

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 22 March 2022	<b>Classification</b> For General Release	
<b>Report of</b> Director of Place Shaping and Town Planning		<b>Ward(s) involved</b> Abbey Road	
<b>Subject of Report</b>	<b>43 Springfield Road, London, NW8 0QJ</b>		
<b>Proposal</b>	Demolition of the existing dwelling house and erection of a replacement dwelling house (Class C3) comprising basement, ground, first and second floor levels; installation of plant at basement level, new landscaping to front and rear gardens; and associated works.		
<b>Agent</b>	Gerald Eve		
<b>On behalf of</b>	Oleg Pavlov		
<b>Registered Number</b>	21/02583/FULL	<b>Date amended/ completed</b>	21 April 2021
<b>Date Application Received</b>	21 April 2021		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St John's Wood		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

The application site contains a detached house located on the south side of Springfield Road. The building is located within the St John's Wood Conservation Area and is identified within the Conservation Area audit as an unlisted building of merit.

Permission is sought for the demolition of the existing three storey dwellinghouse and erection of a replacement dwellinghouse comprising basement, ground, and two upper floors, installation of plant at basement level, replacement of front boundary wall, new landscaping to front and rear gardens and associated works. There has been some design amendments, omission of plant and structure from rear garden and refinement to the detailed design during the application.

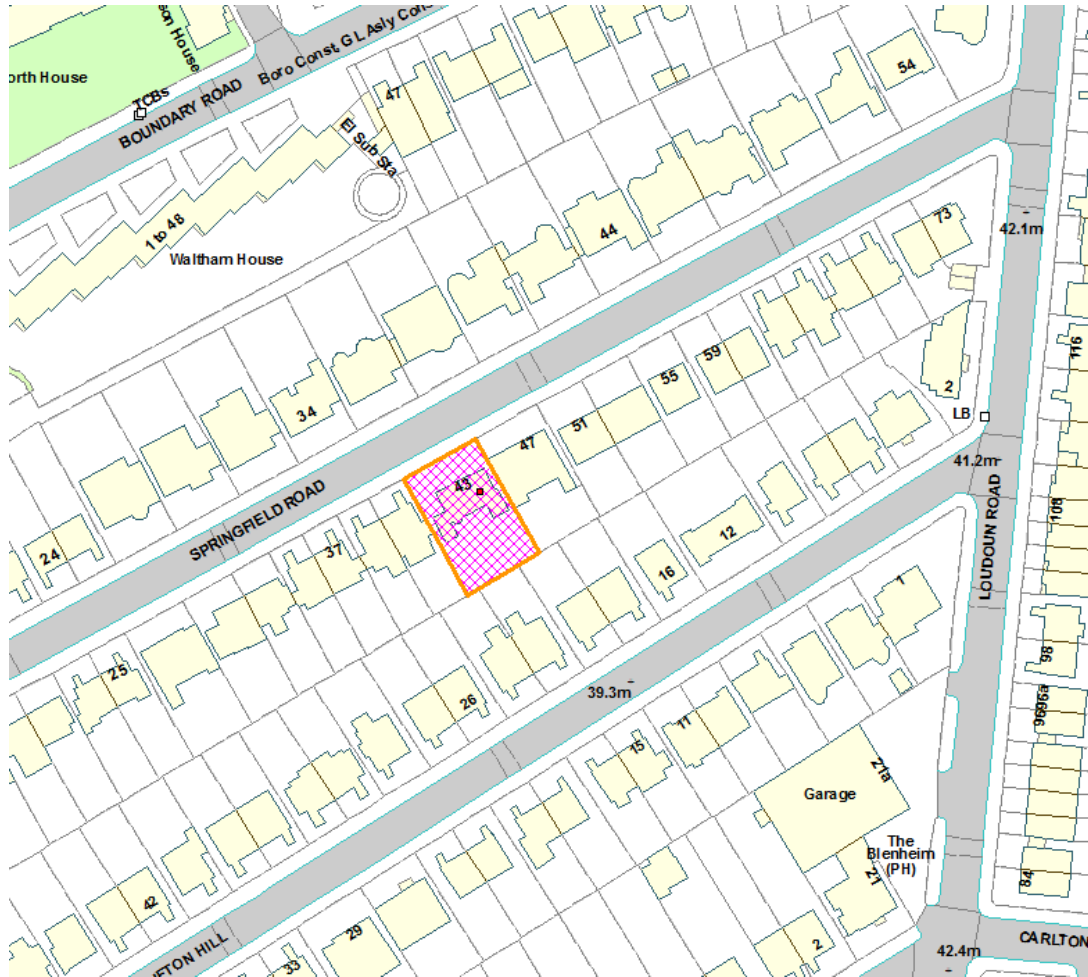
Objections have been received from neighbouring residents on a number of grounds including design, impact on the conservation area, impact on the amenity of neighbours and the impact of excavation works on neighbouring properties and residents.

The key issues in this case are:

- The impact of the demolition of the existing building and the proposed development on the character and appearance of the St John's Wood Conservation Area
- The impact of the development on the amenity of neighbouring residents

Subject to appropriate conditions as set out in the draft decision letter appended to this report, the proposals are considered to comply with the development plan. As such, the application is recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation (No 47 Springfield Road to the left and No 41 Springfield Road to the right)



Rear Elevation

## 5. CONSULTATIONS

### ORIGINAL CONSULTATION

#### ST JOHN'S WOOD SOCIETY:

- Note reduction in bulk to previously consented scheme
- Strong objection to the demolition of an unlisted building of merit
- Positioning of plant is unneighbourly and will result in a harmful impact on amenity

#### HISTORIC ENGLAND:

Not necessary to be notified.

#### WASTE PROJECT OFFICER:

Objection – further details required.

#### HIGHWAYS OFFICER:

Acceptable with conditions.

#### BUILDING CONTROL OFFICER:

Acceptable.

#### ENVIRONMENTAL HEALTH OFFICER:

Following further information, no objection subject to conditions.

#### ARBORICULTURAL OFFICER:

Any response to be reported verbally.

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

No. Consulted: 28; Total No. of replies: 5

Four letters raising objection on all or some of the following grounds:

#### Design

- Demolition of unlisted building of merit and rebuild would not preserve or enhance the conservation area
- Existing building complements and positively reinforces the neo-Georgian character of Springfield Road. Proposed building would be at odds with this character.
- Lack of details in regard to the size, materials and details of the timber building located on the rear boundary wall.
- Overdevelopment of the plot.

#### Amenity

- Noise disturbance from air conditioning equipment
- Loss of privacy/ increased overlooking from additional windows
- Loss of light and overshadowing

#### Basement Excavation

- Detailed Heritage and Structural Reports have been submitted in support of objections raised on behalf of the occupiers of No 47 Springfield Road and Nos.

20 and 22 Clifton Hill (see background papers).

- Not satisfied with the heave analysis, which suggests cross boundary impacts from excavation on listed buildings in Clifton Hill.
- Structural impact on boundary walls and structures has not been submitted and should be provided.
- Ground water falling above the basement should be collected and discharged to the mains sewer in view of existing poor drainage conditions in rear gardens.
- Noise, dust and vibration from basement excavation
- Increase in traffic generation
- Hazardous materials from the use of concrete
- Harm to trees

#### Other Matters

- 2014 granted permission lapsed and therefore current application should not be seen as a revision
- Lack of proposed planting or greenery on the boundary shared with No 20 Clifton Hill

One letter of support received stating the height of the building is less than previously granted scheme and the basement is reduced. Air conditioning units are acceptable. The terrace on the first floor will not cause privacy or overlooking concerns. Once completed it will positively contribute to the streetscape of Springfield Road.

#### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

**RE-CONSULTATION (sent on 12<sup>th</sup> November 2021 due to amended design to front and rear elevations and omission of externally located plant and associated enclosure)**

#### ST JOHN'S WOOD SOCIETY:

- Note reduction in bulk to previously consented scheme
- Strong objection to the demolition of an unlisted building of merit

#### HISTORIC ENGLAND:

Any response to be reported verbally

#### WASTE PROJECT OFFICER:

Objection – further details required.

#### HIGHWAYS OFFICER:

Any response to be reported verbally.

#### BUILDING CONTROL OFFICER:

Any response to be reported verbally.

#### ENVIRONMENTAL HEALTH OFFICER:

No objection subject to conditions.

**ARBORICULTURAL OFFICER:**

Concern regarding the proximity to the front basement to neighbouring false acacia.  
Satisfied that the impact on the oak tree in the rear neighbouring garden is acceptable.  
Conditions recommended to secure tree protection details.

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

No. Consulted: 28; Total No. of replies: 2

One letter raising objection on the following grounds:

**Basement Excavation**

- Submitted Flooding Risk Assessment is out of date and does not take into account recent flooding
- Results in a loss of permeable surfaces compared with the current building
- Risk to heritage buildings has not been adequately assessed

**Other Matters**

- Extension of time requested to enable professional advice being sought

One letter of support received on the current proposal would make a positive contribution to the streetscape compared to the existing house.

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

The application site currently comprises a three storey 1950s dwellinghouse located on the south side of Springfield Road. The building is located within the St John's Wood Conservation Area and is identified within the Conservation Area audit as an unlisted building of merit.

**6.2 Recent Relevant History**

15 November 1951 – Planning permission granted for the erection of a single dwellinghouse on cleared site of Nos 43 and 45 Springfield Road.

10 April 1990 – Planning permission and conservation area consent granted for demolition of the existing garage and erection of new garage and playroom attached to existing house (89/06987/FULL & 90/00115/CAC).

17 October 2014 – Planning permission granted for the demolition of existing dwellinghouse and erection of replacement dwellinghouse (Class C3) comprising basement, lower ground, ground and two upper floors, replacement of front boundary wall, underpinning to side boundary walls, provision of mechanical plant at roof level and new landscaping to front and rear gardens. (14/07083/FULL)

## **7. THE PROPOSAL**

Permission is sought for the demolition of the existing three storey dwellinghouse and erection of a replacement dwellinghouse (Class C3) comprising basement, ground and two upper floors. In association with this, it is proposed to install plant within the rear lightwell at basement level and to replace the existing front boundary walls and provide new landscaping to the front and rear gardens.

The proposal has been amended during the course of the application. As a result, the height and bulk have been reduced and the design has been improved, in order to address urban design and conservation concerns raised by officers and objectors. The air conditioning units and associated structure has been omitted following amenity, design and conservation concerns raised.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The principle of providing residential accommodation on this site, in the form of a replacement dwellinghouse is acceptable in land use terms and accords with Policy 8 in the City Plan. The replacement dwellinghouse would provide a good standard of accommodation that would significantly exceed the minimum standards as set out in Nationally Described Space Standard , as required by policy 12 of the City Plan. Although the proposed dwellinghouse would have a floor area exceeding 200 sqm GIA it replaces an existing dwellinghouse and therefore the size limit within policy 8 (B) is not relevant.

### **8.2 Townscape and Design**

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 66 of the same Act requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 72 of the same Act requires 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."

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design



quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

*Existing Building and Street Scene and Previous Approval:*

When Springfield Road was originally laid out in the mid-19th century it incorporated a series of paired villa buildings (two semi-detached houses comprising a unified villa development) in Italianate classical styling. In the earlier and mid 20th century a number of these including the application building were redeveloped for neo-Georgian style buildings, generally detached. The mid-19th century buildings typically incorporate a raised ground floor and higher floor to ceiling heights, whereas the 20th century neo-Georgian style buildings including the current application site typically incorporate ground floor at ground level and a lower floor to ceiling and overall height. An objector notes the existing building as dating from 1952.

The 2014 approval for the redevelopment of the application site (confirmed as lawfully implemented in 2018) was for a new building generally following the height, massing and design approach of the original mid-19th century buildings in Springfield Road.

The existing building on the application site follows in general terms the prevailing appearance of the group of neo-Georgian buildings in Springfield Road due to its brick facing, pitched roof, massing and proportions, and use of sash windows. The other neo-Georgian buildings in the street however are generally of notably higher architectural quality, and the application building is considered of limited quality and character. Its slightly recessed and apparently original side wing considerably weakens any symmetry or harmony to the front elevation, as does the large ground floor window to the side wing, and the positioning of front dormer windows. The fenestration pattern of the rear elevation is not considered attractive, and the later addition two storey rear extension poorly integrated into the building. It is identified in the St John's Wood Conservation Area Audit as an unlisted building of merit, albeit the Audit also erroneously identifies the building as dating from between 1820 and 1849 and it is uncertain therefore whether the building was assessed correctly in the Audit. Overall, and notwithstanding the reference in the Audit, from a detailed assessment officers consider that the building makes a neutral contribution to this part of the St John's Wood Conservation Area.

The St John's Wood Society note their strong objections to the demolition of the building, and with other objectors also expressing concerns regarding the loss of the building. These points, and the relevant policies, guidance and statutory duties set out above are recognised.

Given the considered limited architectural qualities of the existing building, it is considered that the demolition of the building could be supported subject to a suitable replacement building in architectural and sustainability terms.

*Proposed Building:*

The design approach to the proposed new building has been amended during the course of the application process, including a lowering in height of the building generally and also the garage wing, a reduction in the footprint, the incorporation of an air source heat pump to a rear lightwell and other design refinements to window, doors and the front porch.

The early to mid-20th century buildings in Springfield Road are neo-Georgian in styling and adopt a sheer ground and first floor level with either second floor roof structure incorporating overhanging eaves, or alternatively a mansard to second floor level set back behind a parapet. The building proposed at the application site draws significant design inspiration from the latter, with two floors of sheer brickwork and a tile clad mansard storey set behind a parapet. The building will also incorporate a new basement floor with lightwells and rooflight. The building will generally adopt traditional timber windows, with a classically inspired entrance porch, and in terms of its general styling will integrate appropriately into the Springfield Road townscape.

#### *Height of Building:*

The building proposed incorporates sheer brick clad elevations rising through ground and first floor levels, with tile clad mansard to second floor level. The overall sheer elevation height to parapet level is shown as rising to approximately 7.7m above ground level, with mansard above. The other neo-Georgian buildings in the street incorporating two storeys of sheer elevation rising to parapets have elevation heights strongly consistent at around 7.15m - 7.20m. Seen in this context the overall height of the building is inappropriately large and bulky and out of character with the consistency of this building style in the street. As such, an amending condition is recommended to reduce the height of the building overall by 0.3m, with most of this coming from a reduction in height of the main sheer elevations.

It is recognised that objections have been received expressing concerns about the height of the building proposed, including in views from Clifton Hill between the gaps in the properties. Subject to the amending condition related to the height of the building however the building proposed would be acceptably close in scale to other neo-Georgian buildings in the street, and would be shorter in height both than the Victorian villa buildings remaining and the one which would have originally been present to this site. It is also recognised that a notably higher building has lawfully been commenced on site, as set out in the planning history section of the report. As such, subject to the amending condition, it is not considered in this case that the concerns raised by objectors regarding the height of the building are sustainable in this case.

#### *Footprint of Building:*

To the front elevation the main building line is set slightly forward of the existing. However, this remains behind the front elevation lines of both adjoining buildings and as such the change is considered acceptable. The proposed garage is approximately 4.4m closer to the front of the site than the existing garage, though 0.75m back from the front elevation line of the new building and approximately 1.3m back from the front elevation line of the adjoining building at no. 41 Springfield Road. This more advanced position will make the garage a more visible structure, however it will remain recessed behind the main buildings flanking both sides, and officers are also mindful of the neo-Georgian

styling of the building and the characteristic pattern in the street where such buildings commonly have garages either similarly recessed or in a number of cases advanced beyond front elevations. The garage has been reduced in height through the course of the application process, and in the context of Springfield Road it is considered acceptable.

The side elevation lines closely follow the existing, which is considered acceptable and will help maintain the existing townscape gaps to this part of the townscape.

The rear elevation line extends notably further than existing. However it has been designed to more closely integrate with the footprint of the adjoining 20th century neo-Georgian building at no. 47 Springfield Road. Whilst extending notably larger than the footprint of the mid-19th century no. 41 Springfield Road, neo-Georgian buildings typically have larger footprints than the Victorian villa buildings, and the greater projection is not considered to represent an unacceptable break in the townscape to the rear. Overall, the footprint of the proposed building is considered acceptable.

*Design Approach to Building:*

The front elevation is characterised by a central bay slightly projecting forward of the main front elevation line and containing the entrance porch, with a regular fenestration pattern of sash windows which subtly diminish in height to first floor level as is the traditional pattern in the street. Further detailing is provided by the window arches to ground floor, a brick detail band between ground and first floors, and a subtly projecting brick band above the first floor windows (following a similar historic example found at no. 36 Springfield Road). Whilst the overall impression is of a relatively simply detailed building, nonetheless the neo-Georgian buildings in the street adopt a similar design approach with few decorative flourishes and the design approach proposed is considered appropriate.

The brick detailing above ground and above first floor windows continues around side and rear elevations, with the projecting chimney stacks further enlivening the side elevations.

The rear elevation is more heavily fenestrated. However, larger door openings to rear garden level are not uncommon in the area and the ground floor doors are designed to follow the style of the other windows to the building, which will help integrate them into the overall development. The two storey rear bay is considered well integrated into the building, in contrast to the extension on the existing building.

The use of what appear casement windows to first and second floor levels on the side and rear elevations are not considered appropriate in an area where sash windows are a largely universal window design approach, and an amending condition is therefore included to require a reversion to sashes in place of casements. The window designs have also been amended during the course of the application and, as amended by the condition recommended are considered in line with the character of the street and acceptable in design terms. Whilst the dormer to the side facing west elevation is relatively wide, such wide dormers are not uncommonly found to neo-Georgian buildings in the street and mindful of this and the screening effect of the chimney stack in front this dormer, and the others to second floor level, are considered of appropriate design.

The external manifestations of the basement accommodation represent two lightwells with black metal grilles, and a skylight immediately adjacent to the rear elevation, and given their size and integration into the development they would not unacceptably clutter the building or create inappropriate new structures in the setting of the building and its garden grounds.

The concerns raised by objectors regarding a rear garden structure incorporating air conditioning equipment are noted. However, this structure has since been omitted from the application proposals.

The front boundary wall incorporates two vehicular openings following the existing arrangement, with the remainder a relatively low height brick boundary wall with railings above and planting set in behind. The boundary treatment is not considered of appropriate design as currently shown, and it misses the opportunity to integrate more closely to 20th century precedents in the street, and an acceptable approach for these features will be secured by condition.

To protect the appearance of the conservation area, conditions are recommended to prevent the demolition of the existing building, except as part of a continuous programme of development to deliver the replacement building.

The buildings behind this site fronting onto Clifton Hill are grade 2 listed, and for clarity the development proposals are not considered to adversely affect their setting, nor that of any surrounding non-designated heritage assets/unlisted buildings of merit.

*Design, Conservation and Sustainability Conclusion:*

Mindful of the above, and recognising the limited architectural qualities of the existing building and the merit of the new building proposed, overall, the proposals are considered acceptable in design, conservation and sustainability terms. The recommendation is considered in line with relevant policy, guidance and with the statutory duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **8.3 Residential Amenity**

#### **8.3.1 Sunlight and Daylight**

The applicant has submitted a daylight and sunlight report in support of the proposed development which is supported by an Addendum Report for the amended design. This demonstrates that the proposed building would not result in a material loss of daylight or sunlight to properties on the opposite side of Springfield Road or to the rear of Clifton Hill.

The applicant's daylight and sunlight report identifies that the proposed scheme would result in a material loss of daylight to two of the windows in the side elevations of the neighbouring dwellinghouses at 41 and 47 Springfield Road.

The window at No 41 that would experience a material loss is located at ground floor level in the side elevation in the middle of the elevation. This window serves a staircase between ground and first floor level and as such the window does not serve a habitable room within the neighbouring property and cannot be afforded significant protection in terms of loss of daylight.

It is understood that the affected window at first floor level in the side elevation of No 47 serves as part of the principal bedroom of this property. However, the bedroom as a whole also receives daylight from unaffected windows in an alternative elevation. Given this and as No. 47 is a large dwellinghouse with a significant number of other habitable rooms that would not suffer a material loss of daylight, it is not considered that permission could reasonably be withheld on this ground.

Given its orientation and distance from neighbouring predominantly south facing windows, the proposed development would not result in a material loss of sunlight to any surrounding residential windows.

In summary, despite the material loss of daylight to two neighbouring windows, the proposed development is acceptable in daylight and sunlight terms for reasons set out in this section of the report and would therefore accord with Policies 7 and 33 of the City Plan.

### **8.3.2 Sense of Enclosure**

The proposed building, although larger than existing, would be set back sufficiently from the boundaries of the site so as not to cause a material increase in enclosure to neighbouring windows and gardens. As such, in sense of enclosure terms the scheme would accord with Policies 7 and 33 of the City Plan.

### **8.3.3 Privacy**

The proposed dwellinghouse would increase the number of windows to the front and rear elevations relative to the existing building on this site. However, due to the distance and proximity to neighbouring properties it is considered these windows would not significantly increase overlooking to windows and gardens of neighbouring properties. Therefore, despite the objections raised on overlooking grounds, it is not considered that permission could reasonably be withheld and therefore the proposal would accord with Policies 7 and 33 of the City Plan.

### **8.3.4 Noise Disturbance**

Following the comments of neighbours and Officers, the proposed plant has been relocated from an enclosure in the garden to be sited within the rear lightwell at basement level. The Environmental Health Officer has reviewed the submitted documents and has raised no objection to the proposal, on environmental noise or nuisance grounds subject to the standard Westminster noise conditions and informatives as well as a condition requiring a post commissioning noise survey being carried out and approved to ensure the plant accords with Westminster policies.

### **8.3.5 Excavation of Basement**

Given the subterranean nature of the proposed basement extension and the limited extent of its external manifestations, the development would not result in a significant impact on the amenity of neighbouring residents.

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

The proposed dwellinghouse would have forecourt parking with a garage at ground floor level providing a further parking space. The parking provision is similar to the existing arrangement and therefore considered acceptable.

#### **8.5 Economic Considerations**

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

#### **8.6 Access**

The property is to remain as a single family dwellinghouse. The property will have level access from the front driveway.

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

##### **8.7.1 Refuse /Recycling**

Whilst the Waste Projects officer objects to the proposals as the details of waste storage aren't in line with the council waste storage requirements, it is not considered reasonable to condition further details given the proposal replaces a similarly large dwelling house.

##### **8.7.2 Trees**

The Arboricultural Officer is satisfied that the proposed excavation within the Root Protection Area (RPA) of the Oak Tree in the rear garden of No 41 Springfield Road will not be significantly adversely affected from the basement excavation.

The extent of the basement excavation to the front is the same as granted within the 2014 proposal. However the Arboricultural Officer is concerned by the proximity of the basement excavation to the RPA of the false acacia within the front garden of 41 Springfield Road. This tree was not recorded in the Arboricultural Report submitted within the 2014 application and therefore was not given an assessment previously. The front garden basement excavation requires an incursion of 11% into the RPA which is significant. However the overall reduced size of excavation compared to the fallback position of the granted and implemented scheme of 2014 is welcomed and therefore on balance, it is recommended that a tree protection method statement condition to ensure that trees on and close to the site are appropriately protected throughout construction works.

A further condition is recommended to provide details of hard and soft landscaping in order to improve the appearance of the development and to ensure it contributes to the character and appearance of the conservation area and to biodiversity and the local

environment.

### **8.7.3 Biodiversity**

The application site is within an Area of Wildlife Deficiency. The proposed development includes significant extensions to the rear though these are principally over an existing hard landscaped raised terrace area. In addition, green roofs are proposed to be incorporated at first floor level. The extent of landscaping to the rear garden grounds is shown as being reduced in comparison to the existing. An amending landscaping condition and informative advising that the extent of greenery to the rear garden should be increased from that currently shown is recommended. Subject to this, and the conditions securing these features and amendments, the proposals are considered in line with policies 7 and 34 in the City Plan.

### **8.7.4 Sustainability**

Policy 36(A) of the City Plan states that the City Council expects all development to maximise the use of low carbon energy sources to minimise the effects of climate change. Policy 36(B) states that all development proposals should follow the principles of the Mayor of London's energy hierarchy. Policy 38(D) sets out principles of sustainable design to be incorporated into development.

The submitted Energy and Sustainability Statement states that the proposed new building follows the principles of the Mayor of London's energy hierarchy, and concludes that it would allow for a reduction in energy use of 39.27% over baseline building regulations. This exceeds the targets set in the hierarchy and is in line with policy 36 of the City Plan. The submitted sustainability statement also indicates that the figures given do not include the mechanical ventilation and heat recovery system proposed in association with the basement floor, and it also does not include the sustainability benefits of the solar panels to be secured by condition as the full nature of these is yet to be confirmed as this may depend upon their visual impact on the building, and thus further improvements could be anticipated in the sustainability credentials of the building.

The Construction Sustainability report submitted examined three options with respect to the embodied energy of construction and the resultant CO<sub>2</sub> emissions from the building occupation, namely the refurbishment and upgrading of the existing building, the redevelopment of the site according to the previously approved and commenced scheme, and the current application proposals, all considered over a 60 year life cycle. The report concludes that after approx. 50 years, and therefore within the anticipated life cycle of the building prior to major refurbishment, the total emissions from the proposed scheme will be less than the refurbishment option. It also concludes that the emissions from the proposed scheme are significantly less both initially and over a 60 year period than the previously approved and implemented scheme.

Whilst recognising that a more intensive retrofit of the existing building may allow for greater sustainability credentials of the existing building, it is also recognised that this would not include emissions resulting from an expansion in residential accommodation as is currently proposed. It is also recognised that the scheme currently proposed is a considerable improvement on the lawfully implemented scheme which could be progressed on site.

As such, though recognising the concerns raised by objectors on sustainability grounds, in the circumstances of this case the proposals are considered acceptable.

### **8.8 Westminster City Plan**

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

### **8.9 Neighbourhood Plans**

None relevant.

### **8.10 London Plan**

This application raises no strategic issues.

### **8.11 National Policy/Guidance Considerations**

The City Plan 2019 - 2040 (April 2021) policies referred to in the consideration of this application are considered to be consistent with the NPPF 2021 unless stated otherwise.

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 and demolition work will be approved by a construction contract. The applicant has agreed to the imposition of the condition.

### **8.12 Planning Obligations**

The development would not create more than 1000m<sup>2</sup> of new residential floorspace (dwelling would increase in size by 502m<sup>2</sup> from 272m<sup>2</sup> to 774m<sup>2</sup> GIA) and is therefore of insufficient scale to require the provision of planning obligations.

### **8.13 Environmental Impact Assessment**



The proposed development is of insufficient scale to require the provision of an Environmental Impact Assessment.

## 8.14 Other Issues

### 8.14.1 Basement Excavation

The excavation of basements must be considered against policy 45 of the City Plan.

#### Part A of Policy 45

Part A 1 and 2 of policy 45 requires basement development to safeguard structural stability and be designed and constructed to minimise construction impacts on the surrounding area as well as minimise surface water and sewerage flooding risks. Objections have been received on the grounds of flooding due to the site being located within a Surface Water Flood Risk Hotspot area. Part A 3 and 4 seek that basement development protects heritage assets and conserves the character and appearance of the host building, its setting and the surrounding area.

An objector is concerned with the accuracy of the SMS and considers that there are certain structural and hydrological impacts which have not been taken into account. The City Council's Building Control Officers have reviewed the applicant's Structural Methodology Statement and Flood Risk Assessment and advise that they include an appropriate level of site investigation and structural detail and are therefore acceptable. The City Council wish to make it clear the applicant's reports are not directly being approved, but instead demonstrate there is no impediment foreseeable at this stage that would prevent the creation of a basement in principle. As the relevant reports have been produced by a professional, they carry a duty of care which should be sufficient to demonstrate that the assessment made is accurate.

Objections from neighbours raised concern about the impact of the noise, dust and vibration that would be generated by the construction works. Though impacts generated by construction works are not typically regarded as material planning matters, the applicant has agreed to abide by the City Council's Code of Construction Practice (CoCP). A condition is recommended to secure this. This requires that measures are put in place to mitigate the construction impacts on neighbours.

It was raised in a comment that access to the site will be difficult due to the narrow private road and a request made that the case officer carefully considers the construction management plan in order to protect the amenity of neighbours. Such matters will be considered by Environmental Sciences and Highways team as part of their agreement to Code of Construction Practice.

The applicant has provided a Flood Risk Assessment due to the site being located within a Surface Water Flood Risk Hotspot as required by policy 45 City Plan. Mitigation measures have been incorporated within the design, including the introduction of a Sustainable Urban Drainage System (SuDS) which states that permeable soil and drainage layers will be incorporated within the scheme in the landscaping. The

basement has been set in from the site boundary aid in terms of drainage and will help reduce the surface water runoff, by reducing the speed the water flows. For this reason, these mitigation measures will be secured by condition.

As discussed within the Townscape and Design section above, the proposal is considered acceptable in regard to its impact on heritage assets.

The basement level is to contain a guest bedroom, cinema room, games room, gym, and storage rooms. A noise report has been provided with the application in relation to proposed plant equipment within the basement. Environmental Sciences have assessed this and raise no objections subject to Westminster's standard noise and vibration conditions. A post commissioning report has also been requested to ensure that any associated noise meets their requirements to protect the amenity of neighbouring residents.

#### Part B of Policy 45

The requirements of part B (1) and (2) of policy 45 ensure that basement development does not extend beneath more than 50% of the garden land and leaves a margin of undeveloped garden land around the entire site boundary.

The proposal is to excavate beneath the proposed dwelling house and partially under the driveway to the front and to the rear garden with the introduction of two lightwells. The proposed basement will extend beneath 18% of the garden and therefore does not extend under more than 50% of this garden land and is therefore compliant in this regard. A margin of undeveloped garden land has been retained around the basement under the garden and driveway, in accordance with the policy.

Part B 3 states that basement developments should not comprise of more than one storey beneath the lowest original floor level. In this case, there is no lower ground floor and therefore the proposal to excavate underneath the ground floor and the garden is considered acceptable and in accordance with this part of the policy.

Part B 4 requires a minimum of one metre of soil depth plus 200mm drainage layer to be provided and adequate soil volume over the top cover of the basement. In this instance the proposed extension extends beneath a small part of the rear patio and front garden and does not include the solid and drainage layer. However, these projections are relatively modest (less than 2.0 m from the above ground building) and located beneath areas that would be typically hardstanding and would not include substantial planting. Accordingly, refusal of permission on this basis would not be sustainable.

The requirements of part B 5 of policy 45 are not relevant to the application upon these relating to basements beneath garden land and highways.

In summary of the above, the proposed basement is considered to be fully in accordance with the relevant policy of 45 of the City Plan 2019 – 2040.

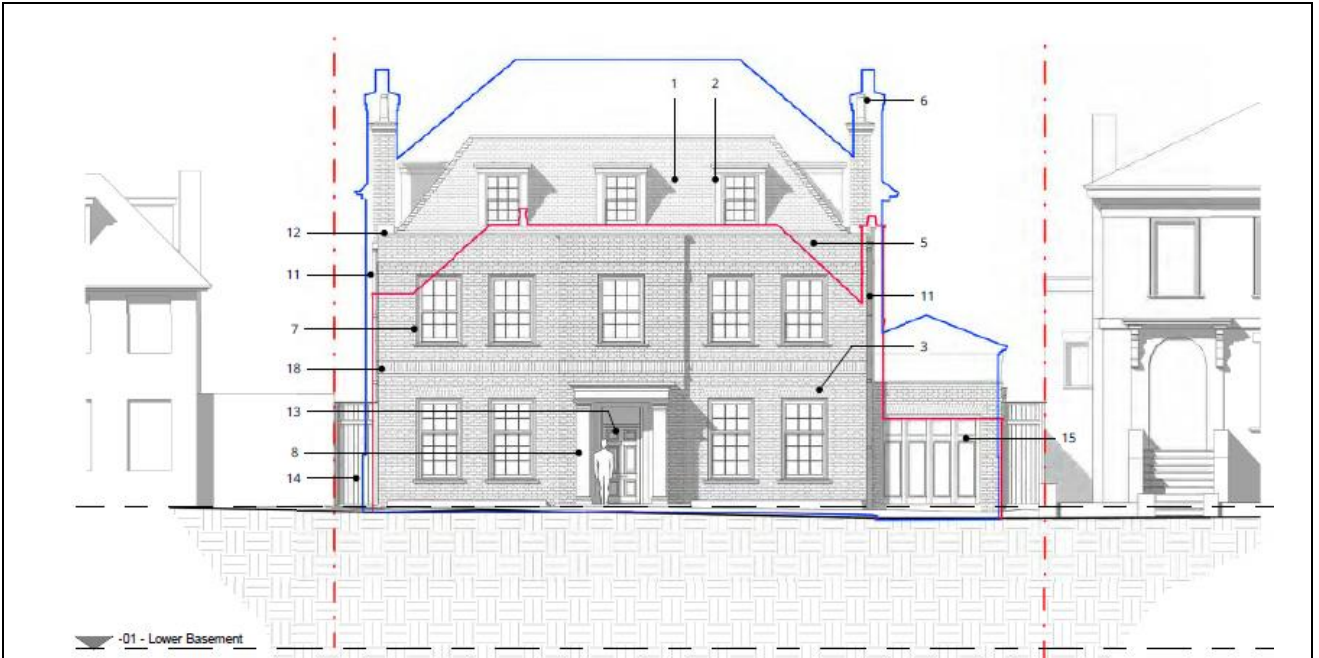
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

Item No.
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<b>4</b>
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IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT <a href="mailto:nbarrett@westminster.gov.uk">nbarrett@westminster.gov.uk</a>
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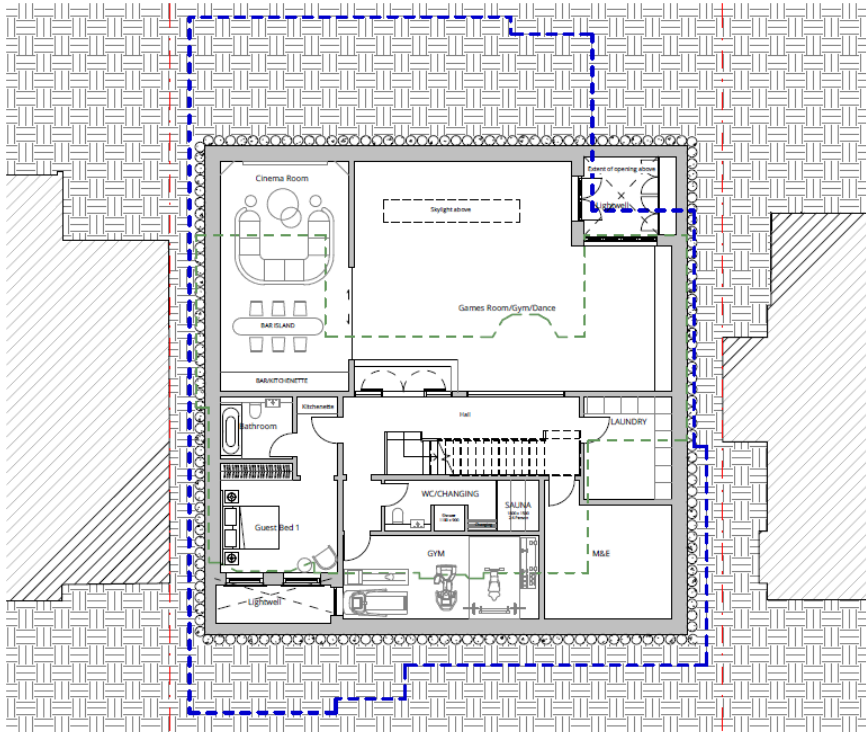
**9. KEY DRAWINGS**



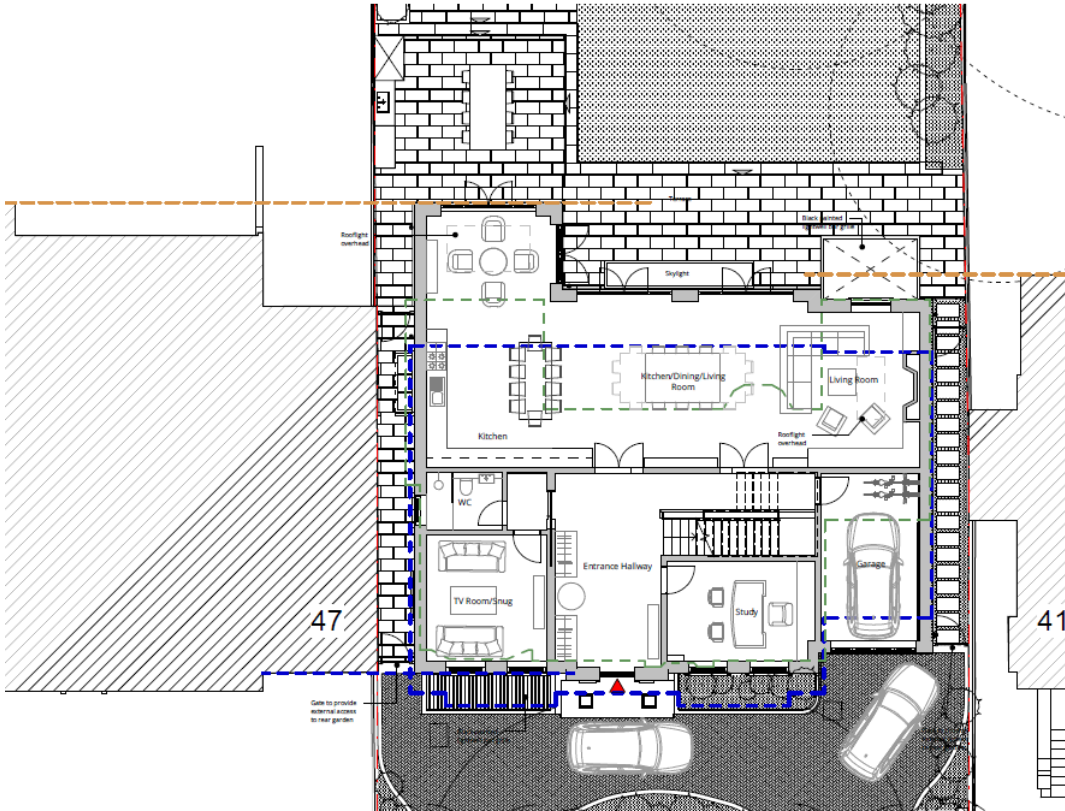
**Proposed Front Elevation (red line shows the existing building, blue line shows the previously consented scheme 14/07083/FULL)**



**Proposed Rear Elevation**



**Proposed Basement Floorplan**



**Proposed Ground Floorplan**

**DRAFT DECISION LETTER**

- Address:** 43 Springfield Road, London, NW8 0QJ
- Proposal:** Demolition of the existing dwelling house and erection of a replacement dwelling house (Class C3) comprising basement, ground, first and second floor levels; installation of plant equipment; new landscaping to front and rear gardens; and associated works.
- Reference:** 21/02583/FULL
- Plan Nos:** Site Location Plan, 002, 010, 011, 012, 013, 020, 021, 022, 023, 024, 030, 031, 032, 033, 100 P2, 200 P3, 201 P4, 202 P3, 203 P3, 204 P3, 220 P3, 221 P3, 222 P4, 223 P3, 224 PL1, 225 P3, 227 P4, 228-1 P4, 228 P4, 231 P2 and Design and Access Statement Rev A.

FOR INFORMATION ONLY: Structural Methodology Statement dated March 2021, Appendix A signed and dated 12 April 2021, Energy and Sustainability Statement dated March 2021, Flood Risk Assessment dated 10 March 2021, Daylight, Sunlight and Overshadowing dated February 2021 and April 2021 and 26 October 2021, Arboricultural Report dated 09 February 2021, Plant Noise Assessment Report dated 02 November 2021, Construction Sustainability Report dated 18 August 2021.

**Case Officer:** Frederica Cooney

**Direct Tel. No.** 07866 037206

**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 neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

**3 Pre Commencement Condition.** 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 the relevant stage of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval through submission of details prior to each stage of commencement. (C11CD)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

**4 Pre Commencement Condition.** You must not start any demolition work on site until we have approved in writing either:

- (a) a construction contract with the builder to complete the redevelopment work for which we have given planning permission, or
- (b) an alternative means of ensuring we are satisfied that demolition on the site will only occur immediately prior to development of the new building.

You must only carry out the demolition and development according to the approved arrangements. (C29AD)

Reason:

To maintain the character of the St John's Wood Conservation Area as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021) and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AD)

- 5 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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 6 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the St John's Wood Conservation Area as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021) and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AD)

- 7 You must apply to us for approval of samples (and in addition photographs of the samples included with the application) of the facing materials you will use, including glazing and including samples of materials proposed for hard landscaping/paving to front and rear gardens, and elevations and plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials.

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 8 You must apply to us for approval of a sample panel of brickwork, built on site and in addition with photographs of the sample included with the application, which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved the sample panel in writing. You must then carry out the work according to the approved sample. The external facing brickwork must be formed in complete bricks, and not brick slips (C27DC)

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 9 Notwithstanding the submitted drawings, you must apply to us for detailed elevation and section drawings of the new windows and external doors (including details of the relationship of windows and doors to the window and door openings, and also details of glazing bars). 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 approved details. (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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 10 Notwithstanding the submitted drawings, you must apply to us for approval of detailed plan, elevation and section drawings of the front boundary wall, railings and gates. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26DB)

Reason:

To 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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 11 The external metalwork shall be formed and/or painted in a black colour at the time of installation and shall be maintained in that colour 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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 12 Notwithstanding the submitted drawings, you must apply to us for approval of detailed plan, elevation and section drawings of the front boundary wall, railings and gates. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26DB)

Reason:

To 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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 13 The external windows and doors shall be formed in glazing and white painted timber framing, with the exception of the front entrance door and front garage door to ground floor level which shall be formed in painted or stained timber framing.

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 14 Notwithstanding the submitted drawings, you must apply to us for approval of detailed drawings showing the following alteration to the scheme:-

Vertically sliding sash windows instead of casement windows to the following locations:-

- Rear elevation at first floor level (lighting rooms 'Bedroom 2' and 'ensuite' (as stated on drawing 2033-PL-202-P3))
- East side elevation at first floor level (lighting room 'Dressing Room' (as stated on drawing 2033-PL-202-P3))
- Staircase windows to west side elevation
- Dormer windows to rear and east side elevation at second floor level

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 15 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

Green roofs above ground floor level

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

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 16 The grilles to the front and rear lightwells shall be installed prior to the occupation of the new building and according to the details secured under condition 17 of this decision, and shall be retained in-situ thereafter, and shall be formed of black coloured metal.

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 17 The sash windows shall operate only in a vertically sliding manner.

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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

- A) Brickwork detailing (including window arches, including the band above the first floor windows, and including chimney stacks, and also including samples of brickwork for each element of the brickwork facing to the building)
- B) Parapet detailing (including to garage)
- C) Front entrance porch (including confirmation and photograph(s) of samples of materials, and confirmation of colour finish)
- D) Details of lightwell grills and surrounding coping (including section drawings showing the relationship of these features to each other, and their relationship to the adjoining garden and building)

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings and details. (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 St John's Wood Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 19 Notwithstanding the details shown on drawing 2033-PL-204-P3 ('Proposed Roof Plan'), the dormer windows to main roof level shall be constructed to the size and to the position relative to the main pitched roof structure as shown to the approved section and elevation drawings.

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 20 Notwithstanding the submitted drawings, you must apply to us for approval of detailed plan and elevation drawings showing a reduction in height of the side gates to ground floor level flanking each side of the building. You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 21 Notwithstanding the submitted drawings, you must apply to us for approval of detailed drawings showing the following alteration to the scheme:-

Building reduced in overall height by a minimum of 0.3m, including a minimum of 0.2m from the sheer elevations at ground and first floor levels

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

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 Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 22 Notwithstanding the submitted drawings, you must apply to us for approval of detailed drawings and manufacturers specification showing the following features:-

- Solar panels incorporated to side and rear flat roofs

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings, and must provide, maintain and retain those energy efficiency measures before you start to use any part of the development.

Reason:

To make sure that the development provides the environmental sustainability features included in your application, and 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 Policies 36, 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 23 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roofs to include construction method, layout, species and maintenance regime, and the relationship of the planting to the solar panels (as secured under condition 21 of this decision).

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 24 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

\* Solar panels (as secured under condition 21 of this decision)

\* Air source heat pump

You must not remove any of these features, without the prior written consent of the Local Planning Authority.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 25 You must not put up an extension or alter the appearance of the building, including the installation of new windows and doors, without our permission. This is despite the provisions of Classes A, B, C and D of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development (England) Order 2015 (or any order that may

replace it).

Reason:

To protect the appearance of the property and the character of the St John's Wood Conservation Area; to prevent an overdevelopment of the site; and to protect the environment of people in neighbouring properties. This is as set out in Policies 7, 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021).

- 26 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 5 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved in writing by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant including a proposed fixed noise level for written approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
  - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
  - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
  - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
  - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
  - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

- (g) The lowest existing LA90 (15 minutes) measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.  
(C46BC)

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46BC)

- 27 You must not operate the plant/ machinery that we have allowed (other than to carry out the survey required by this condition) until you have carried out and sent us a post-commissioning noise survey and we have approved the details of the survey in writing. The post-commissioning noise survey must demonstrate that the plant/ machinery complies with the noise criteria set out in condition(s) 25 of this permission.

Reason:

As set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the draft Environmental Supplementary Planning Document (May 2021), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and by contributing to reducing excessive ambient noise levels. (R51BC)

- 28 You must protect the trees according to the details, proposals, recommendations and supervision schedule set out in Sections 8-10 of your Arboricultural Report dated 9th February 2021 and your drawings 'Tree Retention and Tree Protection Measures (Site Preparation Phase)' and 'Tree Retention and Tree Protection Measures (Construction Phase)'. You must install the tree protective barriers and ground protection and you must carry out the proposed arboricultural supervision, monitoring and reporting in accordance with these details. If you need to revise any of these tree protection provisions, you must apply to us for our approval of the revised details, and you must not carry out work the relevant part of the development until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in Policies 34 and 38 of the City Plan 2019 - 2040 (April 2021).  
(R31AD)

- 29 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 in writing what you have sent us. You must then carry out the landscaping and planting within 1 year of completing the development (or within any other time limit

we agree to in writing).

If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species. (C30CC)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R30CE)

**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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 With regards to condition 10, the expectation is that the windows would be slimline double glazing with glazing bars integral to the construction of the window framing, and not with glazing bars stuck onto the glass. In addition, framing should be slender, and the box frames supporting the sashes should be recessed into reveals set within the depth of the elevations and not projecting out into the window opening.
- 3 With regards to condition 12, you are strongly advised to consider the approach to the front boundary in light of the intact original examples found to other C20th neo-Georgian buildings in Springfield Road
- 4 With regards to condition 19, you are advised that it is an expectation that the height of the gates is reduced to 2.2m, and with an appropriate set back from the front elevation, both to help minimise their visual impact
- 5 With regards to condition 21, you are advised to consider each rear flat roof above ground floor and above first floor levels in terms both of their potential for space to incorporate solar panels, and also in terms of their visibility and impact on the appearance of the building from the use of those locations for solar panels



- 6 With regards to the main brick facing for the building, you are strongly advised to consider the shading of the brickwork facing to other neo-Georgian buildings in the street when considering the choice of bricks to submit for approval under the relevant conditions of this decision letter
- 7 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.
- 8 **HIGHWAYS LICENSING:**  
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 visit our website at [www.westminster.gov.uk/guide-temporary-structures](http://www.westminster.gov.uk/guide-temporary-structures).

**CONSIDERATE CONSTRUCTORS:**

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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).

**BUILDING REGULATIONS:**

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at [www.westminster.gov.uk/contact-us-building-control](http://www.westminster.gov.uk/contact-us-building-control)

- 9 When you apply to us for approval of the details of your hard and soft landscaping scheme you should ensure that:
- a. The hard landscaping is permeable to allow natural drainage.
  - b. The scheme maximises soft landscaping includes structural planting such as appropriate standard trees in the front garden.

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.