

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 20 December 2016	<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>	14 Wimpole Street, London, W1G 9SX		
<b>Proposal</b>	Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows. Internal alterations.		
<b>Agent</b>	Montagu Evans LLP		
<b>On behalf of</b>	14 Wimpole Street Limited		
<b>Registered Number</b>	16/08184/FULL 16/08185/LBC	<b>Date amended/ completed</b>	19 September 2016
<b>Date Application Received</b>	26 August 2016		
<b>Historic Building Grade</b>	Grade II		
<b>Conservation Area</b>	Harley Street		

## 1. RECOMMENDATION

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

## 2. SUMMARY

The application site is a Grade II listed building which is linked by lower ground and ground floor extensions to a mews building at the rear. The buildings' lawful use is as five flats on lower ground and first to fourth floors with a private, walk-in, medical clinic at ground floor level. The site is located within the Harley Street Conservation Area, the Core Central Activities Zone (Core CAZ) and the Harley Street Special Policy Area (SPA).

It is proposed to demolish the rear mews building and the lower ground and ground floor link

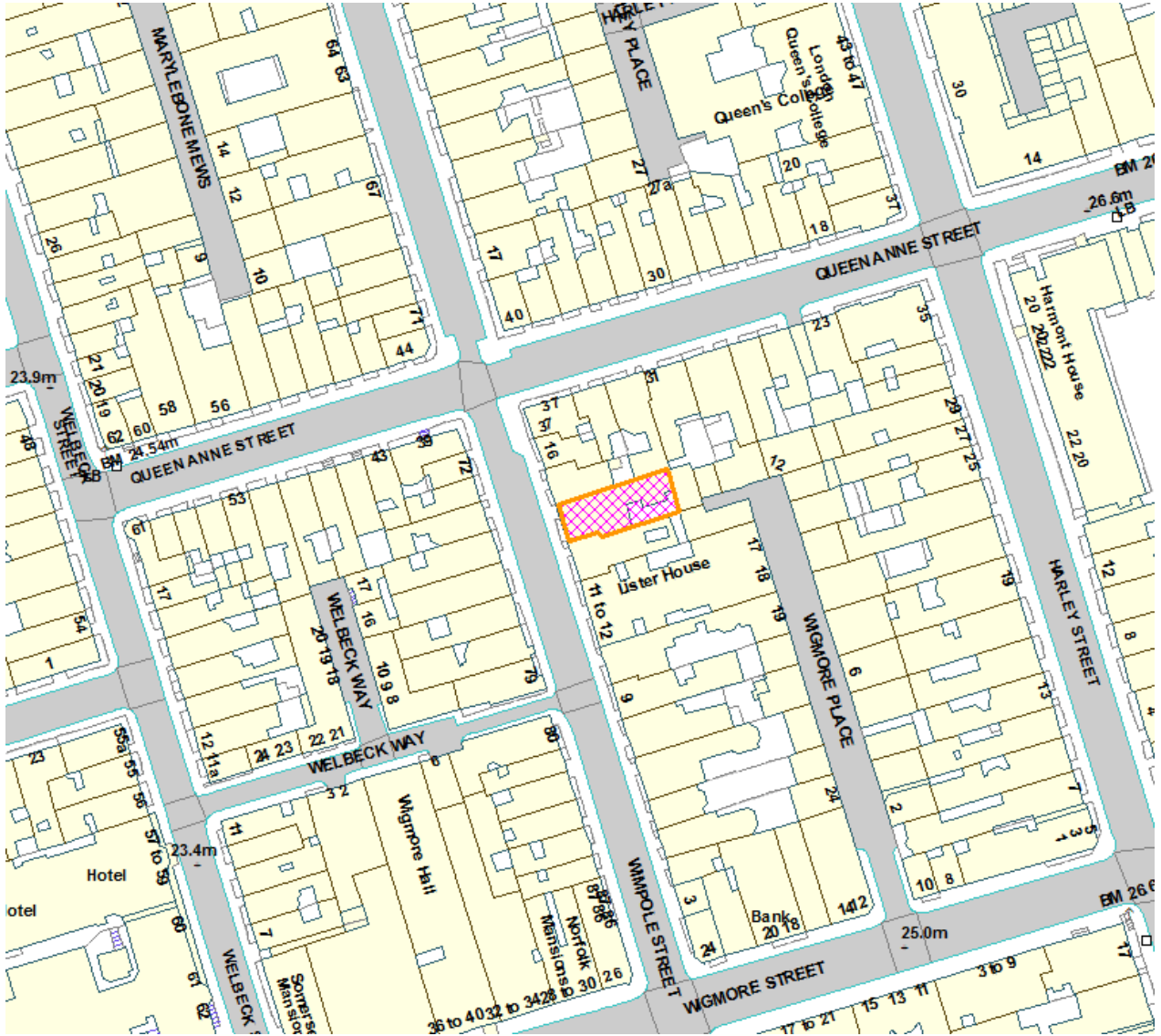
extensions and to erect a replacement mews building over lower ground, ground and first floor levels for use as a four bedroom dwelling house (Class C3), accessed from Wigmore Place. The ground floor medical floorspace would be reconfigured, with an additional consulting room at lower ground floor level to compensate for the loss of floorspace at rear ground floor level. The two existing lower ground floor flats would also be reconfigured and the flats on the first to fourth floors would be subdivided to increase the total number of dwellings on site from five to ten. Objections have been received on land use and amenity grounds.

The key issues for consideration are:

- \* Whether the proposed demolition, alterations and extensions preserves the buildings' special architectural and historic interest.
- \* Whether the proposal preserves or enhances the character and appearance of the Harley Street Conservation Area.
- \* Whether the potential additional car parking demand arising from the proposed development is acceptable given the benefits of additional residential accommodation and can be adequately mitigated by condition.
- \* Whether the proposed mews house and alterations at rear ground floor level will result in a loss of amenity for the occupants of neighbouring dwellings.
- \* Whether the proposed new dwellings are of an adequate standard.

The proposal is considered acceptable in land use and amenity terms, complying with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan). Furthermore, the scheme is considered to preserve the character and appearance of the Harley Street Conservation Area, and would not harm the special interest of the listed building or the setting of the adjacent listed buildings. For these reasons it is recommended that conditional planning permission and 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



## 5. CONSULTATIONS

### Original submission

#### HISTORIC ENGLAND:

Authorisation for the City Council to determine the application as it sees fit.

#### MARYLEBONE ASSOCIATION:

The proposed mews house results in a significant increase in massing at the rear which will impact on the amenity of neighbouring 13 Wimpole Street and 16 Wimpole Mews [presumably 16 Wigmore Place] in terms of privacy/ overlooking, loss of light and, potentially, an unacceptable increase in sense of enclosure.

#### ENVIRONMENTAL HEALTH:

No objection subject to provision of updated noise survey and detailed supplementary report once the plant has been selected.

#### HIGHWAYS PLANNING:

Objection: increased number of residential units will result in an unacceptable increase in on-street car parking stress, cycle parking provision is acceptable.

#### CLEANSING:

Objection: lack of information regarding the proposed refuse arrangements, absence of storage for clinical waste and lack of separation between the residential and medical refuse stores.

#### 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: 11

Total No. of replies: 2

No. of objections: 2

No. in support: 0

Both objecting on the following grounds:

**Land Use:**

- The subdivision of the flats on site to create nine flats and the continued medical use on site represents a significant intensification of the current use.
- The smaller flats will come under pressure to be used for short term letting. Enforcing against this breach of planning control is cumbersome and not always fully effective.

**Amenity:**

- Loss of privacy.
- Increased sense of enclosure.
- Loss of daylight and sunlight.
- Noise nuisance.

**Other:**

- Lack of information in respect to where dustbins for the proposed new mews house would be located.
- Disruption during the course of construction.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

**Final submission:** (consultation period expires 15 December 2016)

**ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED**

No. Consulted: 2

Total No. of replies:0

No. of objections: 0

No. in support: 0

Any additional responses to be reported verbally.

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

The site comprises a Grade II listed building arranged over lower ground, ground and four upper floors and, to the rear, a mews building on lower ground and ground floors levels. This mews building is largely obscured by the adjoining property at 14 Wigmore Place and only presents as a small section of blank wall on Wigmore Place. As the mews building is in the same ownership as the main building, is linked at basement and ground floor levels and was in existence at the time of listing it is also considered to be a listed building by virtue of being a curtilage structure.

The site is located within the Harley Street Conservation Area, the Core Central Activities Zone and the Harley Street Special Policy Area.

The buildings to the north of the site on Queen Anne Street are all Grade II listed, as are 13 and 15 Wimpole Street.

The main building and the mews property are linked at lower ground and ground floor levels. Until recently, a private walk-in medical clinic ('Sameday Doctor') occupied the ground floor of both buildings. This medical floorspace shares a communal hallway with a flat at rear lower ground floor; two, two bedroom flats on the first and second floors and a four bedroom maisonette on the third and fourth floors. Although currently vacant, records indicate that the lawful use at lower ground floor (front) is as a two-bedroom flat, making a total of five flats.

The site is surrounded by residential properties; the nearest being the dwellinghouses on either side (13 and 15 Wimpole Street), 16 Wigmore Place (which includes a flat at first floor level and an additional accommodation for 13 Wimpole Street at lower ground and ground floor levels) and 14 Wigmore Place (a dwellinghouse). 33 Queen Anne Street, immediately to the north of the site, is in office use.

## 6.2 Recent Relevant History

30 January 1979: Permission granted for the use of the lower ground floor as two self-contained flats, a ground and first floor medical consulting rooms, one self-contained flat on the second floor and a maisonette on third and fourth floors.

20 October 1987: Permission granted for the use of the first floor as a self-contained residential unit and for the associated alterations.

2 May 1989: Listed building consent granted for the re-arrangement of the two existing self-contained flats at lower ground floor level.

30 November 1989: Permission refused for the use of the lower ground, ground and first floors as offices - loss of residential accommodation and the loss of ground floor medical consulting rooms.

## 7. THE PROPOSAL

Permission and listed building consent are sought to demolish the mews building and the lower ground and ground floor link extensions.

The mews building (on lower ground and ground floors) would be replaced by a four-bedroom dwellinghouse (arranged over lower ground, ground and first floors), which would be accessed from a new entrance on Wigmore Place. This redevelopment would result in the loss of two small medical consulting rooms at rear ground floor level (19 sqm) and a reduction in the size of the existing two-bedroom flat at rear lower ground floor, which would become a one-bedroom flat.

The medical floorspace lost at rear ground floor level would be replaced by converting the residential accommodation at lower ground floor (front) to medical use. The result would be the reduction in the size of the existing two-bedroom flat, which would become a one-bedroom unit.

The existing and proposed floorspace schedule is below:

	Residential floorspace sq.m (GIA)	Medical floorspace sq.m (GIA)	Total floorspace (GIA)
As existing	795	172	967
As proposed	832	173	1,005
Change	+37	+1	+38

Two, two-bedroom, flats at first and second floor levels would be subdivided to create 4 x one-bedroom flats. The existing four-bedroom maisonette would be reconfigured to create two, one-bedroom flats, on the third floor and a three-bedroom flat at fourth floor level.

The net result is an increase in the total number of residential units on the site (including the new mews house) from five to ten, with a net increase in residential floorspace of 38 sqm.

The existing and proposed housing mix is as follows:

	Existing	Proposed
One-bed	/	8
Two-bed	4	/
Three-bed	/	1
Four-bed	1	1
<b>Total</b>	<b>5</b>	<b>10</b>

Provision for the storage of nine bicycles is proposed within one of the pavement vaults. The remaining two pavement vaults would accommodate plant and refuse/recycling stores for the residential and medical uses.

In addition to the internal alterations to reconfigure the accommodation, it is proposed to remove the existing extensive pipework at the rear (services will be relocated internally in two dedicated service routes), to reinstate windows within the rear wing and to make minor modifications to the roof form. Condensing units are proposed within the internal central lightwell at lower ground floor level and within a recessed area at roof level.

The application has been amended in an attempt to address the concerns of the occupier of 13 Wimpole Street by:

- Hipping the proposed replacement rear ground floor extension away from the boundary between the two sites.
- The setting the replacement rear extensions inside of the site boundary wall.
- Omitting residential terraces at rear first floor level.
- Installing obscured glass to rear first floor windows to the new mews house (to a height of 1.8m above internal floor level).

Additional drawings have also been provided which show the relationship of the new development to 13 Wimpole Street.



The two objectors to the application have been notified of the amendments to the application. This re-consultation period expires on 15 December 2016.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

#### **Reconfiguration of medical floorspace**

As set out above, the site is located within the Harley Street SPA. City Plan Policy CM2.1 seeks to support and enhance the SPA's role as an international centre of medical excellence, complemented primarily by residential use. The loss of existing medical facilities will only be allowed in exceptional circumstances.

There is no objection to the reconfiguration of the existing medical floorspace on site given that there is a slight increase in floorspace and that the new lower ground floor consulting room is readily accessible via the central staircase.

A condition is recommended to prevent the occupation of the new mews house until the reconfigured medical accommodation is made ready for occupation. This is to ensure that this change of use takes place and there is no loss of medical floorspace within the Harley Street SPA.

#### **Increase in residential floorspace and units**

The proposed increase in residential floorspace of 38 sq.m (GIA) and the increase in the number of dwellings, from five to ten is welcome in principle and will assist in meeting the borough housing target set out within London Plan Policy 3.3, in accordance with UDP Policy H3 and City Plan Policy S14. Furthermore, it is considered that the number of residential units on site has been optimised. There is no requirement to provide any affordable housing within the development as the net increase in residential floorspace and units falls well below the 1,000 sqm or 10 unit threshold set out within City Plan Policy S16.

Policy H5 of the UDP normally requires 33% of new dwelling to be family-sized (i.e. containing three or more bedrooms). Overall, eight of the ten units provide only one bedroom. However, the proposal will provide an additional 'family sized' unit and the proportion of family sized units would be the same as the existing (20%). In these circumstances, and given the site's central location, the development is considered to provide an appropriate mix of residential units in accordance with City Plan S15 and UDP Policy H5.

#### **Quality of the Proposed Flats**

City Plan Policy S29 requires all new housing, and where possible refurbished housing, to provide a well-designed, high quality living environment, both internally and externally in relation to the site layout and neighbourhood. London Plan Policy 3.5 sets out minimum space standards for different residential unit types. Guidance is provided within the Mayor

of London's Housing SPG (May 2016) which requires developments to minimise the number of single aspect dwellings and avoid such dwellings where:

- They are north facing; or
- They are exposed to noise levels above which significant adverse effect on health and quality of life occur; or
- They contain three or more bedrooms.

All of the proposed dwellings meet the minimum space standards

		Dwelling type	Area (sq.m) (GIA)	Minimum area requirement (sq.m) (GIA)
<b>Lower ground</b>	Apartment 1	1b 2p	58	50
	Apartment 2	1b 2p	62	50
<b>Ground floor</b>	/	/	/	/
<b>First floor</b>	Apartment 3	1b 1p	44	39
	Apartment 4	1b 2p	54	50
<b>Second Floor</b>	Apartment 5	1b 1p	45	39
	Apartment 6	1b 2p	55	50
<b>Third Floor</b>	Apartment 7	1b 1p	39	39
	Apartment 8	1b 2p	54	50
<b>Fourth Floor</b>	Apartment 9	3b 5p	86	86
	Mews House	4b 7p	172	121

The replacement of the dual aspect flats at first, second and third floor levels with single aspect flats is unfortunate. However, none of the proposed flats face north nor do they contain three or more bedrooms. To ensure that they flats are adequately ventilated, the six single aspect flats would be mechanically ventilated, utilising the chimneys to link the flats to the proposed roof plant. This will also enable the occupants of the flats facing Wimpole Street to be keep their windows shut, should they so choose, to minimise disturbance from traffic noise.

The L-shaped plan of the mews house and the presence of rooflights will assist in ensuring that this properly can be adequately ventilated.

Objections have been received on the grounds that the reduction in the size of the flats would increase the likelihood of them being occupied as short-term lets, which would be difficult to enforce against. However, there is no reason to believe that the proposed flats would be any more likely to be used for short-term letting than larger flats on the site

An objection has been received to the increase in the number of dwellings on the site on the grounds that this results in the intensification of the existing use. As local plan policies encourage the optimisation of the number of dwellings within new developments, and as all of the units are considered acceptable in terms of the standard of accommodation provided, it is not considered that permission could reasonably be withheld on these grounds.

Overall, the proposed flats are considered to provide an acceptable standard of residential accommodation, in accordance with City Plan Policy S29, London Plan Policy 3.5 and Mayor of London's Housing SPG (2016).

## 8.2 Townscape and Design

The main design implications of the proposal relate to the impact on plan form at all floor levels, the removal and rebuilding of structures to the rear and the impact of the enlarged mews building.

There is some concern over the apparent removal of a fireplace at lower ground floor level. This can be addressed by an amending condition requiring the retention of this fireplace or its sensitive relocation elsewhere in the listed building.

At ground floor level the removal of partitions and a counter associated with the medical use is welcomed.

At first floor level, and the front room on all floors above, have undergone unsympathetic alterations including the installation of false ceilings. The re-arrangement of partitions at all floor levels, to accommodate the new flats, is largely neutral in impact. The works to the closet wing are more beneficial in that they reinstate the sash windows.

A new roof lantern is proposed above the main staircase. This is acceptable subject to the submission of detailed drawings.

The replacement mews building is considered to be of an acceptable height and bulk which is appropriate within its mews setting. The detailed design is considered acceptable and the use of good quality traditional materials is welcomed. Material samples are recommended to be secured by condition to ensure a good quality replacement building.

The proposed replacement rear extensions are acceptable as they largely replicate the existing rear extensions in terms of their form.

In design terms the works are acceptable and in accordance with the NPPF, UDP Policies DES 1, DES 6, DES 9 and DES 10, and City Plan Policies S25 and S28.

## 8.3 Residential Amenity

Objections have been received from the occupants of the dwellinghouses on either side of the application site (at 13 and 15 Wimpole Street) on the grounds that the proposal would have an adverse impact upon the amenity of the neighbouring properties due to a loss of privacy, an increased sense of enclosure to neighbouring gardens and a loss of daylight and sunlight. The Marylebone Association has also objected to the increase in the massing of the mews house and the impact upon the amenity of the occupants of 13 Wimpole Street and 16 Wimpole Mews (it is assumed that it is referring to 16 Wigmore Place).

As detailed in Section 7 of this report, the application has been revised in an attempt to address neighbours' objections, most notably to set the ground floor extension away from the boundary with 13 Wimpole Street to reduce its impact, to install obscured glass within

first floor rear windows to the mews house and to omit the first floor terraces. The objectors have been notified of these amendments.

The replacement mews building would be increased in height and would, in part, project 3 metres further towards the rear of the main house than the existing structure. The design incorporates a square bay which projects 0.9m beyond the adjacent building line at 16 Wigmore Place. However, it is considered that this increased bulk, which is set towards the north-east corner of the site, is of such a distance from the rear gardens and rear habitable rooms of 13 (approximately 11m) and 15 Wimpole Street (~9m) that there would be no material loss of daylight, sunlight or increased sense of enclosure to these neighbouring properties or their gardens. 33 Queen Anne Street, to the north is in use as offices, and it is not considered that the proposals would adversely affect the occupation of the building for this use.

The amendments to the design of the ground floor rear extension significantly reduces its apparent bulk in views from the rear garden at 13 Wimpole Street. As a consequence, it is not considered that the enjoyment of the neighbouring garden will be materially affected by the revised scheme.

Subject to conditions securing the obscured glass within rear windows and requiring these to be fixed shut, it is not considered that the proposals would result in any additional loss of privacy to neighbouring properties. This would also prevent overlooking between the mews house and the rear flat at first floor level. The proposed rooflights will ensure that this open plan living / kitchen / dining room within the mews house will be adequately ventilated.

Finally, the omission of first floor terraces between the main dwelling and the mews property overcomes objections received regarding the impact of their use on overlooking and noise grounds. A condition is recommended to prevent the use of flat roofs for sitting out.

Subject to conditions, it is not considered that the amended proposals would have a material impact upon the amenities of neighbouring properties.

#### **8.4 Transportation/Parking**

The Highway Planning Manager has objected to the proposal on the ground that the increase in the number of residential units will result exacerbate existing pressures on on-street parking demand in the area (87% at night time). UDP Policy TRANS 23 normally seeks to resist development that would add to already high levels (80% being considered a serious deficiency) of on-street car parking occupancy unless the potential impact of additional cars being parked on-street in the vicinity is mitigated.

Clearly, there is no opportunity to provide on-site car parking. In light of the excellent levels of public transport accessibility of this site, which is located in the Core CAZ, it is considered that the benefits of the additional residential provision outweigh the possible increase in on-street car parking demand. However, it is recommended that any permission should be subject to a condition requiring the submission of details of appropriate arrangements to mitigate the impact of the development upon local parking

pressures. It is considered that lifetime car club membership for each residential unit (minimum 25 years) would be sufficient to address these concerns.

The cycle provision within one of the front pavement vaults is acceptable and would be secured by condition.

### **8.5 Economic Considerations**

Any economic benefits generated by the proposals are welcomed.

### **8.6 Access**

The existing access from Wimpole Street is, like the majority of buildings of this period, via steps. It is acknowledged that as the building is listed, it is difficult to improve this situation whilst still allowing access to the front pavement vault. For this reason, despite the building not being wheelchair accessible, this is acceptable in this instance.

Level access is provided to the mews property

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

#### **Plant**

The application is supported by a Noise Report. This has been assessed by the Environmental Health Officer who has raised no objection to the proposal subject to standard conditions relating to noise and vibration and requiring the submission of a post-commissioning supplementary acoustic report to demonstrate that these conditions can be complied with.

#### **Refuse / Recycling**

The Cleansing Manger has raised some concerns over the lack of detail on the submitted drawings in respect to the storage of waste and recyclable material. However, two large pavement vaults have been dedicated for this purpose which should be more than sufficient to accommodate the amount of refuse generated by the development. The submission of detailed drawings showing the separation of residential and domestic waste stores and facilities for the storage of clinical waste would be secured by condition.

The occupier of 13 Wigmore Street, which also has an access onto Wigmore Place, has requested information regarding the location of the refuse store for the proposed mews house. A dedicated store for 180 litres of general waste and 240 litres of recyclable waste is provided within the hallway. This will ensure that this part of Wigmore Place is not blocked by refuse bins.

### **8.7 London Plan**

This application raises no strategic issues.

### **8.8 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.

### 8.9 Planning Obligations

The scheme does not trigger any planning obligations.

The estimated CIL liability of the scheme is as follows:

£4,183.49 (index linked) – Mayoral CIL.  
£27,540.00 (index linked) – Westminster CIL.  
**£3,1723.49 (index linked) – Total CIL**

### 8.10 Environmental Impact Assessment

The scheme is of insufficient size to require the submission of an Environmental Statement.

### 8.11 Impact of construction works

An objection has been received on the grounds of noise and disturbance during the course of construction. Whilst these concerns are noted, permission cannot justifiably be withheld on these grounds. However, a condition is recommended to control the hours of building works in order to safeguard neighbours' amenities.

## 9. BACKGROUND PAPERS

1. Application form.
2. Letter from the Marylebone Association, dated 27 October 2016.
3. Letter from Environmental Health, dated 27 October 2016.
4. Memorandum from Highways Planning, dated 4 October 2016.
5. Memorandum from Cleansing, dated 28 September 2016.
6. Letter from occupier of 13 Wimpole Street, London, dated 21 October 2016.
7. Letter from occupier of 15 Wimpole Street, London, dated 25 November 2016.

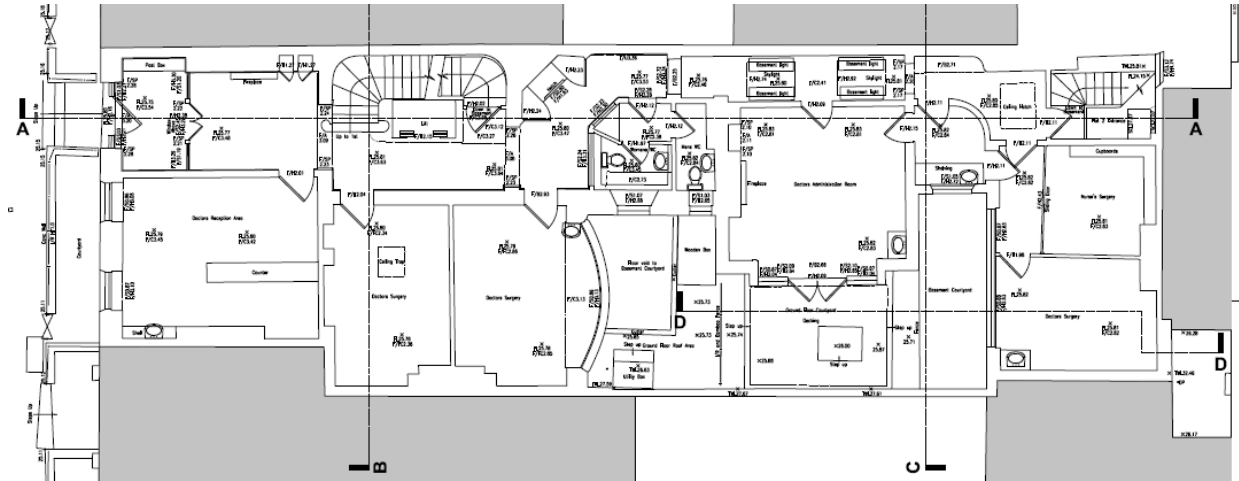
### Selected relevant drawings

(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: SARA SPURRIER BY EMAIL AT [sspurrier@westminster.gov.uk](mailto:sspurrier@westminster.gov.uk).

### 10. KEY DRAWINGS

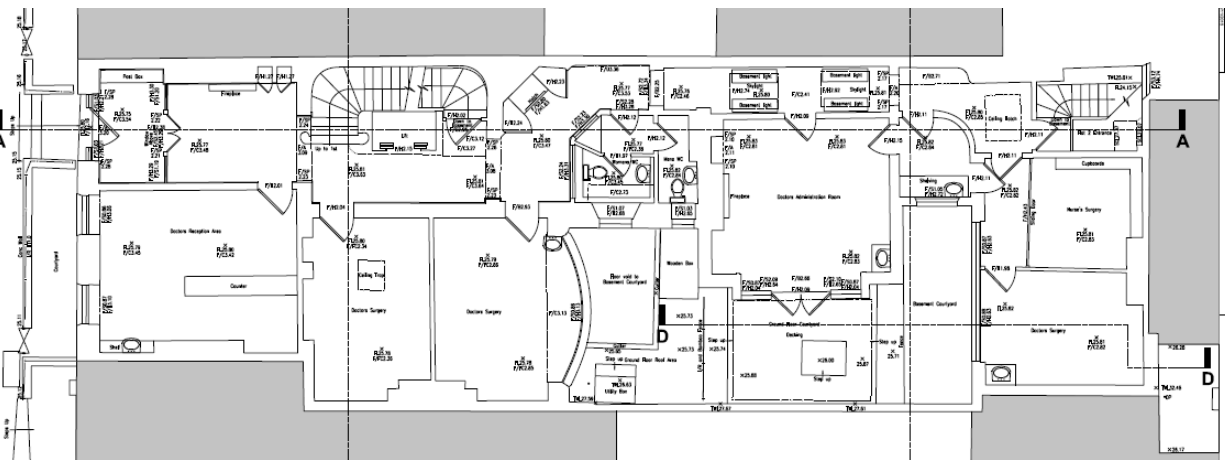
Existing lower ground floor plan:



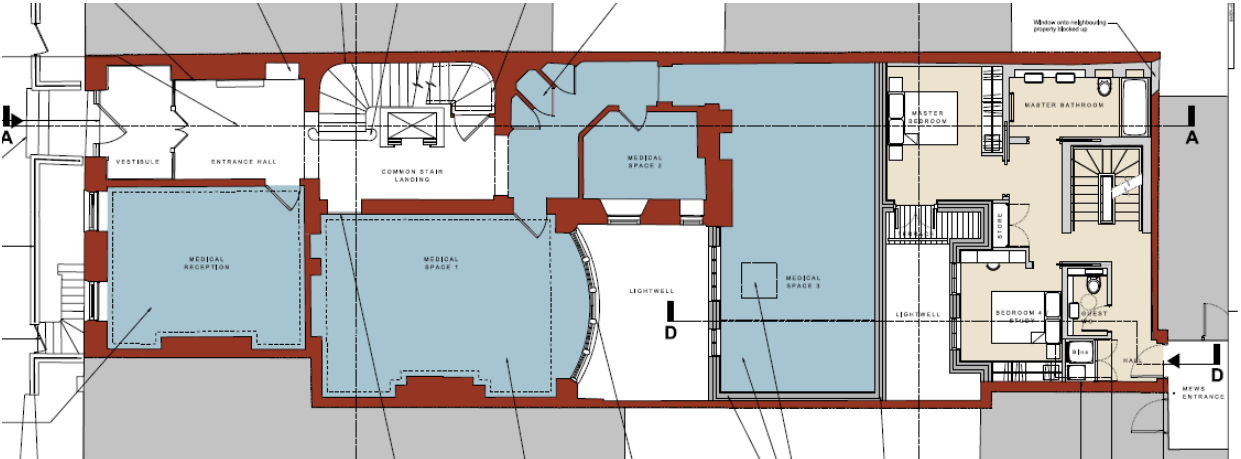
Proposed lower ground floor:



Existing ground floor:

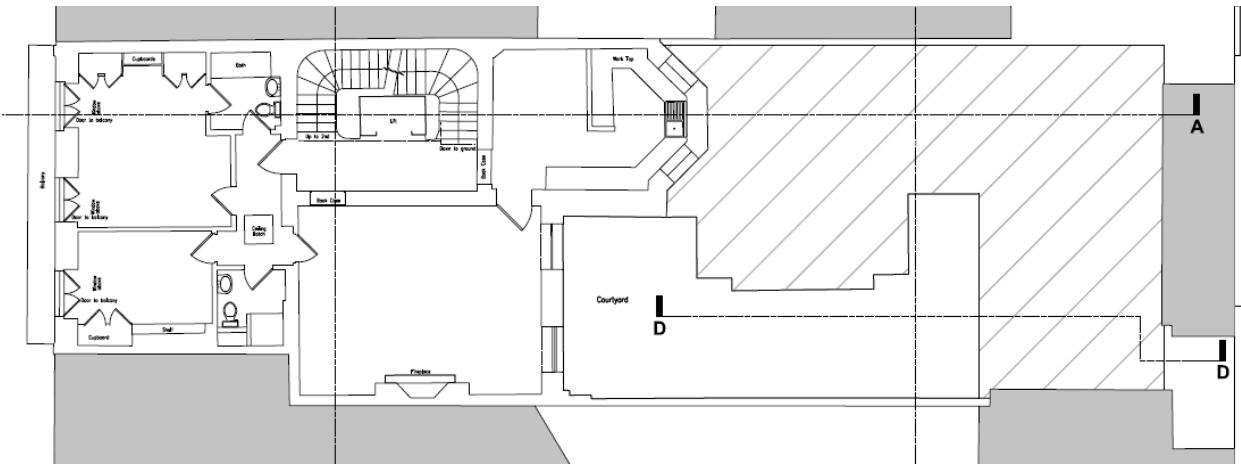


Proposed ground floor:

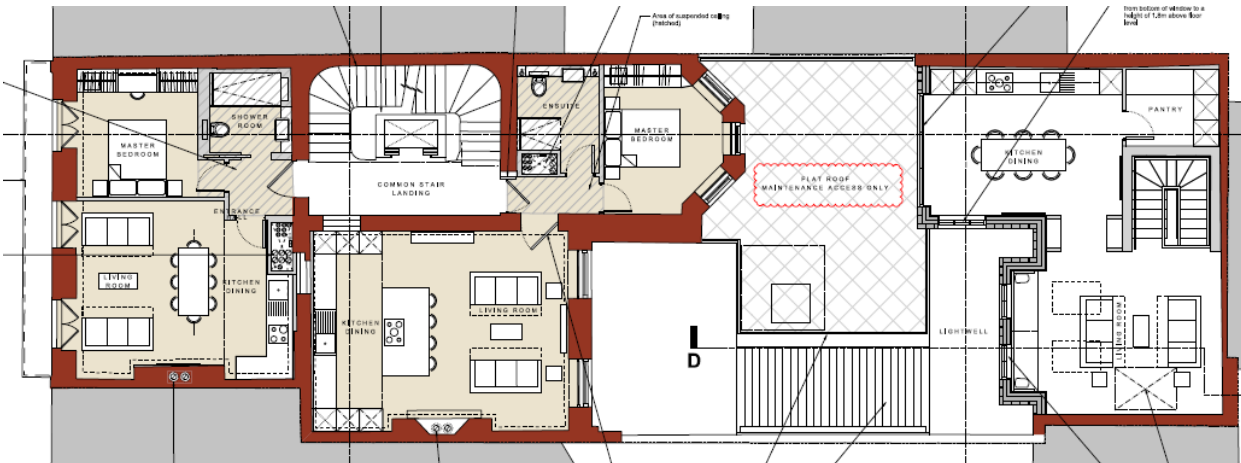




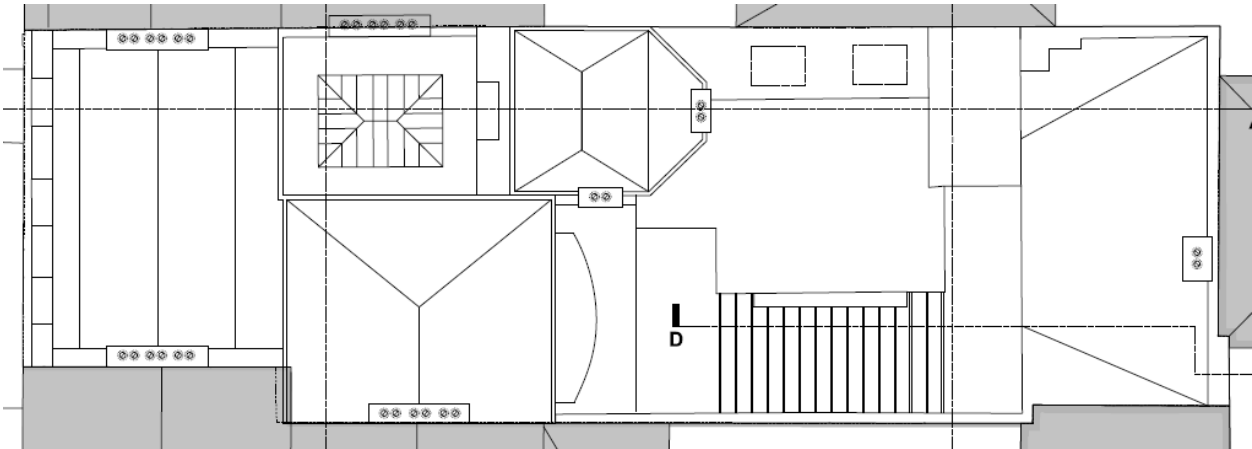
Existing first floor level:



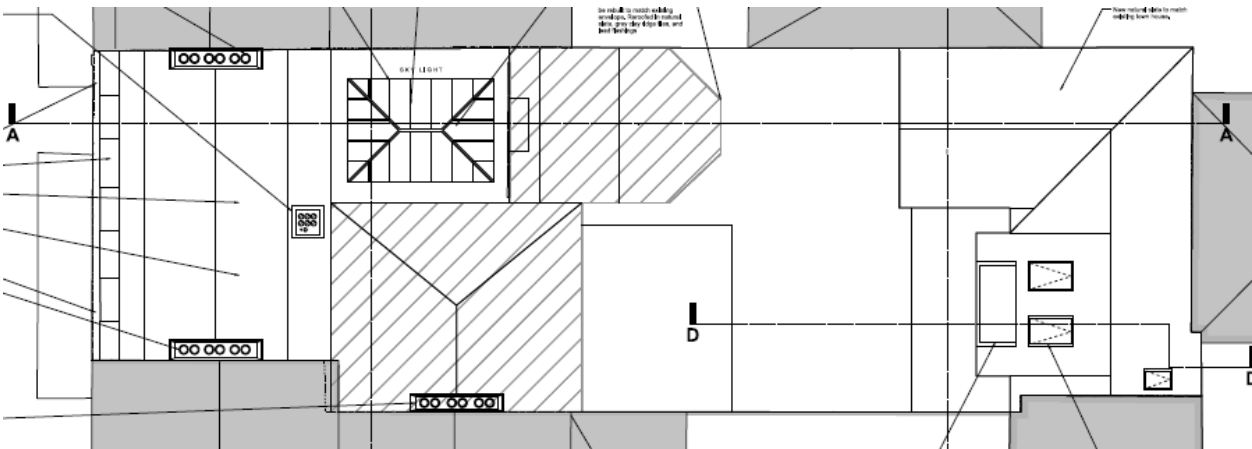
Proposed first floor level:



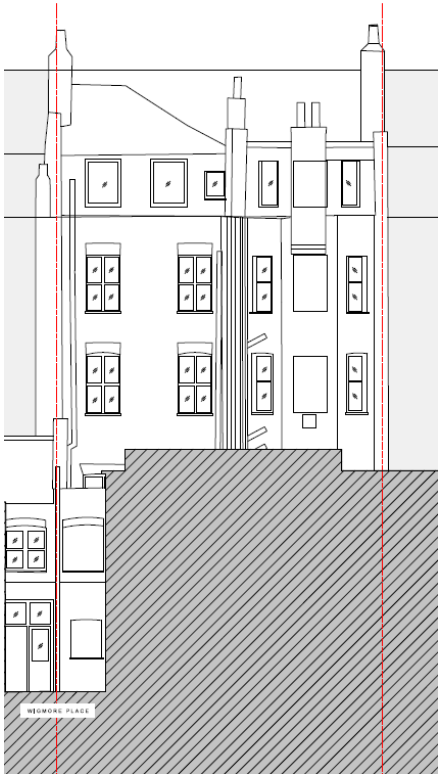
Existing roof plan:



Proposed roof plan:



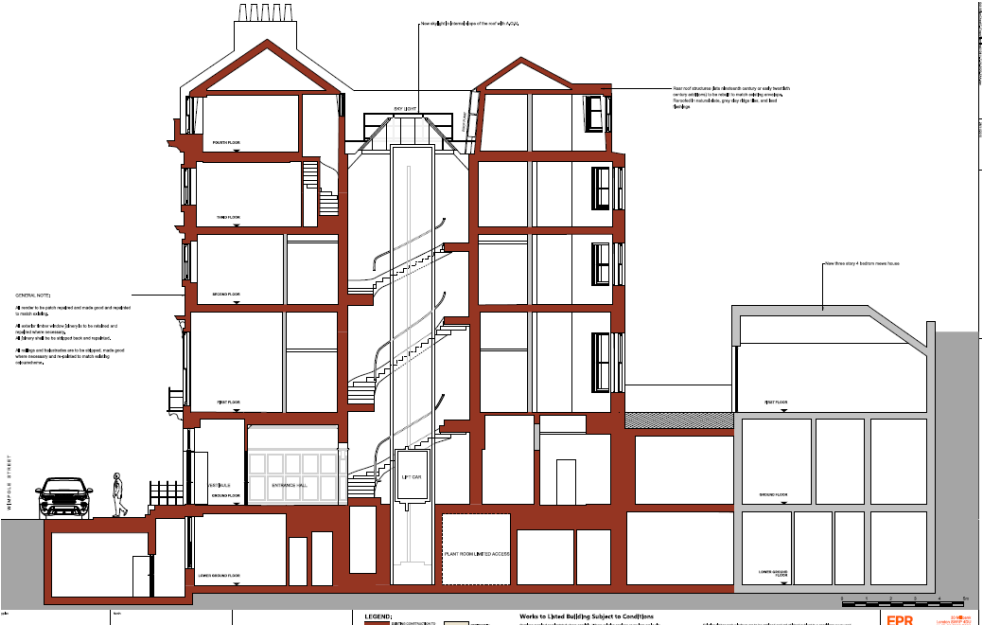
Existing and proposed rear elevation:



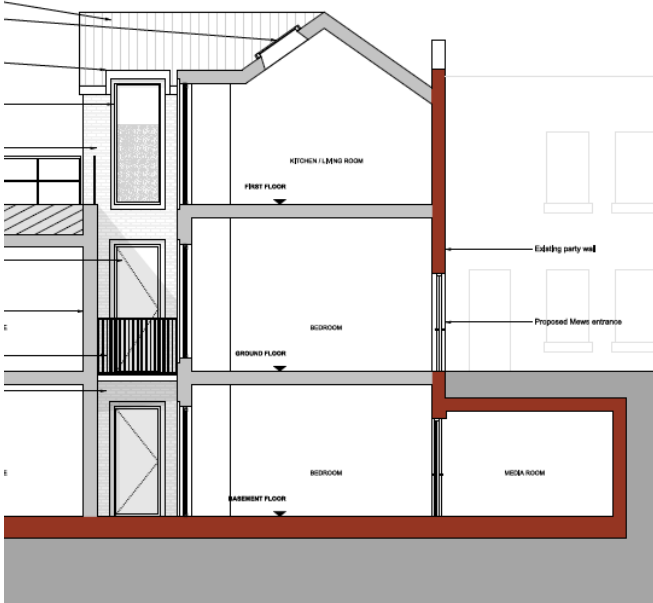
Existing section:



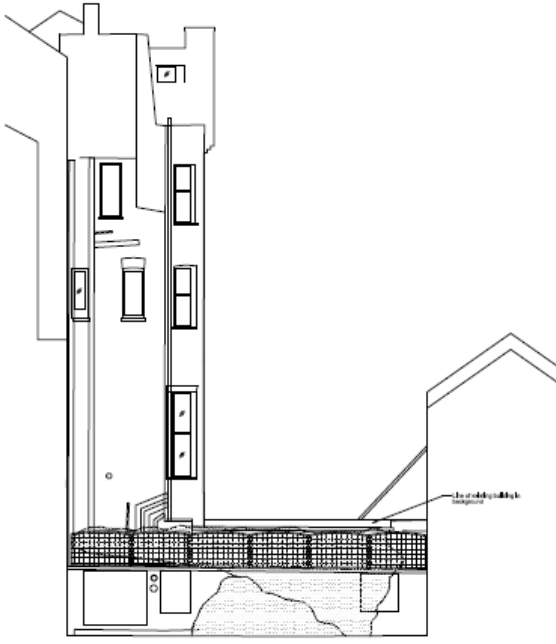
Proposed section:



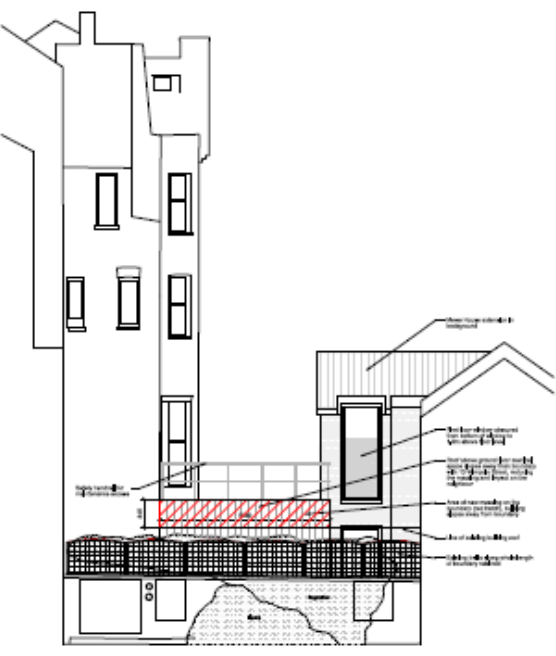
Proposed elevations of mews house:



Existing and proposed elevation from rear garden of 13 Wimpole Street:



EXISTING GARDEN ELEVATION  
1:200 @ A1



PROPOSED GARDEN ELEVATION  
1:200 @ A1

**DRAFT DECISION LETTER (FULL)**

**Address:** 14 Wimpole Street, London, W1G 9SX

**Proposal:** Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors to provide a four bedroom dwellinghouse (Class C3), accessed from Wigmore Place. Erection of replacement lower ground and ground floor levels rear extension to the main building and use of part ground and part lower ground floor as medical floorspace (Class D1) and use of part lower ground, part ground floor and first to fourth floors as nine flats (Class C3). Alterations to rear elevation including the installation of new windows.

**Reference:** 16/08184/FULL

**Plan Nos:** Demolition drawings:  
10411-T-01-0208-AB1 Rev. 02, 0209-BB1 Rev. 02, 0210-Z00 Rev. 03, 0211-Z01 Rev. 02, 0212-Z02 Rev. 02, 0213-Z03 Rev. 03, 0214-Z04 Rev. 03, 0215-Z05 Rev. 02, 0410-ZWE Rev. 01 and 0411-ZEA Rev. 02.

Proposed drawings:  
10411-T-01-0218-AB1 Rev. 04, 0219-BB1 Rev. 04, 0220-Z00 Rev. 03, 0221-Z01 Rev. 04, 0222-Z02 Rev. 04, 0223-Z03 Rev. 05, 0224-Z04 Rev. 05, 0225-Z05 Rev. 04, 0420-ZWE Rev. 02, 0421-ZEA Rev. 02, 0422-ZCC Rev. 03, 0423-ZDD Rev. 03, 0520-ZAA Rev. 03, 0521-ZBB Rev. 02, 0522-ZEE Rev. 01 and 0603-ZSO Rev. 03.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 020 7641 2523

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

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

Reason:

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

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
  - 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 piling, excavation and demolition 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 unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

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

- 3 You must apply to us for approval of detailed drawings of the following parts of the development:

1. The new roof lantern above the main staircase.

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 details.

Reason:

To protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must apply to us for approval of material samples of the facing materials you will use on the new mews building, 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 protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must not use the roof of the lower ground and ground floor rear extensions for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)



- 6 The glass that you put in the lower 1.8m of the all first floor windows of the mews dwellinghouse hereby approved must not be clear glass, and you must fix these windows permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 7 The mews house hereby approved shall not be occupied until the new medical floorspace (Class D1) at front lower ground floor level as shown on approved drawing 10411-T-01-0218-AB1 Rev. 04 has been provided and is ready for occupation.

Reason:

To ensure that there is no loss of medical (Class D1) floorspace within the Harley Street Special Policy Area, as required by Policies CM2.1 and S34 of the Westminster City Plan (November 2016).

- 8 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum., , (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed

maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing L A90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 10 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition 9 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels.

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

Reason:

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

- 12 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

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

- 13 The three bedroom residential units shown on the approved drawings must be provided and thereafter shall be permanently retained as accommodation which (in addition to the living space) provides three separate rooms capable of being occupied as bedrooms.

Reason:

To protect family accommodation as set out in S15 of Westminster's City Plan (November 2016) and H 5 of our Unitary Development Plan that we adopted in January 2007. (R07DC)

- 14 You must not occupy any of the residential units shown on the approved drawings until we have approved appropriate arrangements to secure the following:

- Means to mitigate the impact of the residential development upon on-street parking demand in the area.

In the case of each of the above benefits, you must include in the arrangements details of when you will provide the benefits, and how you will guarantee this timing. You must only carry out the development according to the approved arrangements. (C19BA)

Reason:

To reduce the impact of the increase in residential units on on-street car parking stress, as required by Policy TRANS 23 of our Unitary Development Plan that we adopted in January 2007.

- 15 You must apply to us for approval of full details (including layout and volumes) of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not occupy the medical floorspace or any of the dwellings hereby approved until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the building. (C14EC)

Reason:

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

- 16 The new windows within the rear closet wing shall match adjacent windows in terms of their materials, detailed design and shall be fitted within single glazing.

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 Harley Street Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative(s):**

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 Conditions 9 and 10 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 Under Section 25 of the Greater London Council (General Powers) Act 1973 you need planning permission to use residential premises as temporary sleeping accommodation. To make sure that the property is used for permanent residential purposes, it must not be used as sleeping accommodation by the same person for less than 90 nights in a row. This applies to both new and existing residential accommodation., , Also, under Section 5 of the Greater London Council (General Powers) Act 1984 you cannot use the property for any period as a time-share (that is, where any person is given a right to occupy all or part of a flat or house for a specified week, or other period, each year). (I38AB)
- 4 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: , [www.westminster.gov.uk/cil](http://www.westminster.gov.uk/cil), , Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an Assumption of Liability Form immediately. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a Commencement Form, , CIL forms are available from the planning on the planning portal: , <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>, , Forms can be submitted to [CIL@Westminster.gov.uk](mailto:CIL@Westminster.gov.uk), , Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.
- 5 Under Condition 14, we are likely to accept a legal agreement under section 106 of the Town and County Planning Act to secure car club membership for all ten of the flats within the site hereby approved for a period of 25 years. Please look at the template wordings for planning obligations (listed under 'Supplementary planning guidance') on our website at [www.westminster.gov.uk](http://www.westminster.gov.uk). Once the wording of the agreement has been finalised with our Legal and Administrative Services, you should write to us for approval of this way forward under this planning condition. (I77AA)

6 For the purpose of Condition 15, you should:

- Provide more details about what is going into the plant room and provide alternative waste stores separate from the plant.
- Provide a plan showing the medical waste store completely demarcated and separate from the residential waste store by closing the new structural access opening.
- Provide a plan showing exclusive storage provision for clinical waste separate from medical general waste and recyclable materials.

Advice on the storage requirements is available at -  
<https://www.westminster.gov.uk/waste-storage-planning-advice>.

**DRAFT DECISION LETTER (LBC)**

**Address:** 14 Wimpole Street, London, W1G 9SX

**Proposal:** Demolition of mews building and lower ground and ground floor rear extensions. Erection of replacement mews building on lower, ground and first floors. Erection of replacement lower ground and ground floor levels rear extension to the main building. Alterations to rear elevation including the installation of new windows. Internal alterations.

**Reference:** 16/08185/LBC

**Plan Nos:** Demolition drawings:  
10411-T-01-0208-AB1 Rev. 02, 0209-BB1 Rev. 02, 0210-Z00 Rev. 03, 0211-Z01 Rev. 02, 0212-Z02 Rev. 02, 0213-Z03 Rev. 03, 0214-Z04 Rev. 03, 0215-Z05 Rev. 02, 0410-ZWE Rev. 01 and 0411-ZEA Rev. 02.  
Proposed drawings:  
10411-T-01-0218-AB1 Rev. 04, 0219-BB1 Rev. 04, 0220-Z00 Rev. 03, 0221-Z01 Rev. 04, 0222-Z02 Rev. 04, 0223-Z03 Rev. 05, 0224-Z04 Rev. 05, 0225-Z05 Rev. 04, 0420-ZWE Rev. 02, 0421-ZEA Rev. 02, 0422-ZCC Rev. 03, 0423-ZDD Rev. 03, 0520-ZAA Rev. 03, 0521-ZBB Rev. 02, 0522-ZEE Rev. 01 and 0603-ZSO Rev. 03.

**Case Officer:** Mark Hollington

**Direct Tel. No.** 020 7641 2523

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

- 1 The works 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 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

1. The retention of the fireplace at basement level OR its sensitive relocation elsewhere in the listed building.

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.

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, DES 10 (A) and paras 10.129 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26ED)

3 You must apply to us for approval of detailed drawings of the following parts of the development:

1. The new roof lantern above the main staircase.

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 details.

Reason:

To protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

4 You must apply to us for approval of material samples of the facing materials you will use on the new mews building, 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 protect the special architectural or historic interest of this listed 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, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

5 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'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)

6 You must scribe all new partitions around the existing ornamental plaster mouldings. (C27JA)

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 2.3 of our Supplementary Planning Guidance: Repairs and

Alterations to Listed Buildings. (R27BC)

- 7 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on 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 2.3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 8 The new windows within the rear closet wing shall match adjacent windows in terms of their materials, detailed design and shall be fitted within single glazing.

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 character of this building of special architectural or historic interest., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 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.