addition of a mansard roof extension incorporating a dormer and rooflights to the outbuilding, the excavation of a basement beneath the rear courtyard and outbuilding, the creation of a new access from Weymouth Street, associated extension of the lightwell and internal alterations at ground floor level to the principal building. Other than the extent of demolition proposed, the proposals are identical to the scheme approved on 18 September 2017. There has been no change in policy or circumstance to alter the Council's assessment of these elements of the proposals.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Townscape and Design**

Historic maps and plans of the site demonstrate that the existing outbuilding dates from the 20th century and was likely constructed alongside 1a Upper Wimpole Street following the demolition of the original mews building on Devonshire Mews South. It is therefore considered that the existing outbuilding is not contemporary to the principal Georgian building and dates from the early 20th century.

Externally, the outbuilding and link are considered to be of limited design merit and are crudely detailed with poor quality fenestration. Of greater quality is the street facing Weymouth Street facade, which is to be retained.

Internally, the timber wall panelling in the single storey outbuilding appears on visual inspection to be of reasonable quality and was considered to be Edwardian fabric. A condition was imposed on the 2017 listed building consent securing its retention. As part of the current application, the applicant has submitted a supplementary heritage assessment which demonstrates that the internal arrangement of this part of the building has been altered a number of times during the course of the 20<sup>th</sup> century. On the basis of this new information, it is considered that the panelling is unlikely to be original Edwardian fabric. On the basis of this justification, and given that no objection was previously raised to the demolition of this fabric in 2014, it is considered unsustainable to require the retention of the panelling.



## 8.2 Residential Amenity

One objection has been received on the grounds that the proposal would cause loss of privacy and increased lightspill and disturbance to a residential flat at 43 Wimpole Street. The Marylebone Association have also commented neutrally, requesting that officers should take account of neighbouring amenity, sight lines and light. It should be highlighted that since the application is for listed building consent only, the Council is not legally bound to consider any amenity impacts and can give no weight to these representations.

It should however be noted that no objections were received to consultations on the full planning application which was approved in 2017. As part of this decision the officers' report has assessed the amenity impacts and states:

*'Owing to the relationship between the site and 43 Weymouth Street – which is to the south, on the opposite side of Weymouth Street - it is not considered that the proposals would result in any harm to living conditions at the flats within this neighbouring property.'*

The objection also raises concerns over the impact of the proposal on the value of a neighbouring residential flat. This was not assessed as part of the 2017 application since the impact on property value is not a planning consideration.

## 8.3 National Policy/Guidance Considerations

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

## 8.4 Planning Obligations

Planning obligations are not relevant in the determination of this application.

## 9. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 21 December 2017
3. Letter from Historic England dated 21 December 2017
4. Letter from occupier of 3 Upper Wimpole Street, London, dated 15 December 2017
5. Letter from occupier of Flat 1, 43 Wimpole Street, dated 10 December 2017

(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: MARK HOLLINGTON BY EMAIL AT [mhollington2@westminster.gov.uk](mailto:mhollington2@westminster.gov.uk)



**Existing side elevation.**

**LEGEND**

- Existing elev. Outline of existing building/structure/plot not proposed
- Existing walls
- Proposed
- Roof to be retained
- Roof to be replaced
- Roof to be replaced by flat roof
- New external wall meeting to the original
- New internal wall to existing structure
- Roof to be replaced
- New brickwork/external walls with existing structure/structure
- Existing window wall
- New roof (flat/hipped) and gutter/lead
- Roof to be replaced
- Lead roof
- High class tile
- Conservation Roof/Clay

**PLANNING**

02101 - Rev02 - WEYMOUTH STREET ELEVATION  
 02201 - Rev02 - SECTION AA  
 02301 - Rev01 - SECTION CC  
 02401 - Rev01 - SECTION DD  
 02501 - Rev01 - SECTION AA1

**PROPOSED ELEVATION AND SECTIONS - OPTION 1**

**CONSERVATION PD**  
 Planning Design

4 Plymouth Yard  
 15-17 Kings Cross Road  
 London WC2N 4JW  
 T 020 7594 1200  
 F 020 7594 1201  
 E alex@conservationpd.com  
 W www.conservationpd.co.uk  
 © 2017

**PROJECT 2104 - 1 Upper Weymouth Street**  
**Main Building:**  
 Conversion of GF from Medical to Residential Use  
**New Medical Centre In Weymouth Street**  
 Basement and mansard roof extensions

**Scale:** 1:100 (A1)  
 Date: 12/12/2017  
 Rev 02: 02/08/2017  
 Rev 03: 08/08/2017

**SECTION AA**  
 1st Floor Existing Wall  
 1st Floor Existing Wall  
 Ground Floor Conversion meeting residential use  
 Basement Existing Wall  
 Mansard Roof  
 Ground Floor  
 Basement

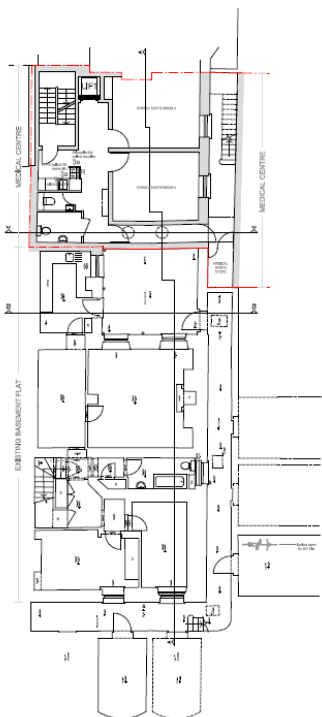
**SECTION BB**  
 Mansard Roof  
 Ground Floor  
 Basement

**SECTION CC**  
 Mansard Roof  
 Ground Floor  
 Basement

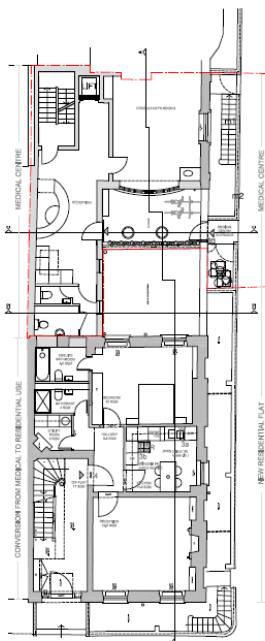
**SECTION DD**  
 Mansard Roof  
 Ground Floor  
 Basement

Above: Proposed elevations and sections

Below: Proposed floor plans.



D2006 - PROPOSED BASEMENT FLOOR PLAN  
(NEW BASEMENT FOR MEDICAL CENTRE;  
BASEMENT FLAT WITHIN LISTED BUILDING  
RETAINED AS EXISTING)



D2000 - PROPOSED GROUND FLOOR

USE	AREA (SQM)
Proposed G/F Flat	77
Proposed Medical Centre	
G/F	68
Basement	68 + 2.5 = 70.5
Mansard	34.4
Total	172.9

LEGEND:

- Boundary line
- Outline of existing buildings/retaining brick roof
- Existing work
- Proposed
- Bicycle stand
- LIFT
- 3-Person Lift
- m1 New metal stairs from basement
- m2 Adjusted metal railings
- mb New metal gate in existing brickwork
- st Stucco surround
- w New timber sash windows - with matching dressings and flat arches
- Existing rendered wall
- r New cast metal downspout and hopper head
- ba Matching brickwork
- L Lead Roof
- T Plain Clay Tiles
- C Conservation Rooflight CR7

Fire Safety: emergency lighting to be provided in the common areas including externally, along with a fire alarm system to BS5839-1

- 1 Removal of the escape stairs and replacement of existing railings
  - 2 Planting in front of railings
  - 3 Waste (W) and Recycling (R) storage (to be twice daily; 3x weekly)
  - 4 Existing double leaf front door assembled into a single door (as original)
- Roof (R) option 1 (for comparison between 1 and 2)

client: SHAKB & CO.

project: 2104 - 1 Upper Wimpole Street

**Main Building:**  
Conversion of GF from Medical to Residential Use

**New Medical Centre in Weymouth Street:**  
Basement and mansard roof extensions

**PLANNING**

D2006 BASEMENT FLOOR PLAN

D2000 GROUND FLOOR PLAN

scale: 1:100 at A2

date: 13/03/2017

Rev 01: 07/07/2017

Rev 02: 08/09/2017

**PROPOSED FLOOR PLANS 1**

CONSERVATION PD  
planning + design

a Phoenix Yard  
65-19 Kings Cross Road  
London WC1X 9LW  
t 020 7206 1504  
f 020 7504 1701  
e elenimakri@conservationpd.com  
w www.conservationpd.co.uk

© 2017

USE	AREA (SQM)
Proposed G/F Flat	77
Proposed Medical Centre	
G/F	68
Basement	68 + 2.5 = 70.5
Mansard	34.4
Total	172.9

LEGEND:

- Boundary line
- Outline of existing buildings
- Existing work
- Proposed
- Bicycle stand
- LIFT
- 3-Person Lift
- m1 New metal stairs from basement
- m2 Adjusted metal railings
- mb New metal gate in existing brickwork
- st Stucco surround
- w New matching timber sash windows - with matching dressings and flat arches
- Existing rendered wall
- r New cast metal downspout and hopper head
- ba Matching brickwork
- L Lead Roof
- T Plain Clay Tiles
- C Conservation Rooflight CR7

Fire Safety: emergency lighting to be provided in the common areas including externally, along with a fire alarm system to BS5839-1

- 1 Removal of the escape stairs and replacement of existing railings
- 2 Planting in front of railings
- 3 Waste (W) and Recycling (R) storage (to be twice daily; 3x weekly)
- 4 Existing double leaf front door assembled into a single door (as original)

client: SHAKB & CO.

project: 2104 - 1 Upper Wimpole Street

**Main Building:**  
Conversion of GF from Medical to Residential Use

**New Medical Centre in Weymouth Street:**  
Basement and mansard roof extensions

**PLANNING**

D2001 FIRST FLOOR PLAN

D2002 ROOF PLAN

scale: 1:100 at A2

date: 13/03/2017

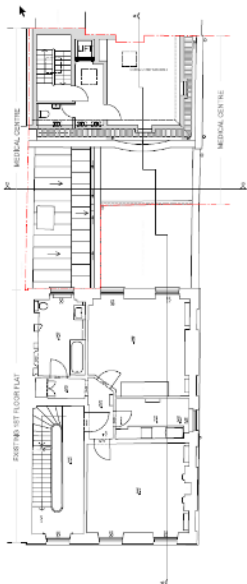
Rev 01: 07/07/2017

**PROPOSED FLOOR PLANS 2**

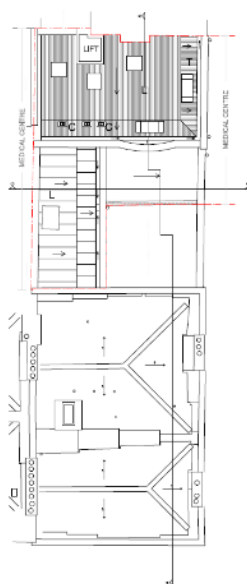
CONSERVATION PD  
planning + design

a Phoenix Yard  
65-19 Kings Cross Road  
London WC1X 9LW  
t 020 7206 1504  
f 020 7504 1701  
e elenimakri@conservationpd.com  
w www.conservationpd.co.uk

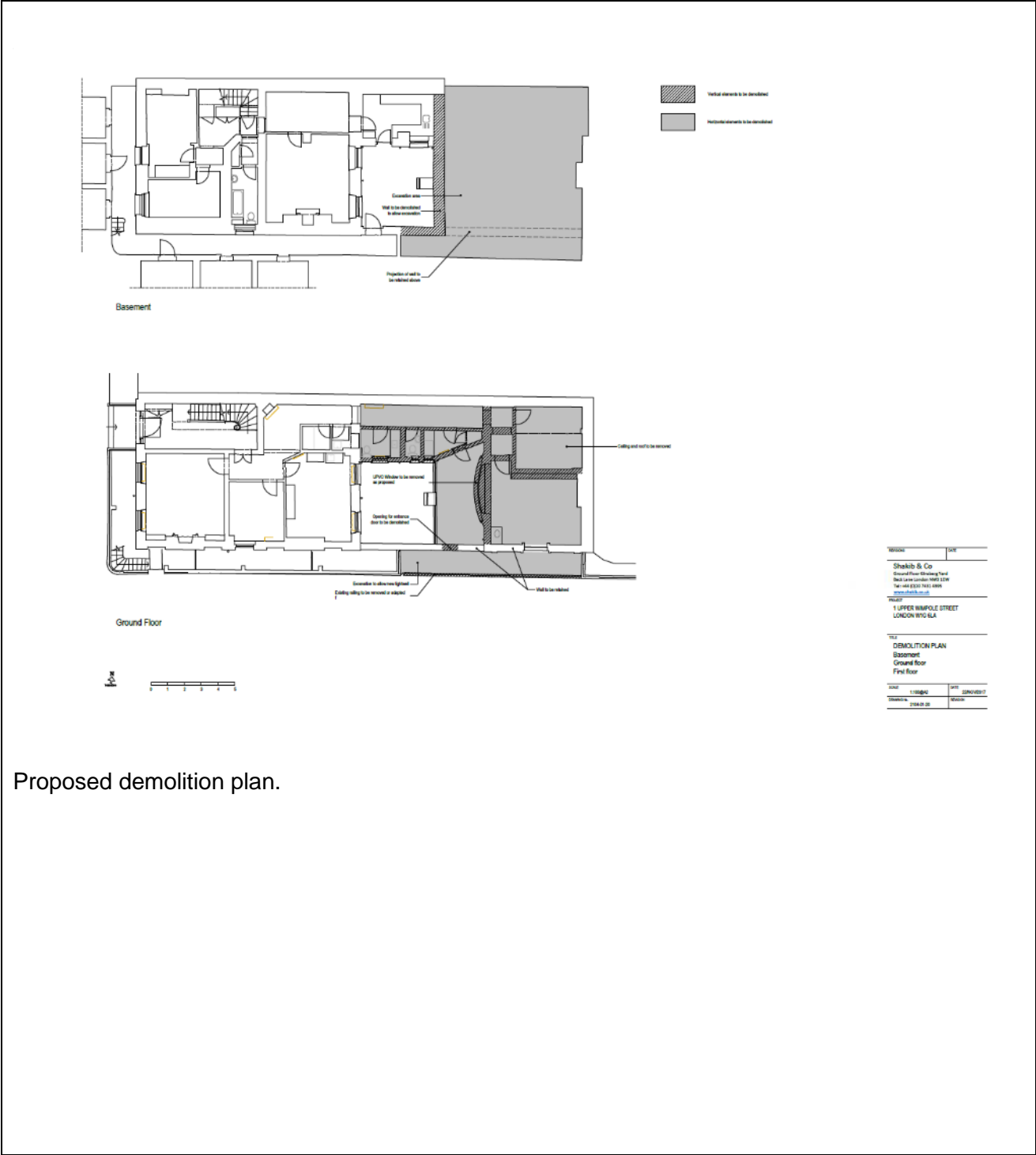
© 2017



D2001 - PROPOSED MANSARD ROOF FLOOR PLAN



D2002 - PROPOSED ROOF PLAN



Proposed demolition plan.

**DRAFT DECISION LETTER**

**Address:** 1 Upper Wimpole Street, London, W1G 6LA,

**Proposal:** Demolition and rebuilding of rear outbuilding and link, behind retained Weymouth Street façade, including excavation of a basement beneath the rear courtyard and outbuilding. Associated extension of the lightwell; mansard roof extension to the outbuilding, incorporating dormers and rooflights, all to create a medical centre with new access from Weymouth Street. Internal alterations to the main building at ground floor level in connection with its use as a self-contained flat.

**Reference:** 17/10164/LBC

**Plan Nos:** 'Proposed Link and Link Roof - Option 1 Rev 00,' 'Proposed Floor Plans 2 Rev 01', 'Proposed Floor Plans 1 Rev 02', 'Proposed Elevation and Sections - Option 1 Rev 02' and 2104-01-20.

**Case Officer:** Heidi Pearce

**Direct Tel. No.** 020 7641 3267

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

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster City Plan (October 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that was adopted in January 2007. (R27AC)

- 3 You must not disturb existing ornamental features including chimney stacks, masonry, architraves, panelling, doors and staircase balustrades. You must keep them in their present position unless changes are shown on the approved drawings or are required in conditions to this permission. You must protect those features properly during work on the site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 You must apply to us for approval of drawings of the following parts of the development:
- i) New external windows (including rooflights) and doors (1:5 and 1:20)
  - ii) Dormer windows (1:5 and 1:20)
  - iii) External gate to Weymouth Street (1:20)
  - iv) External stairs to lightwell (1:20)
  - v) Replacement external railings to Weymouth Street elevation (1:20)
  - vi) Internal doors (1:5 and 1:20)

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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 6 The rebuilt roof of the outbuilding shall be clad in natural welsh slate.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)



- 7 You must apply to us for approval of photographs of samples of the facing materials you will use, including glazing and paving, 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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 8 All new outside rainwater and soil pipes must be made out of metal and painted black. (C27HA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 9 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 10 The unauthorised railings to the Weymouth Street elevation shall be removed and replaced with black painted railings of an appropriate design, in accordance with details secured under condition 4 of this consent, before you begin the approved use. (C26VA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 11 The timber gate hereby approved to the Weymouth Street elevation shall be painted black.

**Reason:**

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

**Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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.