

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16 April 2019	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	2 Barton Street, London, SW1P 3NG		
Proposal	<u>Application 1</u> Demolition and rebuilding of ground floor extension and excavation of a new basement level beneath the rear extension. Widening of existing front dormer window and associated works. <u>Application 2</u> Underpinning of the garden boundary wall to No. 1 Barton Street and associated works.		
Agent	Mr David Taylor		
On behalf of	Ms Marina Lund		
Registered Numbers	Application 1 - 19/00550/FULL Application 2 - 19/00553/LBC	Date amended/ completed	24 January 2019
Date Application Received	24 January 2019		
Historic Building Grade	2 Barton Street is unlisted. 1 Barton St is Grade II star listed.		
Conservation Area	Smith Square		

1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letters for applications 2 above.

2. SUMMARY

2 Barton Street is a single-family dwelling comprising of lower ground, ground and three upper floors. The building is not listed but is located within the Smith Square Conservation Area. To the rear of the site is a small courtyard with a rear extension to the immediate rear and side of the garden.

The neighbouring properties at 1 and 3 Barton Street are Grade II star listed.

The proposals seek to demolish and rebuild the existing rear extension and excavate and extend the existing lower ground floor level to form a new basement level. Listed building consent is also sought for the underpinning of the garden boundary wall to No. 1 Barton Street.

The council refused permission for alterations including demolition and rebuilding of ground floor extension and new basement level on 31 October 2018 on grounds of increased sense of enclosure. The applicant appealed this decision which was upheld on 13 March 2019. The current scheme is practically the same as the appeal scheme except that the previously proposed works to the boundary walls with 1 and 3 Barton Street have been removed from the scheme.

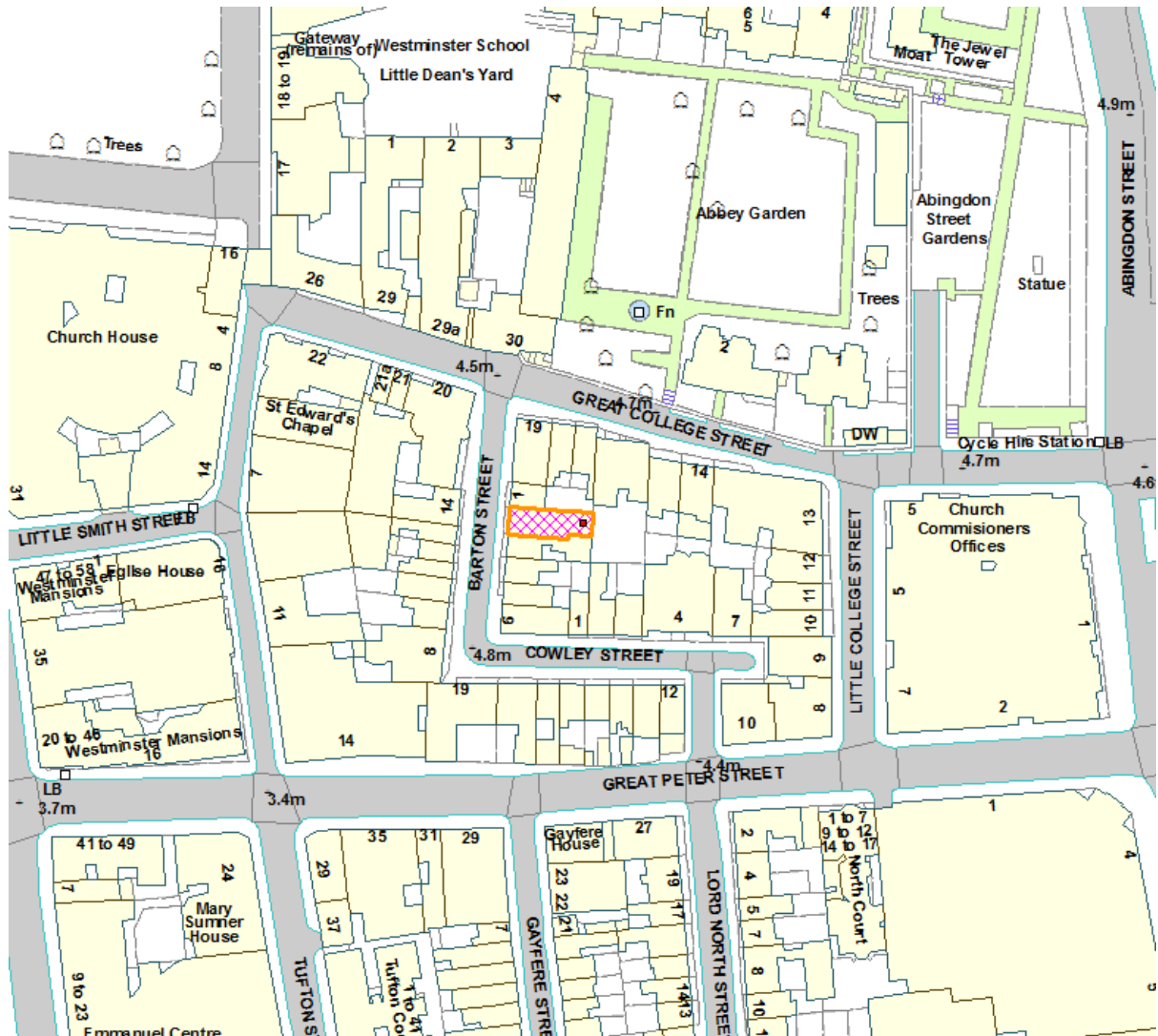
The key issues for consideration are:

- The impact of the proposal on the amenity of surrounding residents;
- The impact of the proposed alterations on the character and appearance of the building and adjoining Grade II star listed buildings and the Smith Square Conservation Area.

Objections have been received from nearby residents largely on the grounds of amenity including the impact of building works on adjacent residents; the impact on the adjacent listed buildings, and structural issues.

The proposed works are considered acceptable in land use, design and heritage terms and in terms of policy as set out in the Westminster City Plan (November 2016) and Unitary Development Plan (2007) policies.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

Application 1

WARD COUNCILLORS

Any comments to be reported verbally.

HISTORIC ENGLAND (Listed Builds/Con Areas)

Authorisation to determine application as seen fit received 12 February 2019.

HISTORIC ENGLAND (Archaeology)

Any archaeological interest should be conserved by the imposition of conditions requiring a written scheme of investigation, prior to any demolition or development taking place.

THORNEY ISLAND SOCIETY

Location in a conservation area and on a street of very fine listed buildings such radical work should be precluded due to the impact on neighbours.

WESTMINSTER SOCIETY

Any comments to be reported verbally.

HIGHWAYS PLANNING MANAGER

No objection.

WASTE PROJECT OFFICER

No objection.

ARBORICULTURAL SECTION

No objection subject to a condition to secure landscaping details.

BUILDING CONTROL

Structural statement is considered acceptable.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 17

Total No. of replies: 17

No. of objections: 14

No. in support: 0

Objections raise the following issues:

Amenity

- Section through roof to see what is proposed in terms of demolition not clear if plans to convert roof to use as a terrace.

Design

- Design of two outbuildings not in keeping with the conservation area.

- Proposed works would damage the historic fabric of the adjoining Grade II star listed buildings.
- Works have already caused damage to brickwork behind Grade II star panelling in neighbouring properties.
- Works already undertaken have caused visible damage due to unauthorised works at roof level between the party wall with Nos. 2 and 3.
- Property has been gutted and a large frame fixed with bolts to the party walls.
- Fabric of wall to No. 3 is weakened and will be prone to cracking over time from both sides.
- Changes proposed are unnecessary, not in keeping with the surrounding buildings that are listed.
- Houses in the street are not structurally capable of tolerating substantial works.
- Sheer amount of building work proposed to the property is not in keeping with the other houses on the street.
- Such a large extension is inappropriate for a property located in a conservation area and neighbouring Grade II star listed buildings.

Construction

- Existing properties would suffer from proposed development.
- Noise and dust pollution.

Basement

- Proposed basement would affect fragility of adjoining listed buildings.
- Excavation of basement will disturb foundations of neighbouring properties.
- Unclear if further damage to neighbouring properties from the planned substantial excavation for the subterranean media room will be avoided.
- Digging of a double basement threatens the structural integrity of the two Grade II star listed buildings.

Other considerations

- Problems with registering comments on the website.
- How is it possible to undertake works to property without planning permission.
- Not informed of application.
- Proposed works would affect wellbeing of resident in adjoining property.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Application 2

HISTORIC ENGLAND:

Authorisation to determine application as seen fit received 12 February 2019.

HISTORIC ENGLAND (ARCHAEOLOGY):

Authorisation to determine application received 26 February 2019 subject to conditions to secure a written scheme of investigation.

HISTORIC BUILDINGS – LONDON AND MIDDLESEX ARCHAEOLOGICAL SOCIETY

Object to impact of proposed works to the historic fabric of adjoining heritage assets.

If the council is minded to grant application endorse conclusion of Historic Environment Assessment that archaeological trial pits or monitoring of geotechnical pits should be conditioned as part of any approval.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

2 Barton Street is a late Victorian townhouse in use as a single-family dwelling, within a terrace of Georgian properties in a residential area. The building is arranged over lower ground, ground and three upper floors and has a small courtyard garden to the rear with a single storey extension to the immediate rear and side of the site. No. 2 has a flying freehold with No. 3 whereby the ground floor entrance hallway is set beneath the first floor and above the lower ground floor of No. 3.

The building is set within the Smith Square Conservation Area. It is an unlisted building of merit as identified in the Smith Square Conservation Area Audit (2005). The application site adjoins Grade II star listed buildings on either side, at Nos. 1 and 3.

6.2 Recent Relevant History

18/03465/FULL

Planning Applications Committee resolved to refuse permission on 23 October 2018 for demolition and rebuilding of ground floor extension and excavation of a new basement level beneath the rear extension, widening of existing front dormer window and associated works. The decision notice was issued on 31 October and the application refused for the following reason:

The proposed alterations to the boundary walls in connection with the construction of the rear extension would make the people living in Nos. 1 and 3 Barton Street feel too shut in. This is because of its bulk and height and how close it is to windows in those properties. This would not meet S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

The application was allowed on appeal dated 13 March 2019. The conditions imposed by the Inspector were the same as those sought by the council in their appeal statement.

The application for an award of costs against the council was allowed on 13 March 2019.

18/03466/LBC

Underpinning of the garden boundary wall to No. 1 Barton Street; removal of the trellis screen on the garden boundary wall and infilling with new brickwork to match existing.
Application Permitted 31 October 2018

18/06397/LBC

Removal and replacement of soldier course and creasing tiles for a 2.398m length of the top of the rear garden boundary wall and addition of 0.55m to the wall between Nos. 2 and 3 Barton Street.

Application Permitted 31 October 2018

15/08756/FULL

Retention of railing at roof level.

Application Permitted 3 December 2015

13/01278/FULL

Use from school boarding house to three separate residential dwellings and associated alterations (site comprises No. 2, 4 and 5 Barton Street).

Application Permitted 9 April 2013

13/01279/LBC

Use from school boarding house to three separate residential dwellings and associated alterations (site comprises No. 2, 4 and 5 Barton Street).

Application Permitted 9 April 2013

7. THE PROPOSAL

Planning permission is again sought for the demolition and rebuilding of the ground floor extension and excavation of a new basement level. Works again include the widening of the existing front dormer window including associated works. Listed building consent is sought for the underpinning of the garden boundary wall to No. 1 Barton Street.

The works that form part of this scheme are practically identical to that previously refused by the council but allowed on appeal. The only difference is that no works are proposed to alter the extent and height of the boundary walls with 1 and 3 Barton Street., which were the basis for refusing the planning application.

For the purpose of consideration of these applications a detailed assessment has been made which also addresses (where applicable) comments made by third parties.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of the extension has been accepted on appeal. The proposals seek the improvement of a single-family dwelling house and in land use terms are acceptable in terms of Policy S14 of the Westminster City Plan (November 2016).

8.2 Townscape and Design

The main design issues are the impact of the proposals on the character and appearance of the conservation area and special interest and setting of the adjoining

Grade II star listed buildings. Townscape and design issues did not form the basis of refusing the application and these works have now been accepted in principle on appeal.

Front elevation

It is again proposed to widen the existing dormer windows on the front elevation. There is no consistent pattern to the front dormers along this part of the terrace but a number of adjoining properties do have single, relatively wide dormers. The existing dormer on No. 2 has a door leading onto a balcony area. The proposed widening of the dormer will accommodate double doors and the detailed design is not dissimilar to the existing design. In design terms the proposed alterations to the dormer on the front elevation is considered acceptable. A simpler existing railing to the top of the bay is proposed which is acceptable in design terms.

It is proposed to alter the existing door opening to the front lower ground floor light well area and reinstate the stained glass to windows within the front door. Other works consist of like for like repair works and are welcomed in design terms.

Rear extension

Policy DES 5 of the UDP states that extensions will normally be acceptable if they are confined to rear elevations and are in scale with the building and surroundings.

The existing rear extension, approved in 2013, is located to the immediate rear of the garden area and there is a link corridor between the main house and rear extension, which creates a small internal courtyard garden. The existing extension occupies an area of 40sqm and provides a garden area of approximately 18sqm. The demolition of the modern extension is uncontentious in design terms. It would again be replaced with an extension at ground floor level, which would extend across the full width to the rear of the property, with the secondary volume extension set back slightly from the main part of the extension. The main volume of the proposed extension would be taller than the existing due to the change in levels but would not exceed the height of the boundary walls with Nos. 1 and 3. The new extension would provide an area of 37sqm and a courtyard garden area of 21sqm.

The rear of this terrace has a range of extensions of varying depths, heights and designs and there is no consistent pattern with regards to the extensions to the rear. As highlighted above the proposed extension would be designed with a secondary set back volume and the existing link corridor extension would be removed, leaving a more traditionally laid out courtyard garden area, with the new extension being contained within the garden walls. The removal of the existing extension and its reconfiguration is acceptable in design terms.

No. 2 has a flying freehold with No. 3 whereby the ground floor entrance of No. 2 is located beneath the upper floor and over the lower ground floor of No. 3. It is again proposed to replace an existing small casement with a new oriel window just above the secondary volume of the extension to the rear and in the area of the site set below No 3, which is listed Grade II star. The detail in this location and the impact on historic fabric is a key consideration. The applicant has provided additional information and has explained that the lintel would be replaced with a loadbearing brick arch. The localised nature of these works suggests that the works can be done without harm to the listed building and

subject to conditions to secure appropriate detailing and methodology for the works, this is therefore considered acceptable.

Works to the boundary walls

The existing boundary walls are to be retained as existing. This differs from the appeal scheme. Only works of underpinning are proposed to the garden boundary wall with No. 1 and the applicant has submitted listed building consents for this work. This work does not impact on the internal part of No. 1. Historic England have been consulted on the proposals and have authorised the City Council to determine the application accordingly. Subject to conditions requiring the works to match existing the proposed alteration to the boundary wall is considered acceptable.

Lower ground/basement extension

The proposal again includes a new basement level under the proposed rear extension and the lowering of the existing lower ground floor level by approximately 0.26m. The lowering of the lower ground floor including that of the vault floor is modest and does not impact on the hierarchy of the internal floor levels.

The proposed basement extension is a single storey extension with a floor to ceiling height of 2.5m and extends into the garden area by approximately 5.7m but would be located wholly beneath the proposed ground floor extension. No external manifestations are proposed to the basement. The reconfiguration of the ground floor extensions allows for a more traditional garden to be provided. In design terms the proposed basement extension is considered acceptable.

Roof level works

There is an existing tall access hatch at roof level and this is again to be replaced with a modest low-level access hatch and a new lantern rooflight. Both new structures are at low level and are set in from the roof edge. In design terms the replacement of the existing access hatch is an improvement on the existing situation and welcomed. Similarly the proposed lantern rooflight due to its height and location is not considered to have an adverse impact on the conservation area.

Impact on adjoining Grade II star listed buildings

A new oriel window would be created just above the secondary volume of the extension to the rear and in the area of the site set below no 3 which is listed Grade II*. The detail in this location and the impact on historic fabric is a key consideration. The applicants have provided information which suggests this can be done without harm to the listed building and subject to conditions to secure appropriate detailing and methodology for the works, this is therefore considered acceptable.

8.3 Residential Amenity

Policy S29 of the City Plan and ENV 13 of the UDP aim to protect the amenity of residents from the effects of development. Policy ENV13 states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing.

The key difference between the scheme allowed on appeal and the current proposal is that the previously proposed alterations to the boundary walls with 1 and 3 Barton Street have been removed from the scheme. The impact on 1 and 3 Barton Street is set out below.

No. 1 Barton Street is a single family dwelling. The nearest affected windows on the rear elevation of No. 1 are two windows which serve the ground floor living room and there is a door which provides access from this room into the rear garden area. The existing boundary wall with No. 1 comprises of a section of wall measuring approximately 2.4 (w) x 1.8 (h) which is made up of an existing trellis set in front of a polycarbonate screen on the boundary between Nos. 1 and 2. This is now to remain as existing and no changes are proposed to the height of the existing boundary wall.

No. 3 is a single family dwelling. No changes are proposed to the boundary wall with No. 3.

A daylight and sunlight statement has been submitted with the application proposals. This again demonstrates that the proposed extension would not have a material impact on Nos. 1 and 3 in terms of a material loss of light to both properties.

The Inspector in the appeal decision dated 13 March 2019 concluded that 'the proposed development would not harm the living conditions of the occupants of no. 1 or no. 3 Barton Street by reason of loss of outlook'. The current proposal reduces the impact on both properties in terms of outlook and is considered acceptable in amenity terms.

A condition is recommended to ensure that the roof of the proposed extension is not used for sitting out or any other amenity purposes.

At roof level an existing access hatch is to be replaced with a low level access hatch and a new lantern rooflight. Comment has been made that no section drawings or detailed drawings have been provided concerning the works to the main roof. This is not the case a roof plan and relevant section drawings have been provided. However due to their size and location the works at roof level do not raise amenity concerns. A condition is also recommended to ensure that the roof is not used for amenity purposes.

8.4 Transportation/Parking

The scheme has no long-term transportation or highway implications.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

The access arrangements remain unchanged.

8.7 Neighbourhood Plans

There is no Neighbourhood Plan either adopted or nearing adoption for this area.

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

Basement

Policy CM28.1 requires the submission of a structural methodology statement in relation to the proposed excavation works, together with a signed proforma Appendix A which demonstrates that the applicant will comply with the relevant parts of the council's Code of Construction Practice (CoCP). The applicant has complied with both of the above.

The proposal consists of excavating and extending the existing basement level into the garden area by approximately 5.7m and with a floor to ceiling height of 2.5m. The proposed extension of the basement level is a single storey basement and not a double basement as has been indicated by comments received concerning this part of the proposals. The proposed basement will be located entirely beneath the proposed extension.

The policy text of policy CM28.1 states that the most appropriate form of basement extension will be no more than one storey, with an approximate floor to ceiling height of 2.7m floor below the lowest part of the original floor level. The proposed basement complies with both aspects of these requirements as set out in the policy text.

The submitted drawings show that the proposed basement is located under part of the party wall with No. 1 but will be set inside of the party wall on the applicant's side with No. 3. Both residential occupiers of No. 1 and No. 3 have raised concerns over the structural integrity of the proposed basement on their Grade II star listed buildings. Particular concern is raised over the potential for damage and cracking to occur to both buildings. The City Council has consulted both Building Control and Historic England for comments.

Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework (NPPF) February 2019 (revised) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

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

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

In this regard and in line with policy CM28.1 the applicant has submitted a structural method statement. This statement has been assessed by Building Control who advised that the structural approach and consideration of local hydrology is considered to be acceptable. An investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. The basement is to be constructed using RC underpinning with RC retaining wall which is considered to be appropriate for this site. The proposals to safeguard adjacent properties during construction are considered to be acceptable. As highlighted above objections have been received from two adjoining occupiers raising concerns about structural damage to their properties as a result of the proposed basement.

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

As highlighted above the method of excavation has been considered by Building Control officers who advised that the structural approach and consideration of local hydrology appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control. A condition

requiring more detailed site investigations to be carried out in advance of construction works commencing, together with the written appointment and agreement of a competent contractor to undertake the works is not therefore considered reasonable.

Parts B and C of Policy CM28.1 requires the provision of soft landscaping and a permeable surface in order to offset the impact of the proposed basement extension. Part C also requires the basement development to leave a margin of undeveloped garden land (between 0.5 – 2m) proportionate to the scale of development and the size of the affected garden around the entire site boundary except beneath the existing building. This may be reduced on smaller sites, provided that flood risk, in particular surface water run-off, can be adequately dealt with on site. In this case the proposed basement is sited entirely beneath the footprint of the building and in this regard there is no requirement to maintain a margin of undeveloped land. The proposal however does provide a permeable surface within the garden area comprising of paviers laid over sand and an element of soft landscaping. In consultation with the City Council's Arboricultural officer a condition is recommended to secure soft and hard landscaping details.

Works to extend the existing basement level are again considered acceptable and it should be noted that these works have also been granted on appeal.

Code of Construction Practice

A condition is recommended to ensure that the development complies with the CoCP, which will require the developer to provide a Construction Management Plan (CMP) and funding for the Environmental Inspectorate to monitor the construction phase of the development.

The CoCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster. The key issues to address as part of the CoCP and production of a CMP are liaison with the public, general requirements relating to the site environment, traffic and highways matters, noise and vibration, dust and air quality, waste management and flood control. Subject to conditions limiting the hours of work in relation to the proposed excavation works and requiring the applicant to adhere to the council's Code of Construction Practice, the proposed basement extension complies with the requirements of Policy CM28.1.

Comment has been made that a media/gym is inappropriate for a house of this type. This is a matter of judgement and the use of accommodation within a new basement extension does not dictate whether it should be acceptable or not. Moreover, the basement extension is assessed in line with policy and in relation to any other works, which may be required to facilitate its operation, such as mechanical plant etc.

Archaeology

The site is located within a Tier One Archaeological Priority Area and the application is supported by an Archaeological Assessment. This has been assessed by Historic England's Archaeology section who have advised that there is potential for post medieval, prehistoric and paleo-environmental remains with alluvial deposits associated with the former River Tyburn on the eastern half of the site. The existing basement (lower ground floor level) is thought to have removed much of the archaeology, which would have survived on the western half of the site. On this basis and in order to protect

any surviving archaeological remains Historic England (Archaeology) haven recommended a condition to secure a written scheme of investigation. This will be secured by condition.

Trees

There are two trees (a lime tree and sycamore tree) within the rear garden of 16 Great College Street. Concerns have been raised that the impact of the proposals would cause damage to the existing tree roots.

Trial excavations have been carried out within the existing outbuilding to the rear at the garden, to determine the extent of the boundary wall foundations. The foundations were found to be 1.1m deep.

The submitted Tree Constraints Plan shows the Root Protection Areas of T1 and T2 as modified shapes, on the assumption that the boundary wall is restricting root growth onto the application site. Normally trial holes excavated to determine whether a structure is acting as a barrier to root growth should be excavated 200-300mm below the underside of the foundations, in order to determine if there are any roots at a greater depth. These trial holes were excavated only to the base of the foundations. However, the existing building itself would also be acting as a barrier to root growth, and in this it is reasonable to conclude that the trees are rooting favourably in the garden in which they are located. The Arboricultural officer has stated that on the basis that the boundary wall is retained in situ without underpinning, which is the case in this instance the proposed works are unlikely to cause harm to the trees' roots.

The replacement of the existing outbuilding with a garden that includes soft landscaping will improve the potential rooting environment at the end of the garden nearest to the trees, which may result in the tree roots growing in the garden in the future.

Comment has been raised that the extension and basement will occupy a greater portion of the garden than the existing outbuilding resulting in a reduction of the garden size. However, the proposed extension and garden area is comparable to the existing arrangement in terms of volume. As the proposal introduces softer landscaping in an otherwise built up and hard landscaped courtyard garden the Arboricultural officer has welcomed the inclusion of the proposed landscaping the details of which are to be secured by condition.

Impact on Westminster Highway

The Highways Planning Manager had raised concerns that the drawings appeared to show the ceiling of the vault roof being altered which would be contrary to Policy TRANS 19 of the UDP (2007). However, there are no changes to the vault roof, which would transgress the requirements of TRANS 19.

Party Wall Matters

Since refusal of the 2018 application the applicant has undertaken works at the application property. The internal areas have been stripped back to reveal all floors and brickwork. The applicant has stated that new steel frames have been inserted within the building on all floors to transfer building loads to a new concrete 'raft' located centrally at lower ground floor level (and away from the party wall). The steel frames have not been inserted into the boundary wall with No. 1 or into the party wall with No. 3 on any of the floor levels.

It should be noted that the works that have been undertaken to the internal part of the building were not directly implementing the scheme granted on appeal nor do they involve implementation of the scheme currently under consideration. Therefore, these works should not prejudice the works being considered for planning permission under the current submission, especially as these works have now been granted on appeal.

Notwithstanding this, the complaints raised regarding the works on site have been reported to the Planning Enforcement Team, resulting in a live enforcement investigation (18/69267/M). Warning letters were issued to the applicant on the 02 January 2019 concerning the works to No. 2 and the potential damage to No. 3. The concerns raised are damage to the party wall at roof level and the impact on brickwork behind panelling within the Grade II star buildings.

At roof level damaged brickwork and a hole appeared in the wall on the side of No. 3. The works to the party wall upstand involved the insertion of a concrete padstone to support the new beam, which is wholly on the party wall side of No. 2. The applicant has stated that damage to the wall on the side of No. 3 was inspected by the appointed party wall surveyors. To conclude works to make good the damage have been undertaken and completed (confirmation from the applicant received on the 18 March 2019). The hole was filled with reclaimed bricks from the site and bedded in lime mortar and a lime render finish applied. Having considered the repair works it is considered that listed building consent is not required as the works are making good and are not considered to have an adverse impact on the special historic fabric of the Grade II star listed building of No. 3. The applicant has submitted confirmation (photographic evidence) that the works at roof level have been completed. In terms of potential damage to the brickwork behind panelling within No. 3 this is a matter for the party wall surveyors to assess whether there is any attributable claim.

In terms of the works impacting the integrity of the adjoining listed buildings, workers on site have been alerted to the concerns raised by the neighbouring residents and party wall surveyors have also been involved in terms of reconciling the complaints raised. In terms of the building works, whilst conditions are recommended to control the scope of works being applied for, such works are also subject to party wall agreements, which seek to ameliorate harm caused to neighbouring properties. In terms of the proposals Historic England has been consulted on the proposals and has not raised concerns that the works being applied for would cause harm to the adjoining listed buildings.

The Planning Inspector in considering the appeal was satisfied that the measures cited in the Construction Method Statement and Ground Movement Assessment would avoid damage occurring to the neighbouring Grade II star listed buildings. These measures include the proposed basement being constructed as a box structure (with the basement slab, ground floor slab and retaining walls constructed with reinforced concrete); the structure designed to resist vertical loads from the masonry structure above ground and the isolation of the basement structure from the existing structure and neighbouring structures so that it can move independently. These measures should reduce the risk of cracking to adjacent structures if minor settlements are experienced. The same report has been submitted with regards to the current application and this has been assessed by Building Control who consider the report to be acceptable. Considering the measures cited

in the report and the Planning Inspector's decision concerning this, it is considered that the proposals would not cause harm to the adjoining listed buildings.

Pre commencement conditions

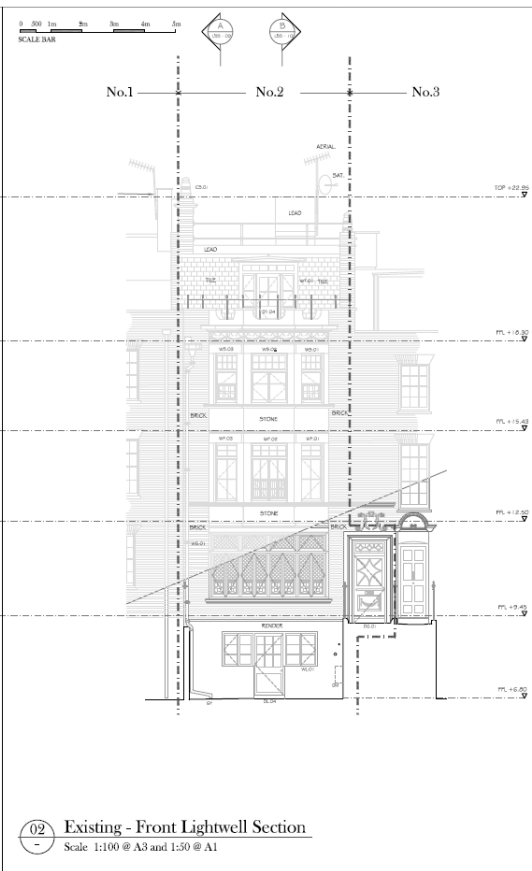
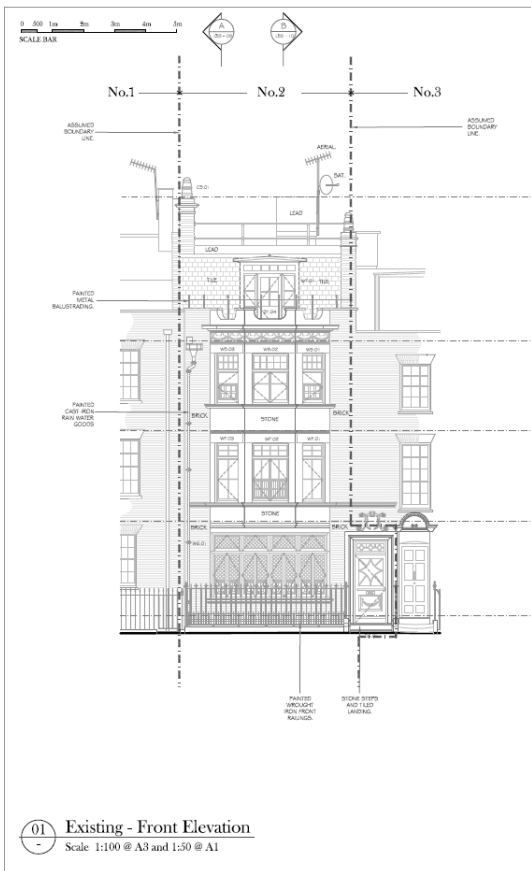
Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

During the course of this application a notice was served relating to the proposed imposition of a pre-commencement condition to secure the applicant's adherence to the City Council's Code of Construction Practice during the demolition/excavation and construction phases of the development. The applicant has agreed to the imposition of the condition. These conditions were also agreed as part of the appeal allowed by the Planning Inspectorate.

(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: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk

9. KEY DRAWINGS



General Notes.

1. All work to be carried out in accordance with the Building Regulations and the relevant standards of the Building Regulations.

2. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

3. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

4. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

5. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

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8. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

9. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

10. The drawings are to be used for planning purposes only. They are not to be used for construction purposes.

Legend.

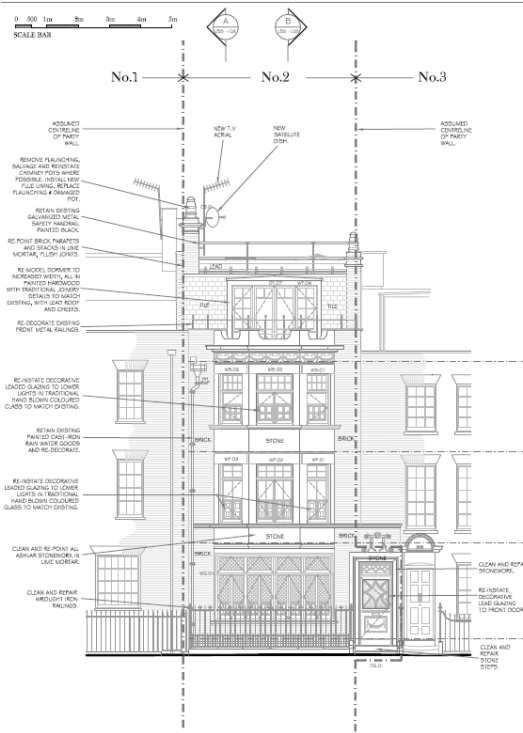
Revisions.

A - 07.01.19 - ISSUE FOR PLANNING.

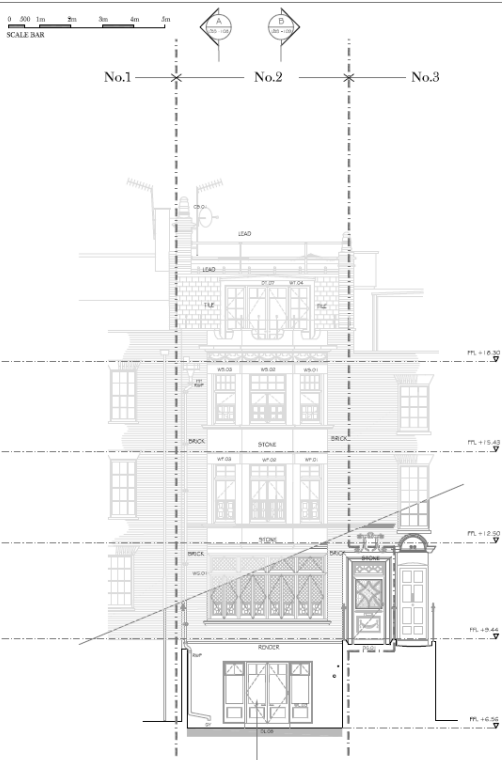
FOR PLANNING APPLICATION

HACKETT HOLLAND LTD
INCORPORATED IN ENGLAND AND WALES
3 Folly Place, 222 Fenchurch St, London, EC3A 3BB
www.hackettholland.co.uk
Tel: 020 7497 0010 Fax: 020 7497 0015
email: info@hackettholland.co.uk

01	2 BARTON STREET, WESTMINSTER, LONDON, SW1P 2NG	020 7497 0010
FILE	EXISTING FRONT ELEVATION & LIGHTWELL SECTION	020 7497 0010
SCALE	1:100 @ A3 1:50 @ A1	PROJECT NO. LBS - 07
		DATE A



01 Proposed - Front Elevation
Scale 1:100 @ A3 and 1:50 @ A1



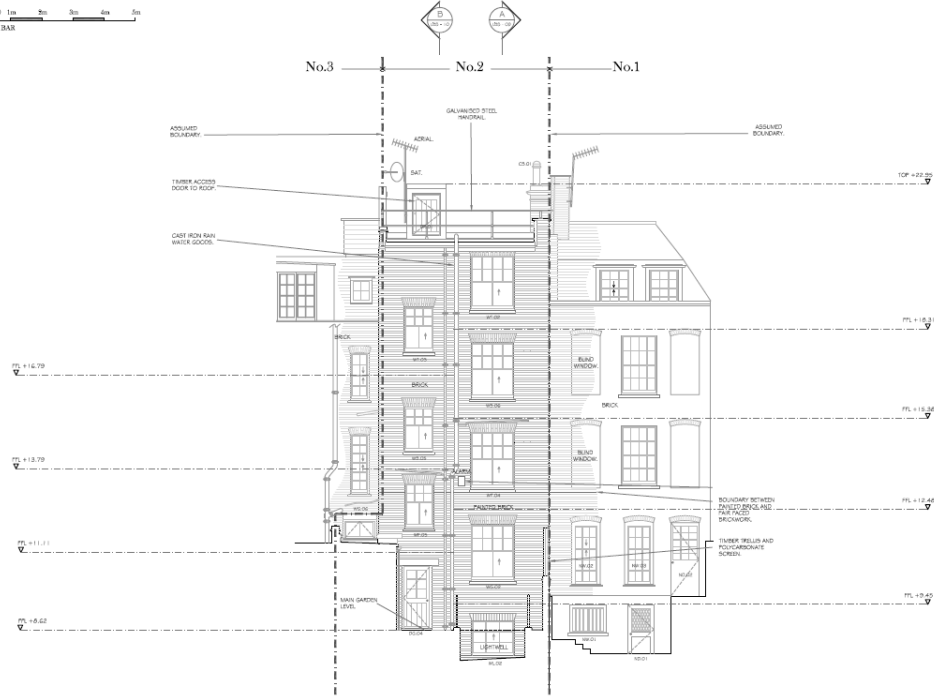
02 Proposed - Front Lightwell Section
Scale 1:100 @ A3 and 1:50 @ A1

General Notes.
 1. All work to be completed in accordance with the Building Regulations and approved documents.
 2. All work to be completed in accordance with the Building Regulations and approved documents.
 3. The drawings are for information only and do not constitute a contract.
 4. It is the responsibility of the client to ensure that the drawings are used for the intended purpose.
 5. The drawings are for information only and do not constitute a contract.
 6. It is the responsibility of the client to ensure that the drawings are used for the intended purpose.

Legend.
 Revisions:
 A - 07.01.19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD	
1 Holly Wood, 225A Portland Rd, London W6J 1JH	
www.hackettholland.co.uk	
Telephone: 020 7487 6488 Fax: 020 7487 6655	
email: info@hackettholland.co.uk	
2 BARTON STREET, WESTMINSTER, LONDON, SW1P 1NG	
DATE	PROPOSED FRONT ELEVATION & LIGHTWELL SECTION
SCALE	1:500 @ A3 1:50 @ A1
DESIGNER	LBS-106
REVISION	A



General Notes.
 1. To be made in the context of the existing building.
 2. Details are to be made in accordance with the current building regulations and standards.
 3. The building is to be used as a residential building.
 4. The proposed work is to be carried out in accordance with the current building regulations and standards.
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 6. The proposed work is to be carried out in accordance with the current building regulations and standards.
 7. The proposed work is to be carried out in accordance with the current building regulations and standards.
 8. The proposed work is to be carried out in accordance with the current building regulations and standards.
 9. The proposed work is to be carried out in accordance with the current building regulations and standards.
 10. The proposed work is to be carried out in accordance with the current building regulations and standards.

Legend.

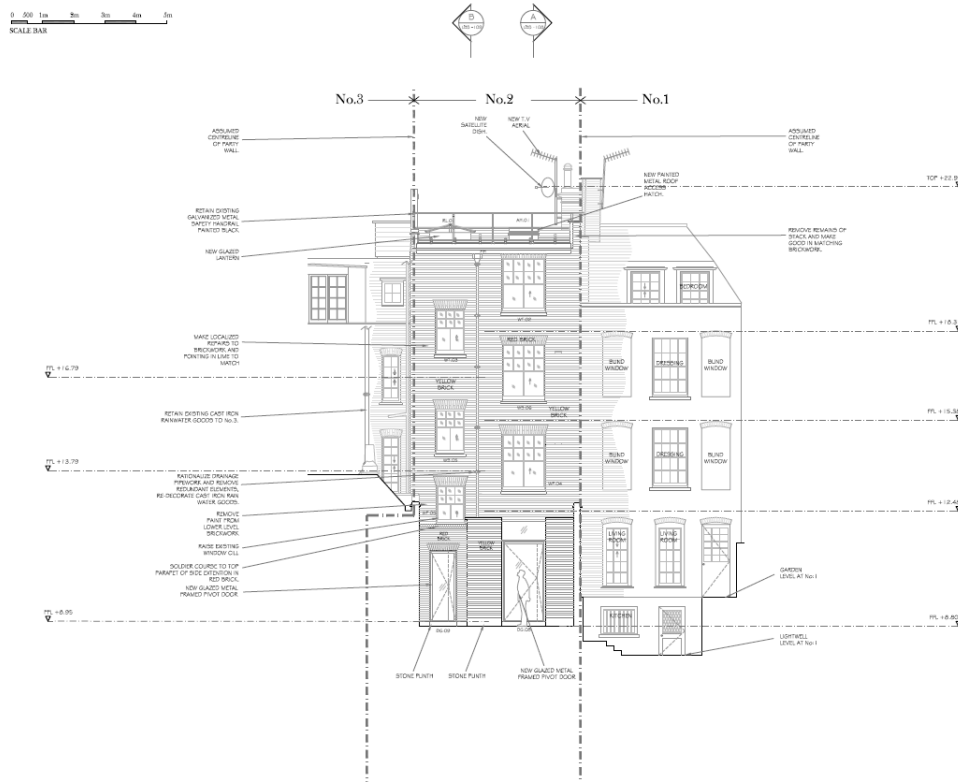
Revisions.
 A - 07.01.19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD
 ARCHITECTS AND PLANNERS
 1 Folly House, 223a Portland Rd, London W11 1EU
 www.hackettholland.co.uk
 Telephone: 020 7487 9555 Fax: 020 7487 9555
 email: info@hackettholland.co.uk

2 BARTON STREET, WESTMINSTER, LONDON, WY1 1NG		JOB No. LBS
EXISTING REAR ELEVATION		PROJECT SW/SG/ PROJ/016 JH
SCALE 1:500 @ A3 1:500 @ A1	DATE/REVISED LBS - 08	APPROVED A

01 Existing - Rear Elevation
 Scale: 1:100 @ A3 and 1:50 @ A1



01 Proposed - Rear Elevation
Scale: 1:100 @ A3 and 1:50 @ A1

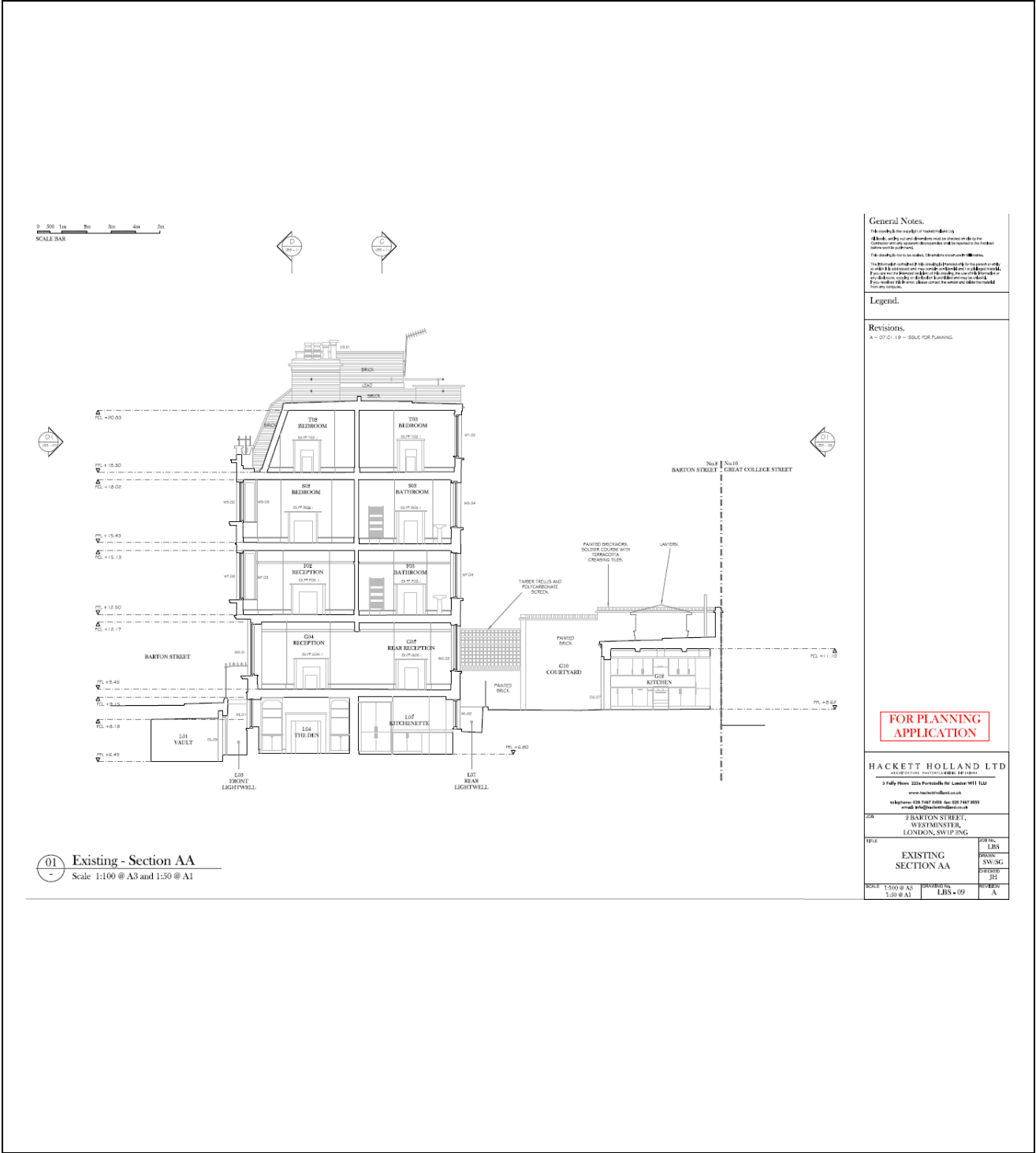
General Notes.
 1. All work to be carried out in accordance with the Building Regulations and the relevant parts of the Building Regulations and the relevant parts of the Building Regulations.
 2. The drawings are to be used for planning purposes only.
 3. The drawings are not to be used for construction purposes.
 4. The drawings are not to be used for any other purpose.
 5. The drawings are not to be used for any other purpose.

Legend.

Revisions.
 A - 07/01/19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD ARCHITECTS	
3 Folly House 221a Portlands Rd. London W11 1JL www.hackettholland.co.uk Telephone: 020 7461 8811 Fax: 020 7461 8811 email: info@hackettholland.co.uk	
JOB	3 BARKTON STREET, WESTMINSTER, LONDON, SW1P 5NG
FILE	PROPOSED REAR ELEVATION
DATE	15/08/19 A3 1/10/19 A1
PROJECT NO.	LBS-107
REVISION	A



0 500 1m 2m 3m 4m 5m
SCALE BAR

01 Existing - Section AA
Scale 1:100 @ A3 and 1:50 @ A1

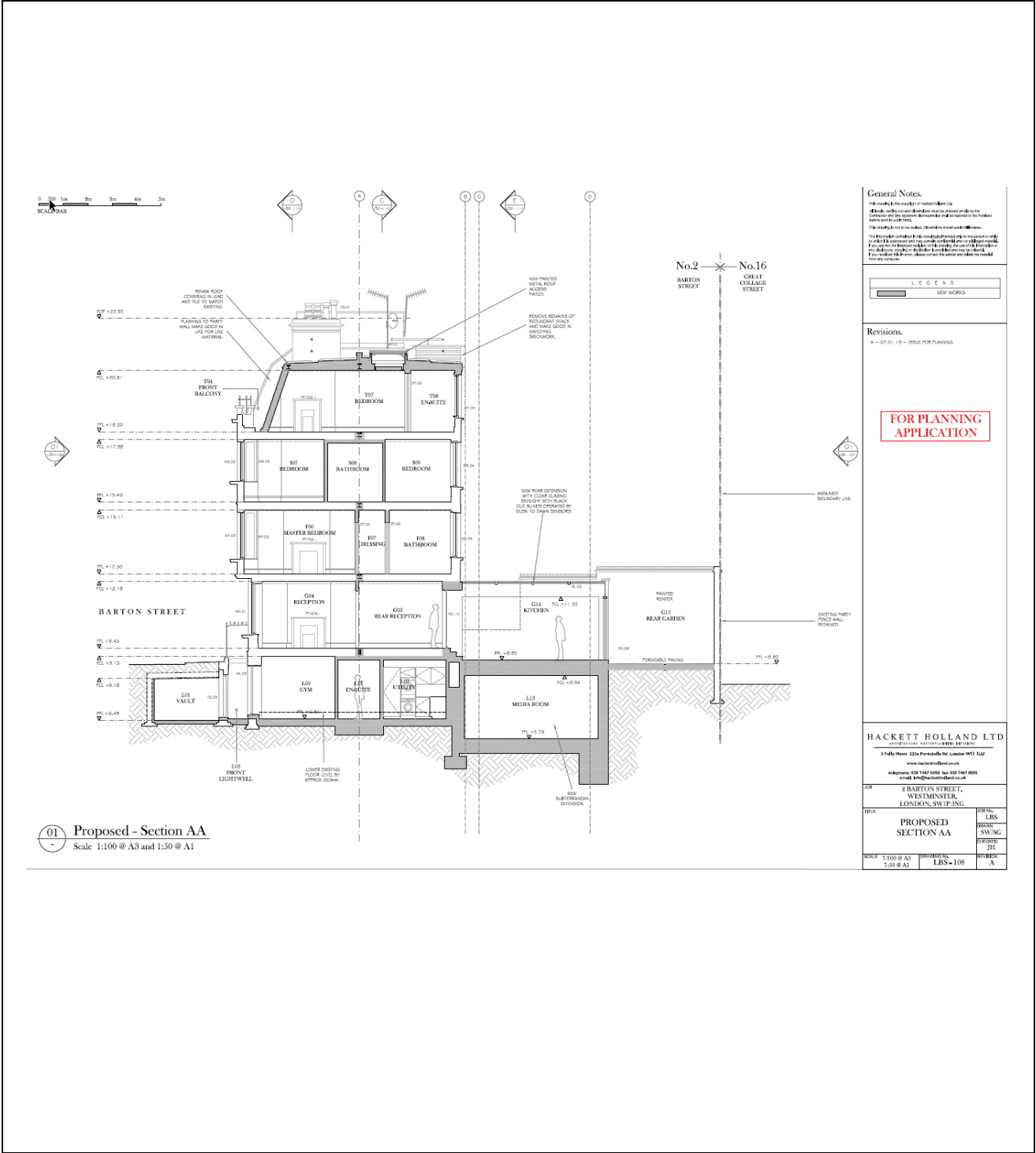
General Notes.
The client is responsible for obtaining all necessary planning and building regulations consent for the proposed works.
The drawings are for information only and do not constitute an offer of any services.
The drawings are prepared on the basis of the information provided by the client and are not to be used for any other purpose without the written consent of the architect.

Legend.

Revisions.
A - 07.01.19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD ARCHITECTS	
1 Jolly House, 211a Farnham Rd, London W11 1LJ www.hackettholland.co.uk	
Telephone: 020 7461 8800 Fax: 020 7461 8811 email: info@hackettholland.co.uk	
2 BARTON STREET, WESTMINSTER, LONDON, SW1P 3NG	020 7461 8800
EXISTING SECTION AA	020 7461 8800
SCALE 1:500 @ A3 1:50 @ A1	PROVISIONAL LBS + 00 REVISED A



General Notes.
 1. The drawings are the property of Hackett Holland Ltd.
 2. No liability is accepted for any errors or omissions in the drawings.
 3. The drawings are for information only and do not constitute a contract.
 4. The drawings are for information only and do not constitute a contract.
 5. The drawings are for information only and do not constitute a contract.

LEGEND

[Symbol]	NEW WORK
----------	----------

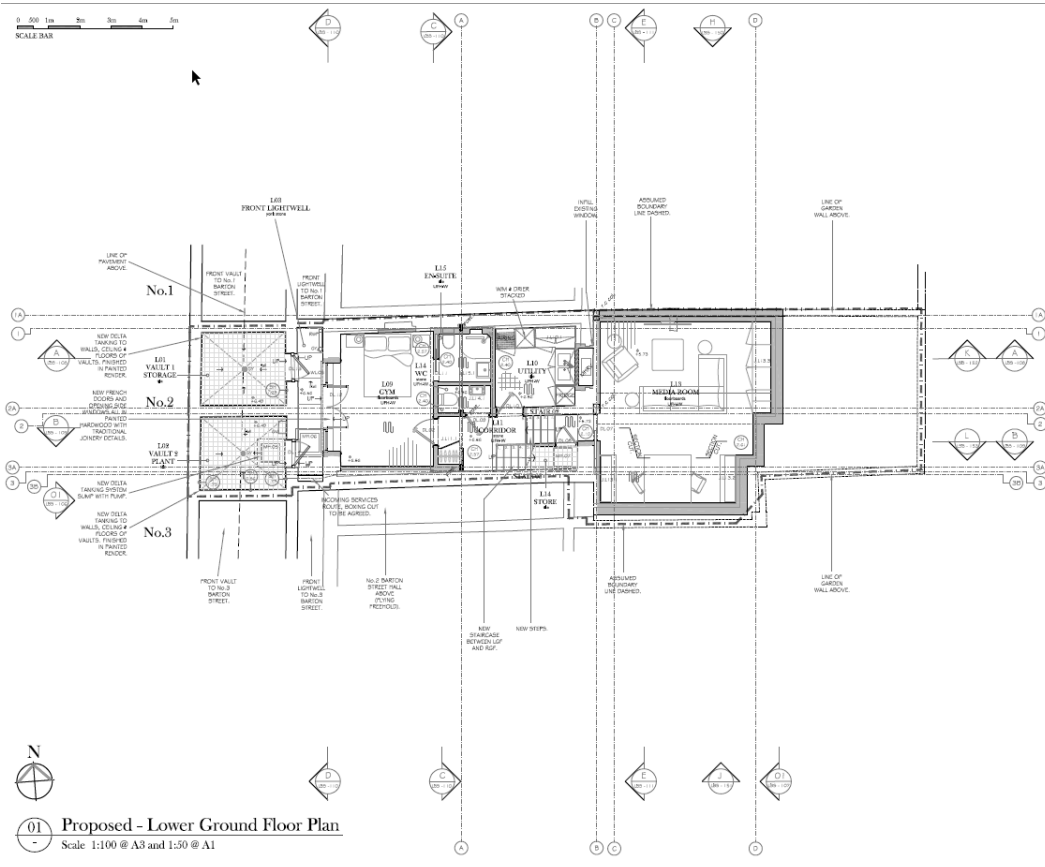
Revisions.
 A - 07.01.19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD
 ARCHITECTURAL SERVICES
 3 Folly Lane, 222a Portland Row, London W1F 1LP
 www.hackettholland.co.uk
 Telephone: 020 7487 4288 Fax: 020 7487 9993
 Email: info@hackettholland.co.uk

NO.	2	DATE	07.01.19
PROJECT	2 BARTON STREET, WESTMINSTER, LONDON, SW1P 1NG	DESIGNED BY	LBS
SECTION	PROPOSED SECTION AA	DRAWN BY	SW/S/G
SCALE	1:100 @ A3 1:50 @ A1	PROJECT NO.	LBS - 108
		DATE	07.01.19

01 Proposed - Section AA
 Scale: 1:100 @ A3 and 1:50 @ A1



General Notes.
1. All work to be in accordance with the Building Regulations 2010.
2. The contractor shall be responsible for obtaining all necessary planning and building control approvals.
3. The contractor shall be responsible for ensuring that all work is completed in accordance with the approved drawings and specifications.
4. The contractor shall be responsible for ensuring that all work is completed in accordance with the approved drawings and specifications.

Legend.

LEGEND	
---	FIN
---	WINDOW NUMBER
---	DOOR NUMBER
---	JOHNEY NUMBER
---	RADIATOR NUMBER
---	SOIL NUMBER
---	COAL BRUIE COVER
---	SPOT LEVEL
---	CEILING HEIGHT ABOVE FINISHED FLOOR LEVEL
---	FLOOR TO UNDERFLOOR ABOVE FINISHED FLOOR LEVEL
---	HEIGHT TO TOP OF VAULT ABOVE FINISHED FLOOR LEVEL
---	SPRINKLING HEIGHT ABOVE FFL
---	RANWATER PIPE NUMBER
---	GAS METER
---	MANHOLE NUMBER
---	ROOFLIGHT NUMBER
---	VENT PIPE NUMBER
---	SHOE SCRAPER NUMBER
---	HOT WATER CIRCULATOR
---	WATER INSPECTION COVER
---	ELECTRICAL INSPECTION COVER
---	DRIFTING TREE NUMBER
---	BOLLARD NUMBER
---	LAMP POST NUMBER
---	BENCH
---	GATE NUMBER
---	PLANTING BED

LEGEND

---	NEW WORK
---	NEW SET LASCER FOR HEATING

Revisions.
A - 01-01-19 - ISSUE FOR PLANNING.

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD
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www.hackettholland.co.uk
Telephone: 020 7497 4619 Fax: 020 7497 0919
email: info@hackettholland.co.uk

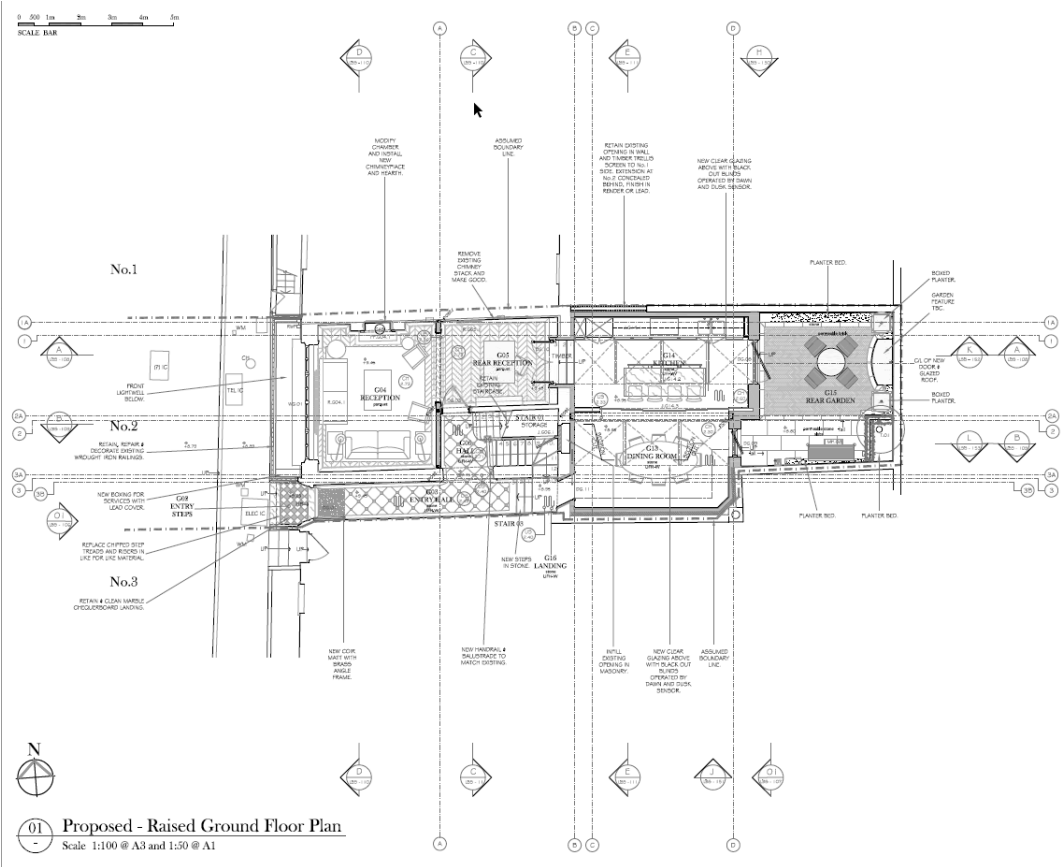
28 3 BARTON STREET,
WESTMINSTER,
LONDON, SW1P 3NG

FILE	PROPOSED LOWER GROUND FLOOR PLAN	JOB No.	LBS
		DESIGN	SW/SG
		PROJECT	JH
		DATE	A

SCALE 1:100 @ A3
1:50 @ A1

PREPARED BY LBS-100

01 Proposed - Lower Ground Floor Plan
Scale: 1:100 @ A3 and 1:50 @ A1



01 Proposed - Raised Ground Floor Plan
Scale: 1:100 @ A3 and 1:30 @ A1

General Notes.
1. All work to be completed in accordance with the Building Regulations and all other relevant statutory provisions.
2. The drawings are to be read in conjunction with the contract documents.
3. The drawings are to be read in conjunction with the contract documents.
4. The drawings are to be read in conjunction with the contract documents.

Legend.

LEGEND	
---	ITEM
---	WINDOW NUMBER
---	DOOR NUMBER
---	JOHNER NUMBER
---	RADIATOR NUMBER
---	SLAB NUMBER
---	CORNER BRICK COVER
---	SPICE COIL
---	CEILING HEIGHT ABOVE FINISHED FLOOR LEVEL
---	HEIGHT TO TOP OF RAULT ABOVE FINISHED FLOOR LEVEL
---	SPRINKLING HEIGHT ABOVE FIN.
---	RADIATOR PIPE NUMBER
---	GAS METER
---	MANHOLE NUMBER
---	ROOFLIGHT NUMBER
---	WET PIPE NUMBER
---	SHED ROOFLIGHT NUMBER
---	HOT WATER CHIMNEY
---	WATER INSPECTION COVER
---	ELECTRICAL INSPECTION COVER
---	HEATING PIPE NUMBER
---	ROLLERS NUMBER
---	LAMP FOOT NUMBER
---	ROLLER
---	GATE NUMBER
---	PLANTING BED

Legend

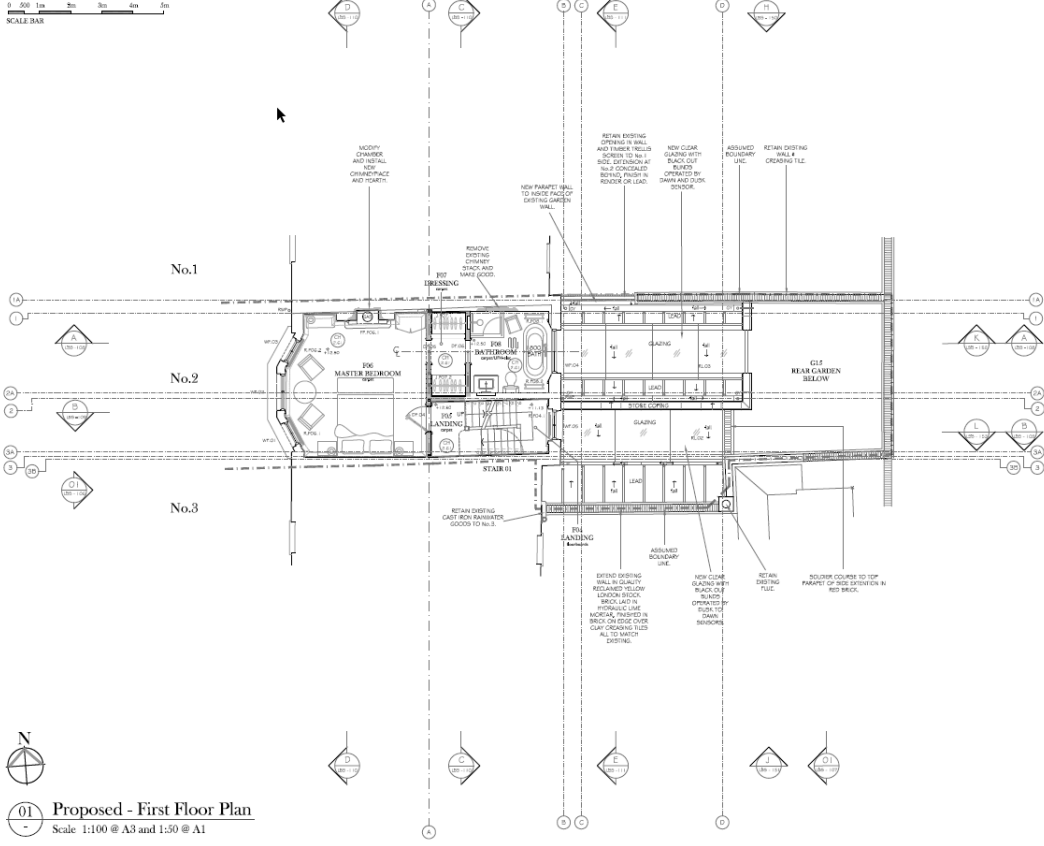
LEGEND	
---	NEW WORKS
---	NEW WET UNDERFLOOR HEATING

Revisions.
A - 07/01/19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD
ARCHITECTS
3 Folly House, 222a Fenchurch St, London EC3A 3DU
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t: 020 7424 1234 f: 020 7424 1235
e: info@hackettholland.co.uk

228 BARKTON STREET, WESTMINSTER, LONDON, SW1P 5NG		DATE: LBS
FILE:	PROPOSED RAISED GROUND FLOOR PLAN	PROJECT: SW/SG PROJ01 JH
SCALE:	1:100 @ A3 1:50 @ A1	REVISION: LBS - 101 A



General Notes.
 1. To be checked for compliance with Building Regulations.
 2. All work to be carried out in accordance with the Building Regulations and any applicable standards.
 3. The drawings are to be read in conjunction with the Bill of Materials and any applicable standards.
 4. The drawings are to be read in conjunction with the Bill of Materials and any applicable standards.
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 10. The drawings are to be read in conjunction with the Bill of Materials and any applicable standards.

Legend.

CODE	ITEM
W5.00	WINDOW NUMBER
D5.00	DOOR NUMBER
J	JUNCTION NUMBER
R	RADIATOR NUMBER
G.01	GULLY NUMBER
CS	COOK SHUTE COVER
SP.00	SPOT LEVEL
FF.00	FLOOR FINISH ABOVE FINISHED FLOOR LEVEL
FF.01	FLOOR FINISH BELOW ABOVE FINISHED FLOOR LEVEL
FF.02	FLOOR FINISH BELOW BELOW FINISHED FLOOR LEVEL
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FF.99	FLOOR FINISH BELOW BELOW FINISHED FLOOR LEVEL
FF.100	FLOOR FINISH BELOW BELOW FINISHED FLOOR LEVEL

Revisions.
 A - 02.01.19 - ISSUE FOR PLANNING

FOR PLANNING APPLICATION

HACKETT HOLLAND LTD
 1 Folly House, 222a Portland St, London W1T 1LH
 020 7467 6000 Fax 020 7467 6001
 www.hackettholland.co.uk
 2 BARTON STREET, WESTMINSTER, LONDON, SW1P 1NG
PROPOSED FIRST FLOOR PLAN
 Scale: 1:100 @ A3, 1:50 @ A1
 Date: 19/01/19
 Drawing No: LBS - 102
 Sheet No: 1 of 1

01 Proposed - First Floor Plan
 Scale: 1:100 @ A3 and 1:50 @ A1

DRAFT DECISION LETTER

Address: 2 Barton Street, London, SW1P 3NG

Proposal: Demolition and rebuilding of ground floor extension and excavation of a new basement level beneath the rear extension. Widening of existing front dormer window and associated works.

Reference: 19/00550/FULL

Plan Nos: LBS-00 Rev. A, LBS-01 Rev. A, LBS-02 Rev. A, LBS-03 Rev. A, LBS-04 Rev. A, LBS-05 Rev. A, LBS-06 Rev. A, LBS-07 Rev. A, LBS-08 Rev. A, LBS-09 Rev. A, LBS-10 Rev. A, LBS-11 Rev. E, LBS-100 Rev. A, LBS-101 Rev. A, LBS-102 Rev. A, LBS-103 Rev. A, LBS-104 Rev. A, LBS-105 Rev. A, LBS-106 Rev. A, LBS-107 Rev. A, LBS-108 Rev. A, LBS-109 Rev. A, LBS-110 Rev. A, LBS-111 Rev. A, LBS-150 Rev. A, LBS-151 Rev. A, LBS-152 Rev. A, LBS-153 Rev. A, LBS-200 Rev. A, LBS-201 Rev. A, LBS-202 Rev. A, LBS-203 Rev. A, LBS-204 Rev. A, LBS-205 Rev. A, LBS-206 Rev. A, LBS-207 Rev. A, LBS-208 Rev. A, LBS-209 Rev. A, LBS-210 Rev. A, LBS-317 Rev. A, LBS-800 Rev. A, LBS-801 Rev. A, LBS-98 Rev. A, LBS-99 Rev. A, LBS-SK-37 Rev. A, Proposed reinstatement of stained glass to front door dated 14 June 2017, Daylight and Sunlight Statement dated 27 July 2017 (rs/rOL.17/1) prepared by Dixon Payne, Tree Protection Statement prepared by Challice Consulting Ltd (Ref: CC/1294 AR3732) dated 04 July 2018, Design and Access Statement dated 16 January 2019, Planning and Heritage Statement dated January 2019 and Historic Environment Assessment dated December 2017 prepared by Museum of London Archaeology.

For information purposes: Appendix A - Checklists, 3D Model Images 1-4, Flood Risk Assessment Issue A dated 26/01/18 and Planning Feasibility Report (Incorporating Construction Method Statement) dated 23 January 2019 prepared by Lucking & Clark LLP.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

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:

- 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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Smith Square 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)

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

- a) pyramidal rooflight;
- b) new dormer window;
- c) new doors; and
- d) roof level access hatch.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these detailed drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Smith Square 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)

- 5 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Smith Square 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)

- 6 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Smith Square 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)

- 7 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 Smith Square 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)

- 8 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Smith Square 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)

- 9 Prior to the commencement of any

- (a) demolition, and/or
- (b) earthworks/piling and/or
- (c) construction

on site you must apply to us for our written approval of evidence to demonstrate that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of the relevant completed Appendix A checklist from the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Sciences Team, which constitutes an agreement to comply with the Code of Construction Practice and requirements contained therein. Commencement of any demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of these details. (C11CD)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 10 You must not use the roof of the extension 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. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 11 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 12 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within 12 months of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 12 months of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Smith Square Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

13 **Pre Commencement Condition.**

(a) You must apply to us for approval of a written scheme of investigation for a programme of archaeological work. This must include details of the suitably qualified person or organisation that will carry out the archaeological work. You must not start work until we have approved in writing what you have sent us.

b) You must then carry out the archaeological work and development according to this approved scheme. You must produce a written report of the investigation and findings, showing that you have carried out the archaeological work and development according to the approved scheme. You must send copies of the written report of the investigation and findings to us, and to the Greater London Sites and Monuments Record, Greater London Archaeological Advisory Service, Historic England, 4th floor, Cannon Bridge House, 25 Dowgate Hill, London EC4R 2YA.

(c) You must not use any part of the new building until we have confirmed in writing that you have carried out the archaeological fieldwork and development according to this approved scheme. (C32BC)

Reason:

To protect the archaeological heritage of the City of Westminster as set out in S25 of Westminster's City Plan (November 2016) and DES 11 of our Unitary Development Plan that we adopted in January 2007. (R32BC)

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, neighbourhood plan (where relevant), 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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.
- 4 Fractures and ruptures can cause burst water mains, low water pressure or sewer flooding. You are advised to consult with Thames Water on the piling methods and foundation design to be employed with this development in order to help minimise the potential risk to their network. Please contact:

Thames Water Utilities Ltd
Development Planning
Maple Lodge STW
Denham Way
Rickmansworth
Hertfordshire
WD3 9SQ
Tel: 01923 898072
Email: Devcon.Team@thameswater.co.uk

- 5 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 6 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 7 With reference to condition 9 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work.

Your completed and signed Checklist A (for Level 1 and Level 2 developments) or B (for basements) and all relevant accompanying documents outlined in Checklist A or B must be submitted to the City Council's Environmental Sciences team (environmentalsciences2@westminster.gov.uk) and the checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition. The full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements) must be submitted at least 40 days prior to commencement of works (which may include some pre-commencement works and demolition).

You are urged to give this your early attention as this condition must be discharged before works commence on site. Where you change your plans after we have discharged the condition, you must re-apply and submit new details for consideration before you start work. Please note that where separate contractors are appointed for different phases of the project, you may apply to partially discharge the condition by clearly stating in your submission which phase of the works (i.e. (a) demolition, (b) earthworks/piling and/or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Sciences team must be paid on submission of the details relating to the relevant phase., Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

- 8 Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under Schedule 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 9 You are advised that should the extended part of the basement level accommodating the media room require mechanical ventilation then this may require planning permission for any external air conditioning equipment and the submission of an acoustic report. You should also seek to site any mechanical plant within the building in the first instance or if this is not possible within a discreet external location and in accordance with any acoustic assessment and mitigation that may be required.

- 10 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 11 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 12 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 13 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 14 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 15 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Phone: 020 7641 2000

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Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

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

DRAFT DECISION LETTER

Address: 1 Barton Street, London, SW1P 3NG,

Proposal: Underpinning of the garden boundary wall to No. 1 Barton Street.

Reference 19/00553/LBC

Plan Nos: LBS-00 Rev. A, LBS-01 Rev. A, LBS-02 Rev. A, LBS-03 Rev. A, LBS-04 Rev. A, LBS-05 Rev. A, LBS-06 Rev. A, LBS-07 Rev. A, LBS-08 Rev. A, LBS-09 Rev. A, LBS-10 Rev. A, LBS-11 Rev. E, LBS-100 Rev. A, LBS-101 Rev. A, LBS-102 Rev. A, LBS-103 Rev. A, LBS-104 Rev. A, LBS-105 Rev. A, LBS-106 Rev. A, LBS-107 Rev. A, LBS-108 Rev. A, LBS-109 Rev. A, LBS-110 Rev. A, LBS-111 Rev. A, LBS-150 Rev. A, LBS-151 Rev. A, LBS-152 Rev. A, LBS-153 Rev. A, LBS-200 Rev. A, LBS-201 Rev. A, LBS-202 Rev. A, LBS-203 Rev. A, LBS-204 Rev. A, LBS-205 Rev. A, LBS-206 Rev. A, LBS-207 Rev. A, LBS-208 Rev. A, LBS-209 Rev. A, LBS-210 Rev. A, LBS-317 Rev. A, LBS-800 Rev. A, LBS-801 Rev. A, LBS-98 Rev. A, LBS-99 Rev. A, LBS-SK-37 Rev. A, Proposed reinstatement of stained glass to front door dated 14 June 2017, Daylight and Sunlight Statement dated 27 July 2017 (rs/rOL.17/1) prepared by Dixon Payne, Tree Protection Statement prepared by Challice Consulting Ltd (Ref: CC/1294 AR3732) dated 04 July 2018, Design and Access Statement dated 16 January 2019, Planning and Heritage Statement dated January 2019 and Historic Environment Assessment dated December 2017 prepared by Museum of London Archaeology.

For information purposes: Appendix A - Checklists, 3D Model Images 1-4, Flood Risk Assessment Issue A dated 26/01/18 and Planning Feasibility Report (Incorporating Construction Method Statement) dated 23 January 2019 prepared by Lucking & Clark LLP.

Case Officer: Zulekha Hosenally

Direct Tel.

020 7641 2511

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 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 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)

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

Reason:

To protect the special architectural or historic interest of this 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)

- 4 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 Smith Square 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, the London Plan 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the

Unitary Development Plan, and paragraph 2.3 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. (159AA)

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.