

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 28 March 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Abbey Road	
<b>Subject of Report</b>	<b>84B Carlton Hill, London, NW8 0ER</b>		
<b>Proposal</b>	<p><b>Application 1:</b> Construction of gable end/ pediment to side extension with a pitched roof behind; retention of roof lanterns to side extension, retention of ground and first floor extended area to side extension; retention of 4 roof lights and green roof to rear single storey extension, alterations to front and rear garden including new landscaping, and associated internal alterations to the 1950's extension. Retrospective Application (16/11456/FULL &amp; 16/11457/LBC)</p> <p><b>Application 2:</b> Erection of a single storey rear extension at ground floor level with frameless, double glazed, -sliding-folding doors, and internal alterations including the removal of an internal partition. Retrospective Application (16/11461/FULL &amp; 16/11462/LBC)</p>		
<b>Agent</b>	Mr BARRY SUMPTER		
<b>On behalf of</b>	Mrs Francis Silver		
<b>Registered Number</b>	16/11461/FULL & 16/11462/LBC 16/11456/FULL & 16/11457/LBC	<b>Date amended/ completed</b>	9 December 2016
<b>Date Application Received</b>	2 December 2016		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	St John's Wood		

## 1. RECOMMENDATION

### Application 1:

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

### Application 2:

1. Refuse planning permission – design.
2. Refuse listed building consent - design, loss of historic fabric and plan form.

## 2. SUMMARY

The application site is a Grade II listed detached building located within the St John's Wood Conservation Area. The principle building is a 3-bay gault brick building with a slate pitched roof and square headed architrave windows. The application property is within a 1950's extension to no.84 and occupies part of the lower ground floor level of the historic core, however has always been a separate dwelling since the extension and is known as 84b Carlton Hill, whereas the main building is known as 84a Carlton Hill (which is divided into 3 flats).

Planning permission and listed building consent, under application 1 is sought for works to the lower ground floor including, the construction of gable end/ pediment to side extension with a pitched roof behind; roof lanterns to side extension, ground and first floor extended area to side extension; 4 roof lights to rear extension and green roof to rear single storey extension, alterations to front and rear garden including new landscaping, and associated internal alterations. The second application is for the erection of a single storey rear extension at ground floor level with frameless, double glazed, -sliding-folding doors, and internal alterations including the removal of an internal partition.

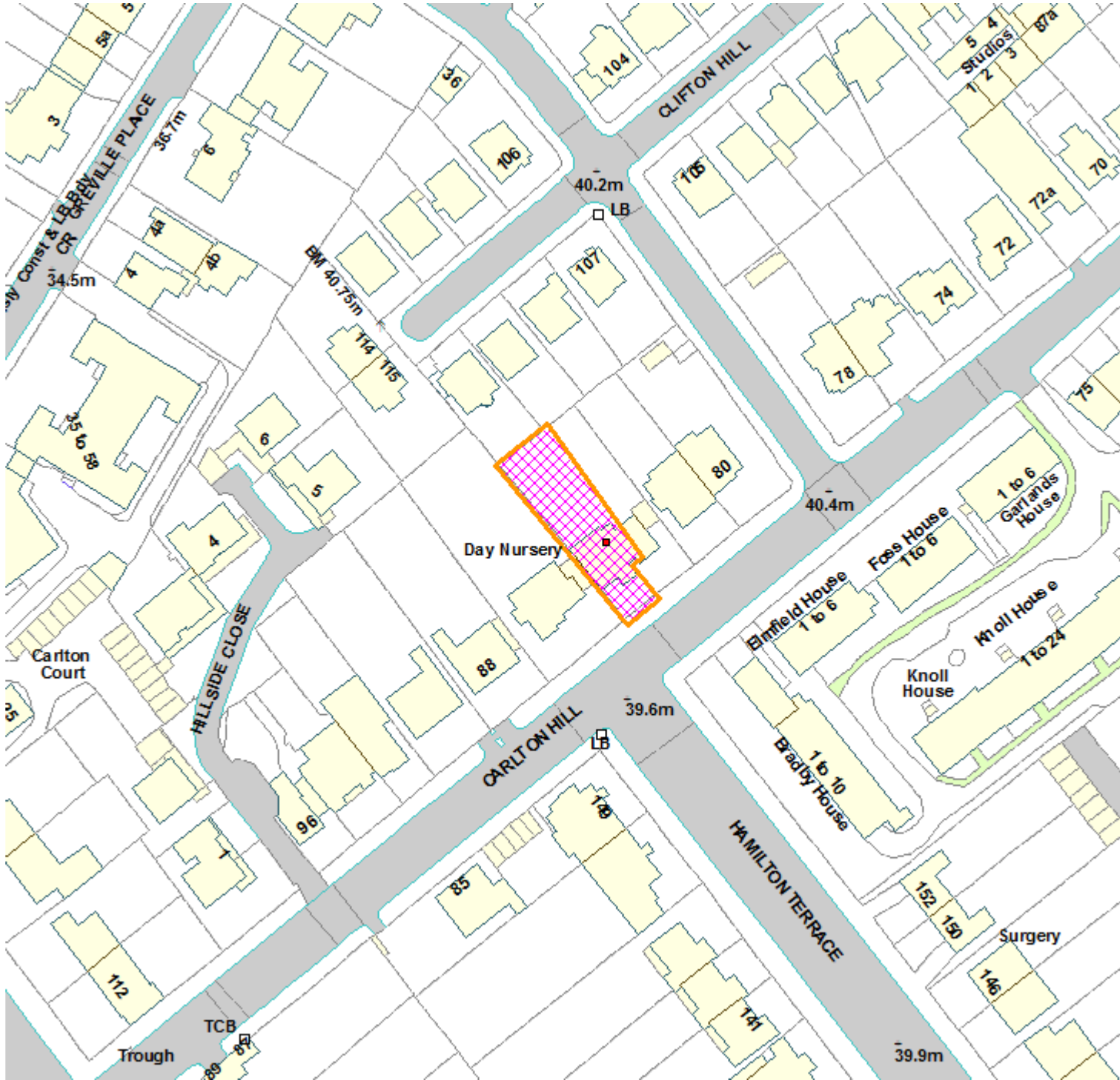
These works have all been completed and are a variation of what has previously been approved in recent years (see planning history).

The key issues in the consideration of these application are:

- The implications of the proposals on the Grade II listed building and the St John's Wood Conservation Area; and
- The impact of the proposals upon the amenity of residents, notably those within 84A Carlton Hill.

For the reasons set out in the report, Application 1 is considered acceptable in design, listed building and amenity terms and accords with policies in the City Plan (adopted November 2016) and the Unitary Development Plan (adopted January 2007). Application 2 is considered unacceptable and the works harmful to the design and appearance of the Conservation Area and to the special interest of the listed building and is therefore recommended for refusal. The proposals are considered contrary to policies in the City Plan (adopted November 2016) and the Unitary Development Plan (adopted January 2007).

### 3. LOCATION PLAN



4. PHOTOGRAPHS



Front elevation



Photo of rear extension

## 5. CONSULTATIONS

St John's Wood Society:

### **Application 1:**

Comment made that the society are concerned that the works have taken place without the relevant consents and that the appropriate action is taken. The rooflights are likely to result in light pollution.

### **Application 2:**

Comment made that the society are concerned that the works have taken place without the relevant consents and that the appropriate action is taken. The rooflights are likely to result in light pollution.

## ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

### **Application 1**

No. Consulted: 22

No. of objections: 4

Four objections received on the following grounds:

#### DESIGN:

- The size of the rear extension has resulted in the loss of the garden;
- The rooflights in the extension are too large;
- The pitched gable roof to the front elevation and the scale of the rear bay extension detrimentally affect the appearance of the listed building;
- Questions raised as to the conclusions of the heritage statement.

#### AMENITY:

- The scale of the rear bay extension blocks light to the raised ground floor and first floor flat of 84a Carlton Hill
- Loss of outlook from bay extension to all three flats in 84a Carlton Hill;
- The rooflights result in light pollution;
- Pitched roof behind front elevation gable restricts light to windows in the side elevation

#### OTHER:

- The garden has been re-landscaped and is unsightly way;
- An intrusion into the privacy of one of the neighbouring properties took place in order to compile the heritage statement;
- The applicant did not accurately complete the Certificate B notices.
- The certificate B notice didn't reach intendees;
- Loss of ceiling beneath neighbouring properties was distressing and dangerous and was done without party wall notices being served;
- The application drawings (and those submitted for previous applications) are not accurate and have not shown the bathroom window of Flat1; incorrectly labelled windows;
- The pitched roof behind front gable results in an inaccessible box gutter;
- Access for maintenance is seriously compromised;

**Application 2**

No. Consulted: 22

No. of objections: 2

Two objections received on the following grounds:

**DESIGN:**

- Harm to listed building;
- The frameless double glazed doors are unacceptable in design terms;
- The size of the rear extension (and loss of garden) is too large;
- Questions raised as to the conclusions of the heritage statement;
- The un-consented works have resulted in structural damage to neighbours flats within the building harmful to the listed building;

**OTHER:**

- The applicant has carried out these works without the relevant consents and appropriate action should be taken;
- Loss of ceiling beneath neighbouring properties has resulted in disruption;
- Party wall notices have not been served;
- An intrusion into the privacy of one of the neighbouring properties took place in order to compile the heritage statement;
- The applicant did not accurately complete the Certificate B notices;
- The application drawings (and those submitted for previous applications) have not shown the bathroom window of Flat1 and has incorrectly labelled windows.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

**6. BACKGROUND INFORMATION****6.1 The Application Site**

The application site is a Grade II listed detached building located within the St John's Wood Conservation Area. The principle building is a 3-bay gault brick building with a slate pitched roof and square headed architrave windows. The application property is within a 1950's extension to no.84 and occupies part of the lower ground floor level of the historic core, however has always been a separate dwelling since the extension and is known as 84b Carlton Hill, whereas the main building is known as 84a Carlton Hill (which is divided into 3 flats).

Since the refusal of planning permission and listed building consent in March 2016 the works proposed within those applications have been carried out. The rear extension has been constructed to the scale of the single storey rear extension approved in 2013 but with the insertion of full width glazed doors and a different rooflight arrangement. The replacement of the garage door and the erection of a bay window has also been carried out in accordance with the approved scheme.

## 6.2 Recent Relevant History

In April 2013 planning permission and listed building consent (13/00485/FULL & 13/00486/LBC) were granted for the demolition of the rear conservatory and its replacement with a single storey rear extension measuring 3.481metres deep and 7.524metres wide. The structure was to be rendered with timber French door openings puncturing the rear elevation. The application also contained alterations to the existing garage, with its replacement with a bay window permitted. Internal alterations were also granted.

These permissions were not implemented prior to submitting the 2015 applications.

In March 2016 applications (15/08882/FULL & 15/08883/LBC) for a single storey rear extension which was deeper and shallower than the approved scheme were refused on the grounds that the scale and detailed design of the rear extension would harm the special architectural interest of the listed building and would fail to accord with relevant policies. The application also contained alterations to the garage and its replacement with a bay window, the erection of a rear bay to first and second floor of the existing side extension and the erection of a rear pediment and pitched roof behind a new front pediment. Consent was also sought for internal alterations.

The new bay on the front elevation and the new fenestration on the front elevation were considered to harm the special interest of the listed building and the character and appearance of the Conservation Area and hence planning permission and listed building consent were refused on these grounds. The listed building consent was also refused on the grounds that the proposed internal alteration would have a harmful impact on the historic plan form and the loss of internal fabric of interest. The rear bay extensions and alterations to the roof of the 1950's extension were not considered to be contentious.

To date the works proposed in the March 2016 applications have been carried out, without the benefit of planning permission or listed building consent. The rear extension has been constructed to the scale of the single storey rear extension approved in 2013 but with the insertion of full width glazed doors and a different rooflight arrangement. The replacement of the garage door and the erection of a bay window has also been carried out in accordance with the approved scheme.

In 2016, applications 16/05279/FULL & 16/07006/LBC for the demolition of and rebuilding of side/ rear extensions; erection of single storey rear extension and glass conservatory, external alterations to front and rear elevations including extended bay windows to front and rear, new windows and changes to roof were made. The applicant had intended on making applications to retain unauthorised works rather than applying for new works and were therefore considered to be submitted in error. At the advice of officers, the applications were withdrawn and were to be resubmitted (in the manner of the current applications).

## 7. THE PROPOSAL

### Application 1

Planning permission and listed building consent is sought for the construction of gable end/ pediment to side extension with a pitched roof behind; retention of roof lanterns to



side extension, retention of ground and first floor extended area to side extension; retention of 4 roof lights and green roof to rear single storey extension. As advised above these works have already been carried out.

## **Application 2**

The proposals include the erection of a single storey rear extension at ground floor level with frameless, double glazed, -sliding-folding doors, and internal alterations including the removal of an internal partition. Again, the works have been carried out and the single storey extension has been constructed, in terms of its bulk and height in accordance with the 2013 consents. The glazing that has been installed measures almost the full width of the extension and is double glazed. The internal partition which has been removed was the original historic wall between a hallway and a rear room at lower ground floor level.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The proposals relate to a single dwelling and this is not to alter as a result of the proposals.

### **8.2 Townscape and Design**

#### **8.2.1 Site Description**

The application site dates from the late 19<sup>th</sup> century and forms part of the rapid expansion St John's Wood which occurred at this time. The building is Grade II listed and located within the St John's Wood Conservation Area. Located on the north side of Carlton Hill, opposite the junction with Hamilton Terrace, the building is highly characteristic of the types of properties built in this area, being a detached dwelling in the Gothic style. Its distinguishing features include pointed gables, square headed architrave windows and a pitched slate roof, with the building itself being set within a generous plot with a large garden to the rear and space to the front.

In the 1950's a 3no storey side extension was erected against the west elevation. It was of modern construction with a flat roof, recessed doorway at lower ground floor level and 2no modest casement windows at ground and first floor levels on the front elevation. It is believe that when the extension was erected the building was subdivided with 84B occupying the extension on all levels and part of the lower ground floor level of the host building, including the former hallway. To the rear of this extension was a modern conservatory; the date of its erection is unknown.

#### **8.2.2 Legislation and Policy**

In considering whether to grant planning permission for development which affects a listed building or its setting, Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 requires the local planning authority to have "*special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest which it possesses*". Likewise, in accordance with Section 16, in

considering whether to grant listed building consent special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

With regard to the impact of the development in conservation area terms, Section 72 of the same Act indicates that *“In the exercise, with respect to any buildings or other land in a conservation area . . . special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”*.

Chapter 12 of the National Planning Policy Framework (NPPF) requires great weight to be given to a heritage asset's conservation when considering the impact of a proposed development on its significance; the more important the asset, the greater the weight should be given to its conservation. Paragraphs 133 and 134 specifically address the issues of harm to designated heritage assets; Paragraph 133 states where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the harm is necessary to achieve substantial public benefits, whilst Paragraph 134 states that where a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal. The public benefits would have to be of a magnitude that would outweigh the substantial weight that has been given to the protection of the significance of the heritage asset. In the case of this application, the designated heritage assets comprise of the application site and the St John's Wood Area.

The City Council's City Plan strategic policies S25 and S28 recognise the importance of Westminster's historic townscape and the need to conserve it and require exemplary standards of sustainable and inclusive urban design and architecture.

Policy DES 1 of our UDP set out principles of urban design and conservation to ensure the highest quality in the form and quality of new developments in order to preserve or enhance the townscape of Westminster.

DES 5 of the UDP seeks to ensure the highest standards of design in alterations and extensions. The policy aims for new building works to successfully integrate with their surroundings.

DES 6 of the UDP seeks to ensure the highest standards of design for roof level alterations and extensions. It states, not exhaustively, that the form and details of additional storeys should be in sympathy with the existing buildings architectural character and the materials found on the existing building should be reflected.

Policy DES 9 of the UDP aims to preserve or enhance the character and appearance of conservation areas and their settings and indicates that development proposals should recognise the special character or appearance of the conservation area.

Policy DES 10 of the UDP seeks to ensure that planning permission is not granted for proposals which have an adverse impact on the setting of listed buildings.

The St John's Wood Conservation Area Audit was adopted as a Supplementary Planning Document in June 2008. In the Audit the history of the area is discussed, as is the character and architectural style of the buildings on the street.

### 8.2.3 Significance of the affected Heritage Assets

In accordance with paragraph 129 of the National Planning Policy Framework (NPPF) the significance of the heritage asset which will be primarily affected by the proposal, principally 84 Carlton Hill, has been identified and discussed in accordance with values identified in English Heritage's (now referred to as Historic England) guidance document Conservation Principles, Policies and Guidance.

The special interest of the heritage asset derives from its evidential, historical and aesthetical values. The buildings conscious design, architectural composition, detailing and materials all contribute to its appearance, the character of the area and the way it is experienced. Additionally the building provides evidence of the requirements of occupants at the time of construction and how these have changed following its extension and subdivision. Furthermore it contributes to the understanding of how St John's Wood developed and the character and appearance of the Conservation Area.

### 8.2.4 Application 1

These applications seek listed building consent and planning permission for the retention of the gable end and pediment to the side extension, the retention of a roof lantern to the side extension and the retention of ground and first floor extension to the side extension. Permission is also sought for the retention of 4no rooflights and a green roof to the single storey rear extension, alterations to the front and rear garden and associated internal alterations.

As a result of an objection from one of the flats in the host building regarding the accuracy of the drawings, during the course of the application amended plans have been received which more accurately reflect the host building (notably a windows serving Flat 2 was not shown on the drawing) and the alterations and extensions which have taken place. The drawing set is now considered to be accurate with regards to the proposals, however a couple of 'existing' drawings still do not show the window of Flat 2 in relation to the pitched roof behind the gable end/pediment). The objector was notified of these revisions. It should be noted that the absence of Flat 2's window on some of the drawings has not affected the assessment of the proposals.

The introduction of a pitched roof, which spans half the depth of the 1950s extension and is concealed behind a gable on the front elevation was previously considered to have a limited impact on the special interest of the listed building and the character and appearance of the Conservation Area as it would appear to be in keeping with the host building. It is recommended however that this pitched roof is replaced with traditional natural slate. Comments have been raised that the pediment and pitched roof has been constructed higher than shown on the drawings; the drawings have been amended to reflect the building as constructed. The height of the pediment and pitched roof is not considered to detract from the heritage asset as its remains at a subservient height. The proposal is considered to be in accordance with UDP policy DES 6 and is acceptable in design and heritage terms.

The rear extension is proposed to be built in accordance with the 2013 approved scheme, with the proposed drawings showing the fenestration arrangement as approved as opposed to as built. A comment has been received raising concern with the size of the rear extension and the resulted loss of some of the garden. This extension was

previously considered to be acceptable in design and heritage terms as well as being in accordance with current policy and there has not been a substantial change in policy to warrant an objection in design terms. The extension as proposed is therefore acceptable. Previously the introduction of a green roof was secured by condition and permission is now sought for this, which is welcomed. The rooflight arrangement does differ from the approved scheme, however this variation is no so dissimilar as to harm the special interest of the heritage assets.

Under the 2016 scheme the bay extension to the 1950s extension at ground and first floor levels was considered to be acceptable as it sat comfortably in the context of the punctuated nature of the rear elevation and the projecting gable ends found on the heritage asset. This remains the case.

The internal alterations are contained within the 1950's extension, which is of limited architectural or historic interest. These alterations are therefore acceptable.

The alterations and extensions shown on the proposed drawings are considered to have a limited impact on the special interest of the heritage asset and the character and appearance of the St John's Wood conservation Area. The works are in accordance with UDP and City Plan policies and as such the application is considered to be acceptable in design and heritage terms.

### **8.2.5 Application 2**

The application seeks planning permission and listed building consent for the retention for the single storey rear extension as built, including the full width, frameless double-glazed sliding doors and for internal alterations including the removal of a wall at lower ground floor level within the historic core.

The extension, with regards to its footprint and height, has been constructed in accordance with the approved 2013 scheme. A comment has been received raising concern with the size of the rear extension and the resulted loss of some of the garden. This extension was previously considered to be acceptable in design and heritage terms as well as being in accordance with current policy and there has not been a substantial change in policy to warrant an objection in design terms. The principle difference to the approved scheme is the installation of full width, frameless, double glazed, -sliding-folding doors. As the principle of an extension in this location and of this scale has already been considered and deemed acceptable in design and heritage terms, the discussion relates to the fenestration.

UDP policy DES 5 seeks to ensure that extensions do not visually dominate the existing building, are in scale with the existing building and its immediate setting and the design reflects the style and details of the existing building. As proposed the fenestration on the rear elevation of the extension is not considered to accord with this policy and is considered to harm the special interest of the heritage asset and the character and appearance of the Conservation Area.

Public comments have raised concern with the frameless double doors and the overall harm to the heritage asset. Whilst the extension is a modern extension to the 1950's addition, it also spans from and is read in the context of the historic core of the heritage asset. In this setting a full width glazed opening is considered to compete with the formal

rear elevation which is characterised by its solid form and punctured openings, which respond to the internal plan form and hierarchical arrangement, characteristic of buildings of this age and architectural style.

The fenestration results in an extension which is not subservient to the heritage asset and is visually distracting. The rear of the building is appreciated in private views from neighbouring buildings and properties to the rear on Clifton Hill. Therefore how the building is experienced and appears will be readily appreciated. The fenestration will erode the distinction between the historic core and the 1950's extension and consequently is considered to harm the character and appearance of the Conservation Area.

Furthermore the materials used and the detailed design of the fenestration is not considered to be appropriate for a building of this age and architectural style. The windows are within metal frames and due to the scale of the pane, the thickness of the double glazing is readily apparent. This contrasts with the traditionally constructed timber framed, single glazed units found on the heritage asset. Neither the design nor the scale of the fenestration is in keeping with the host building or the buildings within its setting and therefore is contrary to DES 5.

As proposed and as built, the fenestration on the rear elevation of the rear extension is considered to harm the special interest of the listed building and fail to preserve or enhance the character and appearance of the St John's Wood Conservation Area.

The ground floor level of 84B Carlton Hill occupies part of the lower ground floor level of the historic core of 84 Carlton Hill prior the 1950's extensions. From their plan form and proportions the lounge and garage appear to have been rooms at lower ground floor level whilst bedroom one appears to have been a hallway; this view also derives from the presence of the scar of a former staircase within the wall between the application site and the neighbouring flat occupying the lower ground floor level within 84 Carlton Hill. Whilst it is recognised the ceiling above this area has been altered during the conversion and the staircase has been removed, the interpretation of the space and historic plan form has been maintained.

The wall between the lounge and bedroom one has been removed in its entirety without the benefit of listed building consent and this application seeks consent to retain the opening. The alteration is considered to have harmed the interpretation of the historic plan form and has resulted in loss of fabric of historical and architectural interest. This alteration is considered to have harmed the special interest of the listed building and consequently the retention of the opening is considered to be unacceptable.

As previously discussed the historic plan form of the heritage asset can still be interpreted even though the building has been subdivided. During the course of the works stone flags were found beneath the suspended timber floor, supporting the view that this formed the lower ground floor level of the heritage asset and they have been laid as to respect the wall between the lounge and hallway. This is confirmed by the applicant in their Heritage Statement. Therefore it can be surmised that the wall was part of the planned floor plan and was constructed of original fabric. The complete removal of the wall has eroded the interpretation of the historic plan form and therefore has harmed the special interest of the listed building.

Within the Heritage Statement submitted as part of the application, the author notes the 'removal of the internal wall between the living room and bedroom 1 of 84B is considered to have a direct, cumulative, adverse impact by removing one of the remaining original elements of the building'. They take the view that this alteration is unlikely to impact upon the overall significance of the building; however this view is not definitive. The alteration has harmed the significance of the building through eroding the historic plan form, removing of fabric of interest and creating an large scale room which is not in keeping with the age or architectural style of the heritage asset.

Comments have been received from other occupiers of 84 Carlton Hill stating that the works have resulted in structural damage to the other flats within the building and therefore have harmed the building in its entirety. Whilst a structural report has not been provided to support these statements, during a site visit to 2no of the properties superficial damage to fixtures and internal decoration was noticeable. The applicants have confirmed that the internal works have been approved by a private Building Control Inspector and have responded by email to confirm that the works have been supervised by the applicants company, Building Logistics (UK) Ltd. As it is recommended that this application is refused the enforcement case will remain active and therefore we can address any structural works during the enforcement process. Additionally the neighbouring properties can privately seek to address structural damage through the Party Wall Agreement process.

For the reasons set out, the proposals are considered to have a harmful impact on the heritage asset and would fail to preserve or enhance the character and appearance of the St John's Wood Conservation Area. Additionally the proposals are not considered to accord with City Plan policies S25 and S28 or UDP policies DES 1, DES 5, DES 9 and DES 10.

The identified harm is considered to be less than substantial. Paragraph 134 of the NPPF states that, where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. It has not been shown that the property cannot be occupied without these alterations and design features and therefore it cannot be argued the proposals are required to keep the property in use. Additionally meeting the living requirements of the occupants of the privately owned building is not considered to be a public benefit sufficient to outweigh the harm that would be caused to the heritage asset.

It is recommended that planning permission and listed building consent is refused.

### **8.3 Residential Amenity**

Policy ENV13 of the UDP relates to protecting amenities, daylight and sunlight, and environmental quality. Policy ENV 13 (D) states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. Policy ENV 13 (E) goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly on gardens, public open space or on adjoining buildings, whether in residential or public use.

Objections have been received in relation to loss of light, increased sense of enclosure and loss of privacy.

### **8.3.1 Application 1**

As discussed above, the extension at lower ground floor in terms of size, bulk and height is the same as the consented extension. Objections have been received on the grounds that the extension is too large and 'eats' into the garden, however given the original approval, there is not considered to be any amenity concerns in this regard. Permission was originally approved for one rectangular rooflight, however four smaller rooflights have been constructed. Given one larger rooflight was originally approved, it is not considered that a refusal could be sustained on the grounds of light spillage upwards.

Objections have also been received on the grounds of loss of light and sense of enclosure to Flats 1-3 of 84A Carlton Hill as a result of the rear bay extension at ground and first floor level. The extension measures 1m in depth and is some 1.2m-1.8m away from the windows of Flat 1 and Flat 2. Although this element of the proposals was part of the 2015 refusal, there were no objections to this extension in amenity terms. It is not considered that this modest projection will result in any detrimental loss of light or sense of enclosure to the windows in the rear elevation.

The gable end/ pediment and pitched roof to the side extension are most likely to affect the window of Flat 3 in the side elevation of the original building, adjacent the 1950's side extension. This room is used as a bedroom. Whilst the pitched roof is visible from this window the height is not considered excessive, not rising significantly above the window cill height and is not considered to result in loss of light or loss of outlook. The gable end can be seen only in oblique views and similarly has little impact upon light and outlook. Objections to these elements are also raised in terms of their impact upon a bathroom window of Flat 3 and a high level bathroom of Flat 2, both within the side elevation of the main elevation. The bathroom window of Flat 3 is obscure glazed with patterned glazing and in any event is some 1m away from the end of the pitched roof. The pitched roof is in part in front of the bathroom window of Flat 2. Given the angle of the pitch roof however this is not directly in front and given the window is high level and obscure glazed/ patterned is not considered to be harmfully impacted.

### **8.3.2 Application 2**

As addressed above, the bulk and height of the rear extension has been constructed in accordance with the approvals of 2013. The proposed full width sliding/folding doors, facing the rear garden are not considered to result in any amenity concerns when compared to the traditional openable doors previously approved.

The internal works sought under this application raise no amenity concerns.

In conclusion, the proposals sought under Applications 1 and 2 are considered to be acceptable in amenity terms and accord with policies in the City Plan and UDP.

## **8.4 Transportation/Parking**

There are no highways implications as a result of either proposals.

## **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

## **8.6 Access**

Not applicable.

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

None.

## **8.8 London Plan**

This application raises no strategic issues.

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

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

## **8.10 Planning Obligations**

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

## **8.11 Environmental Impact Assessment**

Not applicable.

## **8.12 Other Issues**

Objections have been received on the grounds that the garden has been re-landscaped in an unsightly way. This is not considered to be a matter for planning control.

According to one of the objectors, the heritage consultant gained access to their flat without their permission. Whilst unfortunate, this is considered to be a private matter.

All the objectors note that the applicant did not accurately complete the Certificate B notices and referred to 'the owners' rather than by name; or that the certificate B notices didn't reach intendeds. The application form submitted with the application was considered sufficient to validate the application and any further issues of names etc should be taken up privately with the applicant.

Two of the objections refer to the removal of the ceiling beneath Flat 1 and that this was distressing and dangerous and was done without party wall notices being served. The applicant has confirmed that all works have been signed off from a private building control inspector. The applicant has confirmed that party wall notices were served. This is again a private matter, not a material planning consideration and permission can not be withheld on these grounds.



According to objectors, the pitched roof behind the front gable/ pediment results in an inaccessible box gutter and the proposals limit access for maintenance of the various elements of the schemes. This, again is not considered to be a material planning consideration and will have to be addressed through the management of the site.

## 9. BACKGROUND PAPERS

### Application 1:

1. Application form.
2. Response from St John's Wood Society, dated 11 January 2017.
3. Letter and email on behalf of lesses of 84A Carlton Hill dated 3 January 2017.
4. Letter from occupier of Flat 1, 84A Carlton Hill dated 12 January 2017
5. Letter from owner of Flat 2, 84A Carlton Hill dated 10 and 12 January 2017.
6. Letter from occupier of Flat 3, 84A Carlton Hill dated 12 January 2017.

### Application 2:

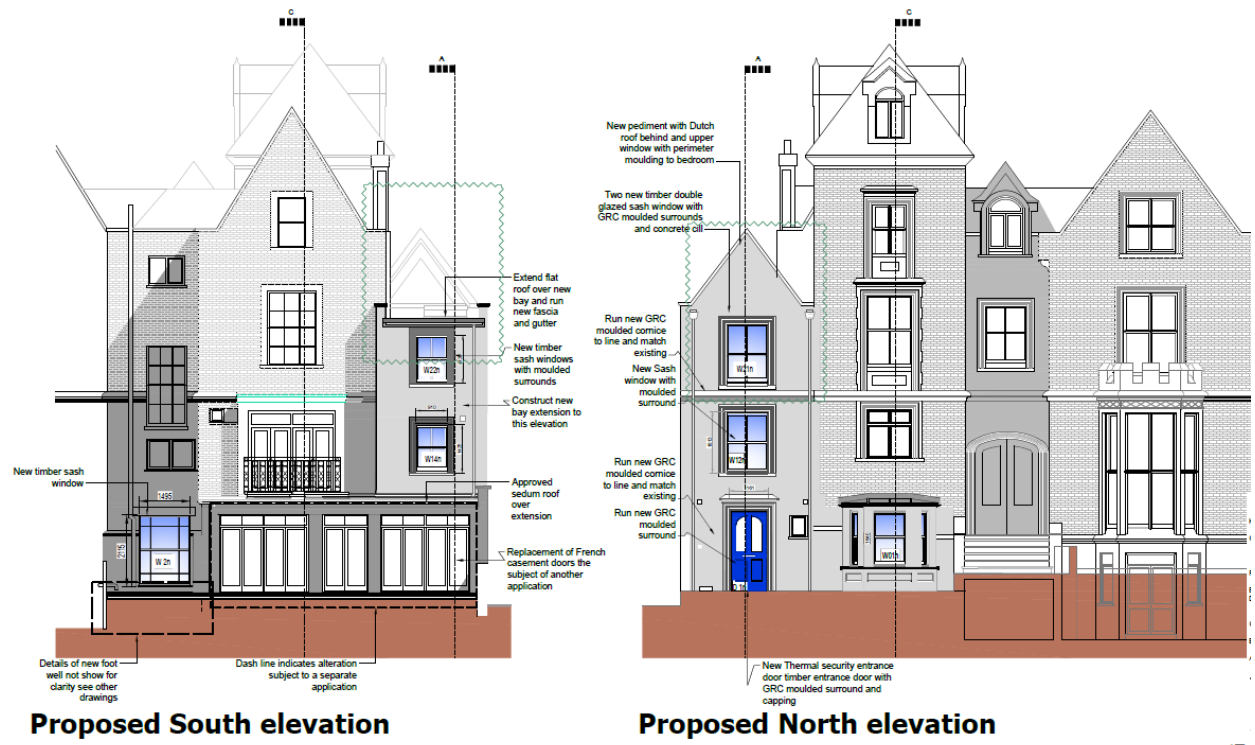
7. Application form.
8. Response from St John's Wood Society, dated 11 January 2017.
9. Letter from occupier of Flat 1, 84A Carlton Hill dated 12 January 2017
10. Letter from owner of Flat 2, 84A Carlton Hill dated 10 and 12 January 2017.

(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: KIMBERLEY DAVIES BY EMAIL AT [kdavies1@westminster.gov.uk](mailto:kdavies1@westminster.gov.uk)

### 10. KEY DRAWINGS

#### Application 1 Proposed Front and Rear Drawings.



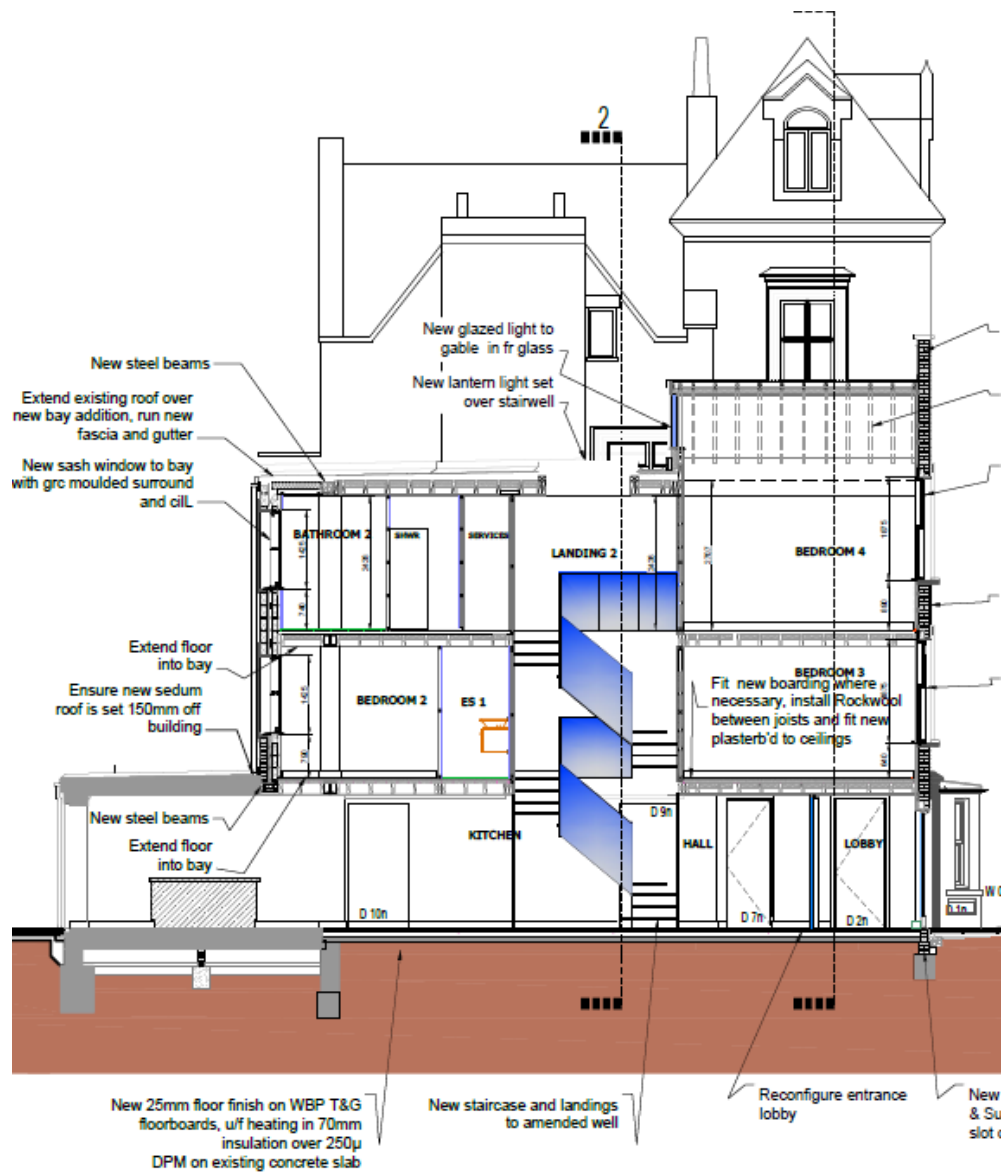
Photos of front elevation and gable end/pediment and pitched roof.



Photos of rear bay extension at first and second floor and rooflights to lower ground floor extension (photo also shows rear projection of bay extension).



Proposed section to show gable end/pediment & pitched roof & rear bay extension.

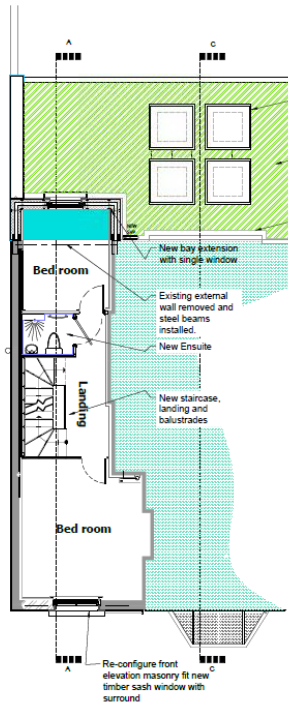


## Proposed section A-A

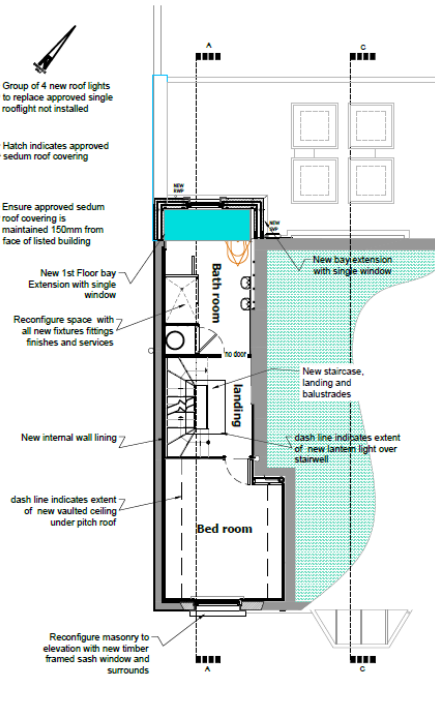
New works proposed

Annexe building  
Carry out complete refit of floors, walls, ceilings, fixtures, fittings and ceilings throughout. Install all new services

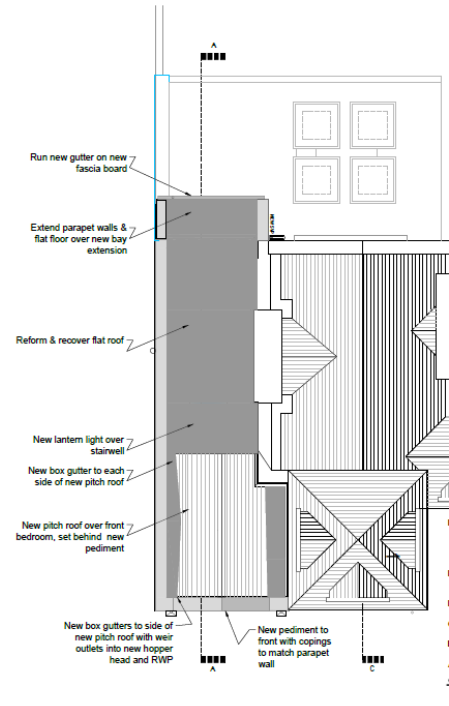
Proposed Relevant Floor plans



Upper GF plan

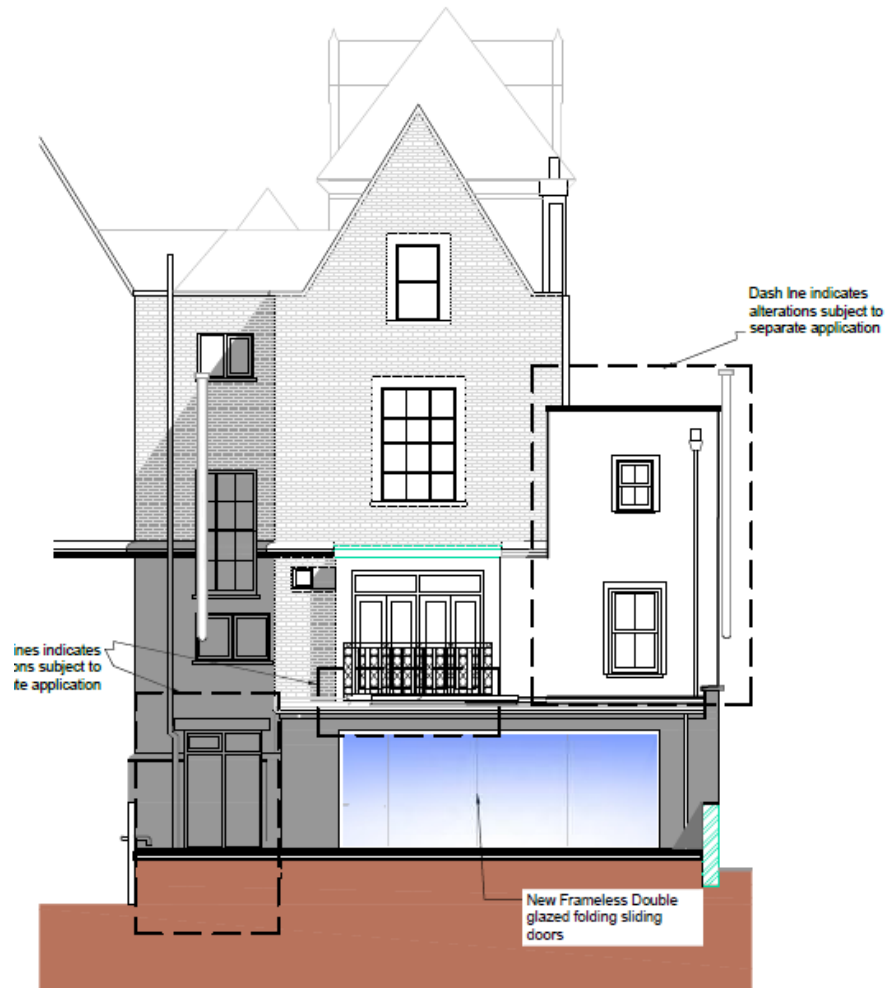


First floor plan



Roof plan

**Application 2**  
Proposed Rear elevation Drawing



**North elevation - Proposed**

New works proposed

(  
:  
)

Photo of lower ground floor extension





Proposed lower ground floor plan showing removal of original wall.

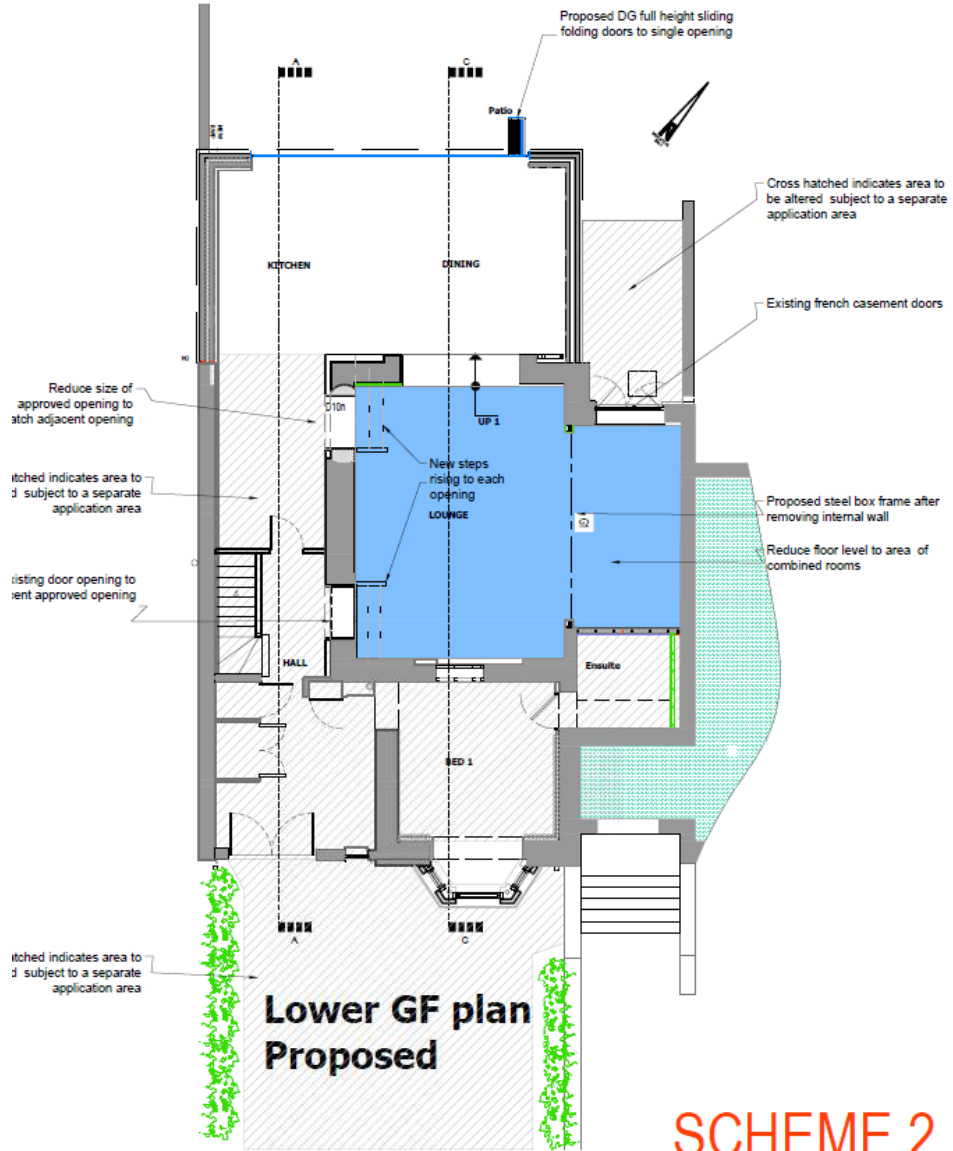


Photo of where original wall used to be.



**DRAFT DECISION LETTER – 16/11456/FULL**

**Address:** 84B Carlton Hill, London, NW8 0ER,

**Proposal:** Retention of gable end/ pediment to side extension with a pitched roof behind; retention of roof lanterns to side extension, retention of ground and first floor extended area to side extension; retention of 4 roof lights and green roof to rear single storey extension, alterations to front and rear garden including new landscaping, and associated internal alterations.

**Plan Nos:** 2009\_01 A3:E01B; E52C; E55G; E56J; E57J; 102.B; 103.1A; 103.2D; 103.4 D; 155H; 156I; 160G; 163H; 180L; 181F; Design, Impact and Access Statement dated 14 November 2016; Heritage Statement dated 5 October 2016; Sedum Roof Specification; Brett Aura Paving Details.

**Case Officer:** Kimberley Davies

**Direct Tel. No.** 020 7641 5939

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

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

Reason:

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

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

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

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

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

Reason:

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

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this

permission. (C26AA)

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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, 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 provide the following bio-diversity features before you start to use any part of the development, as set out in your application.

green roof to rear extension

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

Reason:

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

- 5 Within 3 months of the date of this permission, you must replace the slate tiles of the pitch roof above the side extension with natural slate. These must be then be retained in that condition thereafter.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

**Informative:**

- 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.

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 – 16/11457/LBC**

**Address:** 84B Carlton Hill, London, NW8 0ER,

**Proposal:** Retention of gable end/ pediment to side extension with a pitched roof behind; retention of roof lanterns to side extension, retention of ground and first floor extended area to side extension; retention of 4 roof lights and green roof to rear single storey extension, alterations to front and rear garden including new landscaping, and associated internal alterations. Scheme 1

**Plan Nos:** 2009\_01 A3:E01B; E52C; E55G; E56J; E57J; 102.B; 103.1A; 103.2D; 103.4 D; 155H; 156I; 160G; 163H; 180L; 181F; Design, Impact and Access Statement dated 14 November 2016; Heritage Statement dated 5 October 2016; Sedum Roof Specification; Brett Aura Paving Details.

**Case Officer:** Kimberley Davies

**Direct Tel. No.** 020 7641 5939

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

- 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 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 St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 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 building and to make sure the development contributes to the character and appearance of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January

2007. (R27AC)

- 4 Within 3 months of the date of this permission, you must replace the slate tiles of the pitch roof above the side extension with natural slate. These must be then be retained in that condition thereafter.

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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

**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 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:

- \* any extra work which is necessary after further assessments of the building's condition;
- \* stripping out or structural investigations; and
- \* any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

**DRAFT DECISION LETTER- 16/11461/FULL**

**Address:** 84B Carlton Hill, London, NW8 0ER,

**Proposal:** Retention of a single storey rear extension at ground floor level with frameless, double glazed,-sliding-folding doors, and internal alterations including the removal of an internal partition.

**Plan Nos:** 2009\_01.A3: E71B; E72C; E75G; E76J; E77J; E78A; 203.1A; 203.2A; 203.3A; 203.4D;203.5A; 205G; 206K; 210G; 213G; 220K; Design, Impact and Access Statement dated 10 October 2016; Heritage Statement dated 5 October 2016.

**Case Officer:** Kimberley Davies

**Direct Tel. No.** 020 7641 5939

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:****Reason:**

- 1 Because of their scale and detailed design the fenestration on the rear elevation of the rear extension would harm the special architectural and historical interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the St John's Wood Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 5, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AD)

**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.



**DRAFT DECISION LETTER – 16/11460/LBC**

**Address:** 84B Carlton Hill, London, NW8 0ER,

**Proposal:** Retention of a single storey rear extension at ground floor level with frameless, double glazed,-sliding-folding doors, and internal alterations including the removal of an internal partition. Scheme 2

**Plan Nos:** 2009\_01.A3; E71B; E72C; E75G; E76J; E77J; E78A; 203.1A; 203.2A; 203.3A; 203.4D;203.5A; 205G; 206K; 210G; 213G; 220K; Design, Impact and Access Statement dated 10 October 2016; Heritage Statement dated 5 October 2016.

**Case Officer:** Kimberley Davies

**Direct Tel. No.** 020 7641 5939

**Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:**

Reason:

- 1 Because of their scale and detailed design the fenestration on the rear elevation of the rear extension would harm the special architectural and historical interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the St John's Wood Conservation Area. This would not meet 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 and the advice set out in paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (X17EB)

Reason:

- 2 Because of the impact on the plan form and loss of fabric the removal of the internal wall would harm the special architectural and historic interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the St John's Wood Conservation Area. This would not meet 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 and the advice set out in paragraph 2.4 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.