

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 1 November 2022	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Abbey Road	
Subject of Report	6A Langford Place, London, NW8 0LL		
Proposal	Demolition of the existing 3-storey dwelling house, erection of a replacement dwelling house with hipped roof over four storeys (plus basement), with front and rear lightwells, alterations to front boundary including installation of vehicular and pedestrian gates, new hard and soft landscaping and all associated works including air source heat pumps.		
Agent	Mr J Daniels		
On behalf of	Mr K Go		
Registered Number	22/01054/FULL	Date amended/ completed	18 February 2022
Date Application Received	18 February 2022		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY & KEY CONSIDERATIONS

The application proposes the demolition of the existing 3-storey dwelling house and the erection of a replacement four storey (plus basement), dwelling house with hipped roof, front and rear lightwells, alterations to front boundary including installation of vehicular and pedestrian gates, new hard and soft landscaping, air source heat pumps.

Objections have been received from 4 residents and the St Johns Wood Society on the grounds of design including the impact on the St Johns Wood Conservation Area and the adjacent listed building, the bulk, height and detailed design of the replacement building and amendments to the

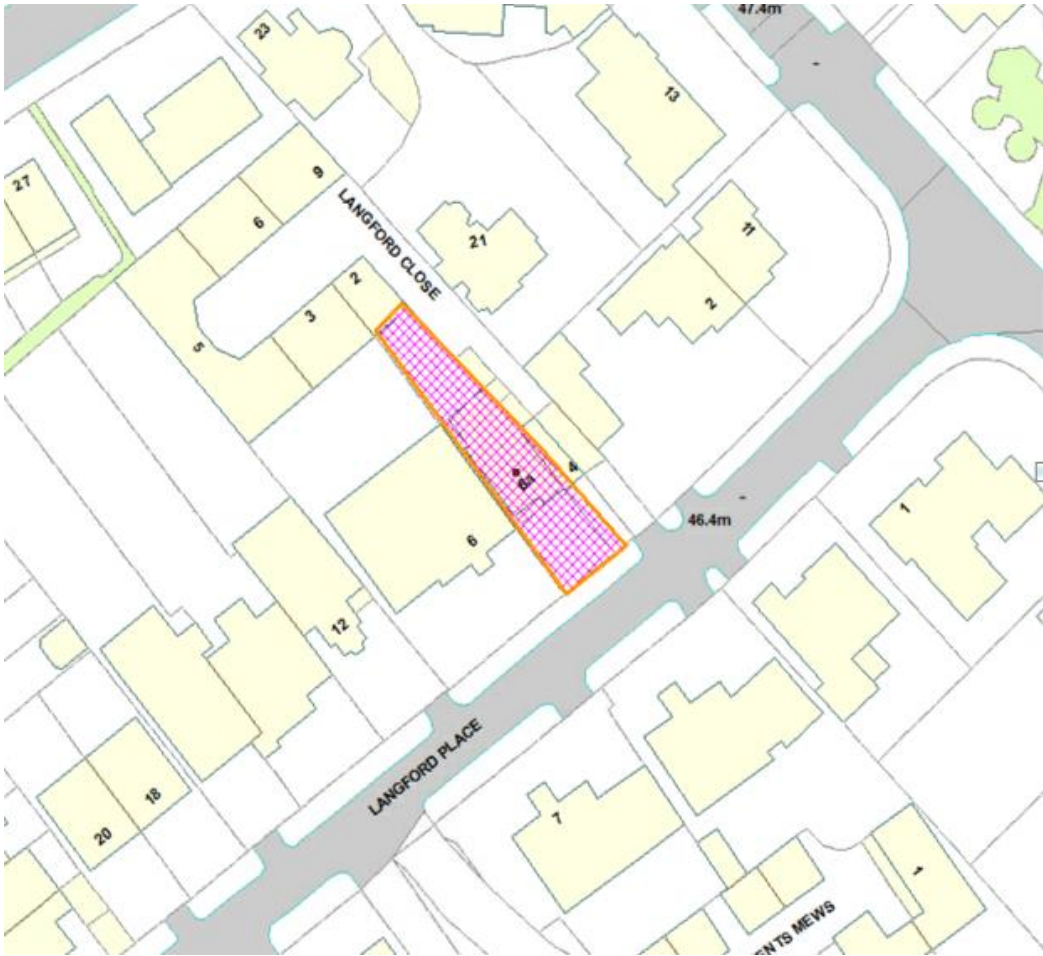
front boundary, the impact on amenity including loss of sunlight/daylight to neighbouring buildings and overlooking and noise and the impact of the basement on trees.

The key considerations in this case are:

- The acceptability of the proposed buildings in design terms.
- The impact of the proposed buildings on the character and appearance of the Conservation Area and the setting of other nearby designated heritage assets, such as the grade II listed buildings adjoining the site.
- The impact on the amenity of neighbouring residential properties.
- The acceptability of the energy performance of the proposed building.

The proposals are not considered harmful to the character and appearance of the property or detrimental to the character and appearance of Bayswater Conservation Area. The application is being recommended for conditional approval as set out on the draft decision letter at the end of this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS

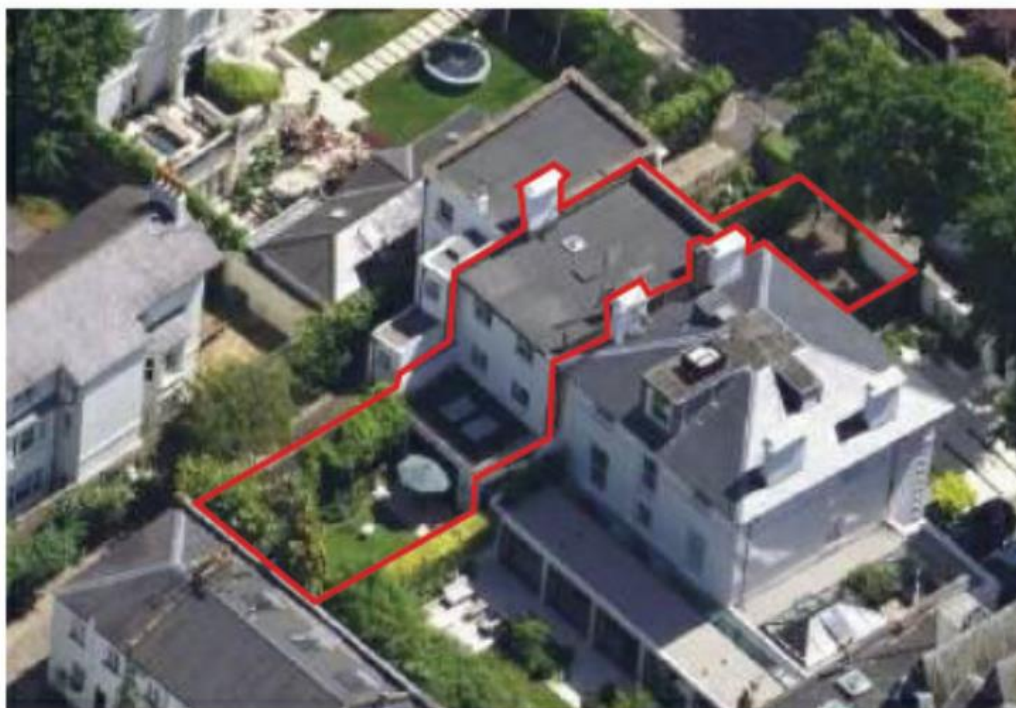
Front Elevation



Rear Elevation (taken from applicants submission)



Aerial Images (taken from applicants submission)



5. CONSULTATIONS

5.1 Application Consultations

WARD COUNCILLORS:

Any response to be reported verbally

ST JOHN'S WOOD SOCIETY:

Objection to the overdevelopment of site and negative impact on Conservation Area. Object to roof which dominates building and has an uncomfortable relationship with adjoining buildings. The proposals have a negative impact on setting of adjacent listed building. The detailed fenestration has poor solid to void relationship. Requests are made for the arboricultural manager to ensure that no trees amenity value is damaged or lost and that a case officer visits property to assess amenity impact.

HISTORIC ENGLAND:

Do not consider necessary to be notified to Historic England

ENVIRONMENTAL SCIENCES:

No objection subject to conditions.

HIGHWAYS PLANNING MANAGER:

Acceptable with conditions

WASTE PROJECT OFFICER:

No objection subject to condition securing waste storage provision according to revised plans.

BUILDING CONTROL:

No objection.

ARBORICULTURAL OFFICER:

No objection subject to tree protection conditions

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 29

Total No. of replies: 4

No. of objections: 4

No. in support: 0

Four objections received on some or all of the following grounds:

Design

- Appearance of the scheme;
- Excessive height of the scheme - out of keeping with neighbouring properties roofline;
- Excessive bulk for site;
- Proposed treatment of front boundary would be detrimental to the character of the conservation area;

- Potential damage to wall of mews to rear;
- Block view of terraces of 5 and 6 Langford Close.

Amenity

- Loss of sunlight/daylight to mews and Langford Close and Langford Place;
- Noise and overlooking to mews from introduction of balcony at first floor level.

Trees

- Impact of basement on existing trees and future planting.

Other

- Concerns regarding structural safety of wall on eastern side of 6A's garden;
- Concerns regarding impact of demolition and basement construction on structure of neighbouring buildings;
- Noise and disturbance of construction works on people working from home.

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

Formal pre-application engagement is not required for a development of this scale although it is encouraged by the City Council for all development. No community engagement was carried out with regards to this proposal however the applicant did engage with officers through its pre-application advice service.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London 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 Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 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.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have

been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

6A Langford Place is a three storey, semi-detached property which is not listed and is located within the St John's Wood Conservation Area. The property is in use a single family dwelling and benefits from large front and rear gardens.

7.2 Recent Relevant History

17/04128/FULL

Demolition of an existing conservatory and shed structure and erection of ground floor rear extension.

Application Permitted 3 July 2017

17/01905/CLOPUD

Erection of ground floor rear extension.

Application Permitted 2 May 2017

8. THE PROPOSAL

The application proposes the demolition of the existing 3-storey dwelling house and the erection of a replacement four storey (plus basement), dwelling house with hipped roof, front and rear lightwells, alterations to front boundary including installation of new vehicular and pedestrian gates, new hard and soft landscaping, air source heat pumps. The new building would be larger than the existing building with 315sqm of floorspace compared with the existing 196sqm. The new building would approximately match the front and rear building line of the neighbouring buildings. With the exception of small projections beyond the building line of the front and rear which accommodate lightwells and walk on rooflights, the basement would largely be within the new ground floor footprint of the new building. The replacement building is of modern, traditionally inspired design with painted stucco and render walls.

Detailed design amendments were made to the application during the course of consideration including alterations to the front boundary involving a more traditional visually permeable vehicular gate and removal of bin storage access gate and the addition of a sill to the base of the ground floor windows.

9. DETAILED CONSIDERATIONS

9.1 Land Use

The existing building is 196sqm and the proposed replacement building would be 315sqm. Although this is in excess of the 200sqm floorspace limit for new houses in Policy 8 of the City Plan the supporting text of that policy states that the limit will not apply to the replacement of a single dwelling and therefore the proposal would be

acceptable in land use terms.

It is not considered that this proposal represents an over development of the site, as this is a large plot and a proportion of the new space is being created at basement level. Therefore, the objection raised by the St John's Wood Society cannot be supported in this instance.

9.2 Environment & Sustainability

Sustainable Design

The scheme demonstrates compliance with Policy 38 (Parts D, E and F), as it goes beyond the energy performance minimum standard requirements for a single-family dwelling.

Further justification for demolition was sought and the applicant has demonstrated that options for retrofit were explored, and it was technically not feasible to retain the façade or the structure. The reasons were that the existing façade is underperforming and will not meet the aspirational energy targets and the existing structure cannot incorporate Air-Source Heat Pump technology.

The proposed concrete frame has incorporated underfloor heating connected to the air source heat pump, which would work in reverse for cooling in the summer.

Energy Performance

Policy 36 of the City Plan states that the council will promote zero carbon development and expects "all development to reduce on-site energy demand and maximise the use of low carbon energy sources to minimise the effects of climate change". It goes on to state "all development proposals should follow the principles of the Mayor of London's energy hierarchy. Developments should be designed in accordance with the Mayor of London's heating hierarchy".

The applicant has shown excellence in design proposal in relation to the energy strategy for the scheme. The proposed u-values align with industry best practice benchmarks, and the Energy Use Intensity is expected to exceed the benchmarks.

The proposal followed the GLA energy hierarchy and has designed out any gas provision. The carbon savings are provided in the table below.

Table: Regulated carbon dioxide savings from each stage of the energy hierarchy.

	Regulated Carbon Dioxide Savings	
	Tonnes CO2 per Annum	%
Be Lean: Savings from energy demand reduction	1.1	27
Be Clean: Savings from heat network	0.0	0

Be Green: Savings from renewable energy	1.3	34
Cumulative on-site savings	2.4	62

Whole life carbon

The proposed scheme is a single dwelling, therefore a Whole Life Carbon Assessment is not required. The applicant has however provided information on the structural considerations for the scheme, and why a timber frame was considered, but not adopted. The applicant has also provided justification that rammed earth construction is not suitable for a building of these proportions and would likely result in a higher embodied carbon value if suitably stabilised with cement.

Circular Economy

Policy 37C states that developers are required to demonstrate the recycling, re-use and responsible disposal of construction, demolition and excavation waste. The applicant has confirmed that material re-use will be considered once a demolition contractor is appointed. The scheme is not major application, therefore the applicant is not obliged to comply with the Circular Economy policies, however the applicant has confirmed that they would seek the advice of the demolition contractor to reduce waste of construction materials.

Flood Risk & Sustainable Drainage

The site is not located within a Surface Water flood Risk Hotspot or within Flood Zones 2 or 3. Most of the proposed basement would be located under the ground floor of the building with only small projections at the front and rear going beyond this footprint. These areas would largely accommodate lightwells/rooflights for the basement. It is not considered that there will be any significant impact on surface water flooding as a result of the development, however permeable paving is proposed for the areas for parking in the front garden and the rear garden leaves substantial areas of soft/landscaping and planting. The detailed landscaping scheme is recommended to be secured by condition.

Light Pollution

The proposed rooflights to the rear extension and the basement are relatively modestly sized and are not considered likely to result in any significant increase in light pollution.

Land Contamination

The site has been in residential use for some time and there is not considered to be any significant risk of land contamination.

Environment & Sustainability Summary

For a development of this size and nature it is considered that the proposal meets the

City Council's environmental and sustainability policies. The demolition of the existing building has been justified in this instance.

9.3 Biodiversity & Greening

Policy 34B of the City Plan requires that "developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme.

A green roof has been proposed above the ground floor rear extension and it is recommended that the details of this are secured by condition to ensure that it provides good biodiversity properties.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

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 ('the LBCA Act') 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 LBCA 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 LBCA 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.*"

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

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.

Design

Objections have been received on design grounds, including the appearance of the replacement building, its excessive height and bulk and the proposed treatment of front boundary.

The existing building on the site is of no real architectural or historic significance, nor does it contribute more than neutrally to the character or appearance of the St John's Wood Conservation Area within which it sits. The submitted heritage statement informs this in demonstrating that it is of relatively recent, post-war date, before which the plot was occupied by a side-wing to no.6 next door. The SJCA Audit incorrectly notes the age of the building, although it must of course be recognised that this is not meant as a comprehensive survey of every building. The Audit does more correctly recognise it as a neutral building, rather than an unlisted building of merit or as a negative building.

The principle of replacing the building is considered to be considered compliant with the council's conservation and design policies and guidance, subject to the comparative architectural merits of its replacement.

The application proposes to replace the existing dwelling with a new three-storeys plus mansard dwelling of similar overall size and form, but to a modern but traditionally-inspired design and including a basement beneath and new boundary treatments to the front, and new hard and soft-landscaping to the front and rear.

The above-ground footprint of the building would remain as existing, with the ground floor aligned with the wall lines of the adjacent two properties (nos. 4 and 6 Langford Place). To the front, the upper first and second floors would be set back from the ground floor such that they would sit back from the established frontages of no's 4 and 6 and forming a shallow first-floor balcony with simple metal railings. To the rear, as existing the proposed new building would feature a projecting ground floor, with the upper floor elevations in line with those of the adjacent properties.

The design of the proposed new building is considered to be a positive interpretation of the traditional form of typical medium-sized townhouses in the area, whilst avoiding being a traditional pastiche. It's painted stucco and render walls would be quite plainly styled, but with a strong cornice at main parapet level, and a clearly defined front and rear base in the form of the ground floor projections. The proportions of each floor diminishing upwards provides clear hierarchy from ground to top and avoids the lack of presence and ambiguity seen with the existing building. Revised during the course of the application to reduce the size of ground floor openings, it is now considered to be a well-proportioned, simple but high quality addition to the street.

The proposed inclusion of a mansard 3rd floor level would be an increase over the existing house which terminates at second floor. The architectural parapet top of the new house would be slightly higher than the equivalent parapet of the existing house and from the street would largely conceal visibility of the mansard, as shown by the submitted visuals. To the rear the mansard would be more visible due to the inclusion of a single dormer window to the rear, but again this would be quite recessive when seen from most reasonable vantage points.

The provision of a basement beneath the building and part of the front apron of the property would not have a harmful impact on the conservation area due to the absence of any real external manifestation. The associated lightwell is consistent in size and design to those seen widely in the area and city as a whole, and does not in itself represent an exposure of the basement development in visual terms. The lightwell's openness (rather than its enclosure with a glazed roof) is welcomed. The proposed rear walk-on rooflights and grill-covered lightwell would be positioned up against the footprint of the house, so reducing their intrusion into the landscape qualities of the rear garden and are suitably sized to the surrounding patio area.

To the front of the property it is proposed to replace the existing boundary walls with new rendered walls punctuated by a new metal vehicular gate and a separate timber pedestrian gate. Behind the new wall would be a low bin and garden store, and a paved area for car parking, surrounded by low-level planting. This proposal was revised during the course of the application to sit more comfortably alongside the established pattern of traditional boundary walls and gates on this road within the conservation area. The design now submitted is considered to represent some improvement upon the existing.

To the rear, the garden is proposed to be landscaped without substantive changes to ground levels but replacing the boundary to one side (with no.6) with a new brick-clad wall. A new condenser unit would be housed within an acoustic enclosure, the appearance of which can be conditioned.

The proposed new house and associated proposals would represent some improvement overall from the existing house in terms of its impact on the local townscape and conservation area. It is considered to be a notably better design than the existing, and this in combination with a restrained design of mansard roof, enables the proposal to mitigate for the slight increases to height proposed from the existing. It is considered that the proposals are of a high quality of individual design which would contribute positively to the character and appearance of the conservation area.

As such, the proposal is considered acceptable, mindful of policies 38, 39 and 40 of the Westminster City Plan 2019-2040; and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9.5 Residential Amenity

Policy 7 of the City Plan seeks to protect surrounding residences from unacceptable loss of daylight/ sunlight, sense of enclosure, loss of privacy and noise. Policy 38C of the City Plan requires that all development, introduces measures that reduce the opportunity for crime and anti-social behaviour, promoting health, well-being and active lifestyles through design and ensuring a good standard of amenity for new and existing occupiers.

Objections have been received on amenity grounds, specifically the loss of sunlight/daylight to Langford Close and Langford Place and noise and overlooking to mews from introduction of balcony at first floor level.

Daylight & Sunlight and sense of enclosure

The front elevation of the proposed building would remain set back from the building line of the two neighbouring buildings. The ground floor rear extension would be located behind the ground floor rear extensions of the neighbouring buildings and the rear building line at first to second floor levels would remain approximately as existing and within the rear building line of the neighbouring properties. Although at rear second floor level the proposed rear elevation would be slightly higher than existing and project above the adjacent rear extension of No 4 Langford Place this would be minor, and no windows would be significantly impacted in terms of loss of sunlight and daylight or sense of enclosure. Due to its set back from the parapet and the pitched roof the proposed mansard storey is not considered to result in any loss of light or sense of enclosure to surrounding properties.

There is a window in the side elevation of 6 Langford Place at second floor level which serves an ensuite within that property, however it is not considered that the minor increase in height to the side elevation of 6A and the set back pitched loft floor would have any noticeable effect on daylight reaching the window or result in any increased sense of enclosure.

Privacy

The proposed windows at first and second floor level would be in a similar position to the existing windows and the proposed loft level dormer windows to front and back would be set back behind the building's parapet. It is not considered that the proposal would result in any significant increase in overlooking. The only balcony proposed is to the front elevation which reflects the existing balcony at this level and which does not project beyond the building line of the neighbouring properties. It is however recommended that a condition is attached to any permission ensuring that the roof of the rear ground floor extension is not used as a terrace to prevent potential overlooking. It is also recommended that a condition is attached requiring that the proposed side window at second floor level and to the side dormers at roof level are obscure glazed and fixed shut. The applicant has requested that the condition regarding the side roof dormers is adapted to allow the flexibility for either a fixed shut and obscure glazed window or an alternative design of window to be applied for.

Noise & Vibration

Two air source heat pump units inside a plant room at basement level at the front of the property and an air condenser unit in the rear property garden are proposed as part of the application. A Noise Impact Assessment Report, and Planning Compliance Report have been submitted with the application and assessed by the City Council's Environmental Health officer who has no objection subject to the imposition of standard noise conditions including the installation of noise mitigation measures.

9.6 Transportation, Accessibility & Servicing

The City Council's Highways Planning Manager has assessed the proposals and has no objection subject to the imposition of conditions requiring, details of 2 cycle parking spaces, that car parking retained for residential occupier use only and for no other

purpose for the life of the development and details of an electric vehicle charging point. It is recommended that these conditions be attached to any planning permission.

9.7 Economy including Employment & Skills

It is recognised that the proposal will create jobs during the construction period.

9.8 Other Considerations

Basement

The application involves the creation of a single storey basement level. City Plan Policy 45 relates to basement developments.

Part A. 1-4

These parts of the policy relate to structural stability; surface water and sewerage flooding; minimising the impact at construction and occupation stages; protecting heritage assets and conserving the appearance of the of the appearance of the existing building, garden setting and the surrounding area.

The applicant has provided a Construction Method Statement prepared by an appropriately qualified structural engineer.

This document has been reviewed by Building Control who advise that the submitted Structural Method Statement is appropriate and that the site investigation shows flood risk is minimal. A movement assessment anticipates the structural impact and movements on the adjacent buildings to be minimal. The scheme is justified structurally and the proposal is considered to be viable and from the preliminary structural information provided at this stage. The site is not within a surface flooding hotspot.

The purpose of the structural methodology report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the 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. Therefore, 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 draft decision letter.

Objections have been received regarding the structural safety of wall on eastern side of 6A's garden and regarding the impact of demolition and basement construction on structure of neighbouring buildings. It is considered that the applicant has demonstrated sufficiently at this stage that the works can be carried out without structural harm to neighbouring properties.

An objection has been received on the grounds of noise and disturbance as a result of

construction works especially on people working from home. The City Council has adopted its Code of Construction Practice (CoCP). The applicant has submitted an agreed Appendix A for the CoCP and it is recommended that a condition is attached to any permission requiring that the construction method is agree with Environmental Services prior to commencement. It is considered that this is the best method to address potential construction disturbance for neighbouring properties.

Part B 1-5

These parts of the policy relate to the extent and depth of basements. This includes limiting the extent and depth of basement developments so to reduce both the risks associated with basement development and to mitigate any negative environmental and amenity impacts. Basement developments are typically (unless exceptions apply) limited to a single storey and must not extend more than 50% of the garden land. Where basements shall not reside directly underneath the building footprint, a minimum of one metre of soil depth (plus minimum 200mm drainage layer) and adequate overall soil volume above the top cover of the basement must be provided. In addition, a margin of undeveloped land should be left, proportionate to the scale of the development and the size of the garden, around the entire site boundary.

The basement would largely be beneath the footprint of the property and would not extend beneath more than 50% of garden land. A margin of undeveloped land would be retained around the basement wherever it is not situated directly under the footprint of the building or where the lightwells are situated. There would be a small area of the basement adjacent to the front lightwell that would not comply with the soil depth requirement however due to its minimal size (approximately 2sqm), the impracticality of providing soil depth for this small section and the fact that it provides the pathway to the front door where there would be no scope to provide landscaping in any case the proposed basement is considered to be acceptable in this particular case. There would also be no margin of undeveloped land adjacent to No.4, however this is where the proposed open lightwells are situated rather than being part of the enclosed basement and due to this and the small size of these areas (each being less than 2m), it is also regarded as acceptable.

The basement would be a single storey however at 2.9 m floor it would have a slightly higher floor to ceiling height than the 2.7m referenced in the City Plan basement policy supporting text. The floor to ceiling height in the City Plan however is stated as an approximate figure and it is considered that 0.2 meters over that is an acceptable range. The proposed pool also means the depth of excavation goes significantly beyond this for the part of the basement accommodating the swimming pool. It is accepted that to accommodate a swimming pool excavation depths would need to go beyond the standard floor to ceiling depths and in this case on balance this additional depth is considered acceptable. The proposals do not excessively exceed the the policy boundaries in terms of the extent of the basement, is largely being limited to the area under the footprint of the building and not extending under the garden area and the basement is therefore considered to be acceptable under City Plan Policy 45.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

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

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.

10. Conclusion

The proposal is considered acceptable in design terms, mindful of policies 38, 39, 40 of the Westminster City Plan 2019-2040 (April 2021) with limited impact to the character and appearance of the building and no significant harm to the character and appearance of the St Johns Wood Conservation Area a designated heritage asset. The proposal would also be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Whilst recognising the concerns raised by the objectors, the proposal is considered acceptable in design, conservation, sustainability and amenity terms.

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk

11. KEY DRAWINGS



Existing front elevation



Proposed Front elevation



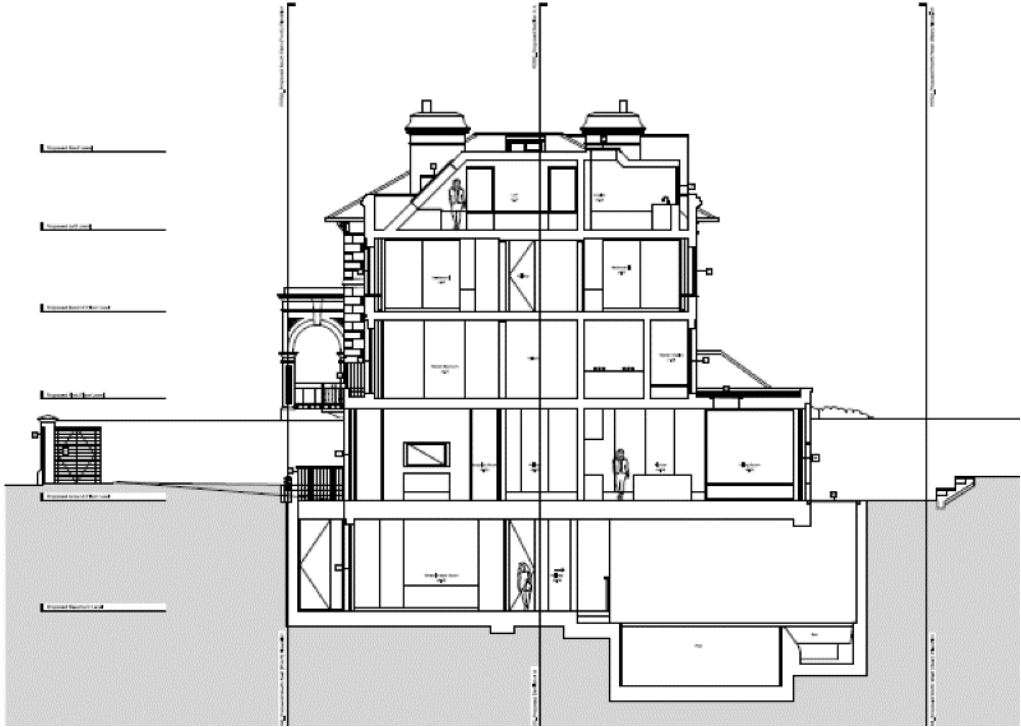
Existing Rear elevation



Proposed rear Elevation

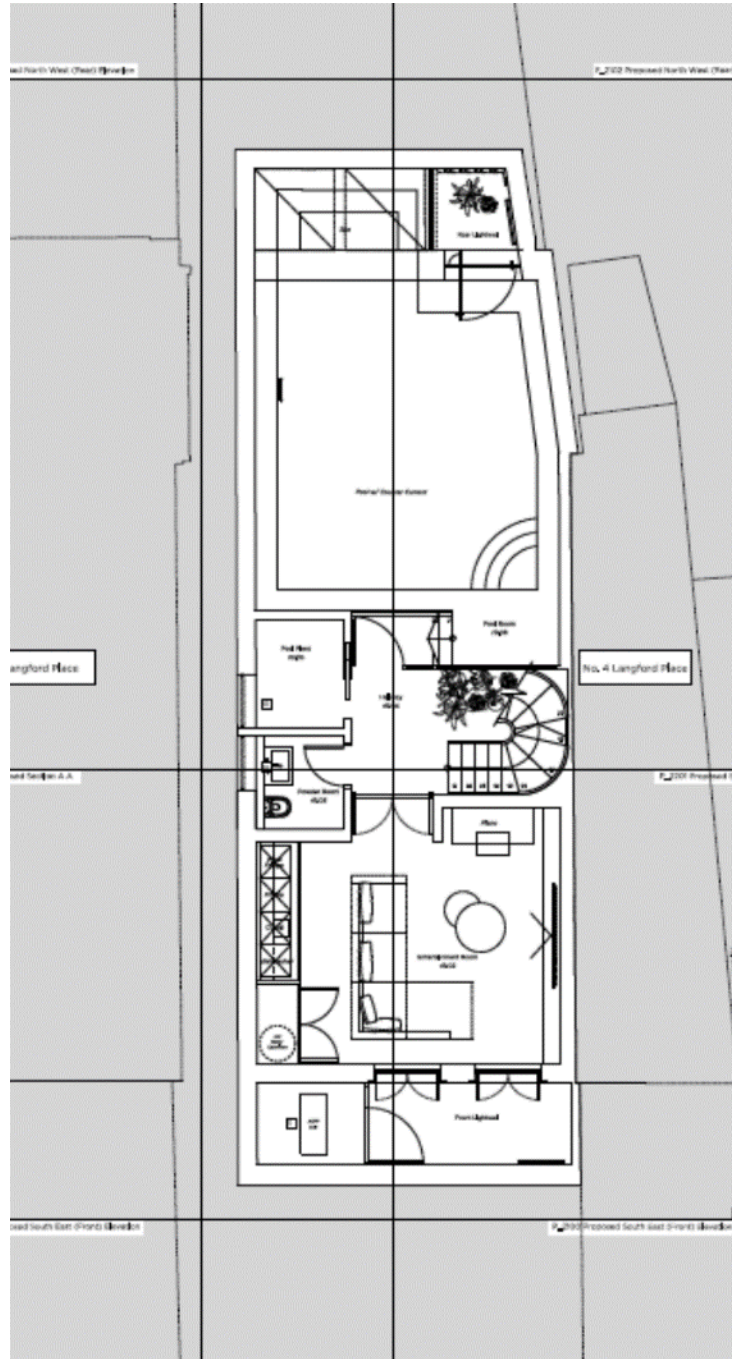


Existing Section

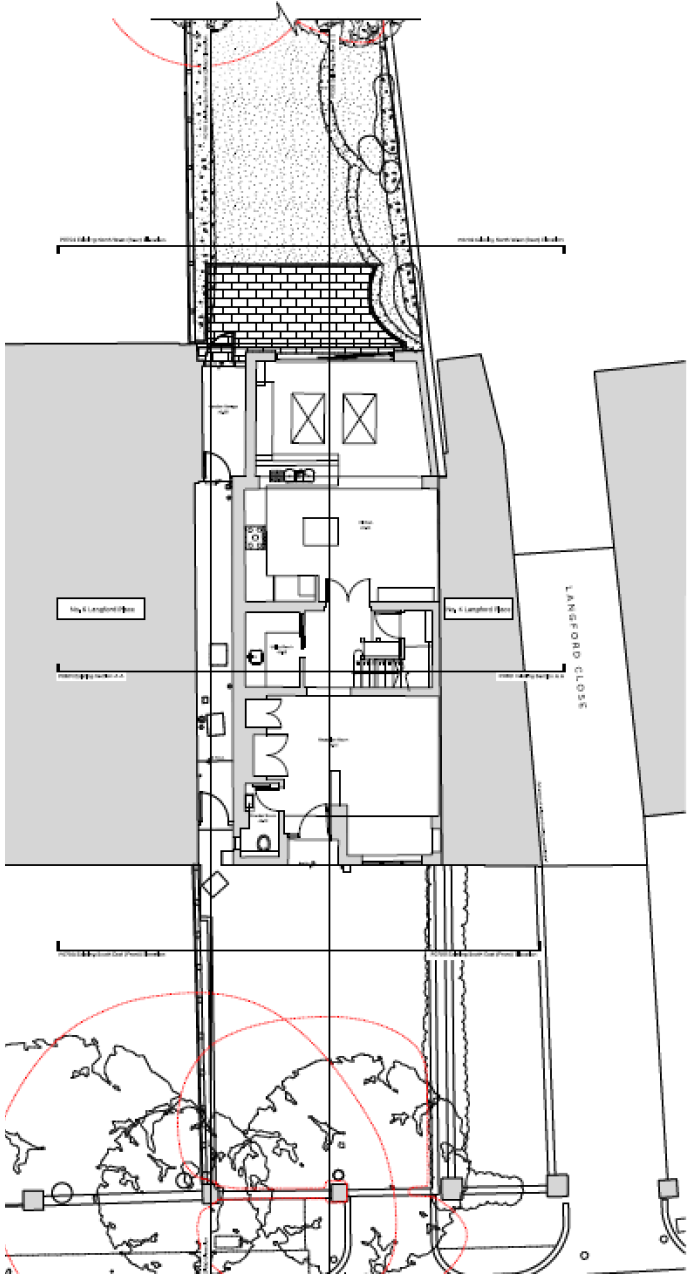


Proposed Section

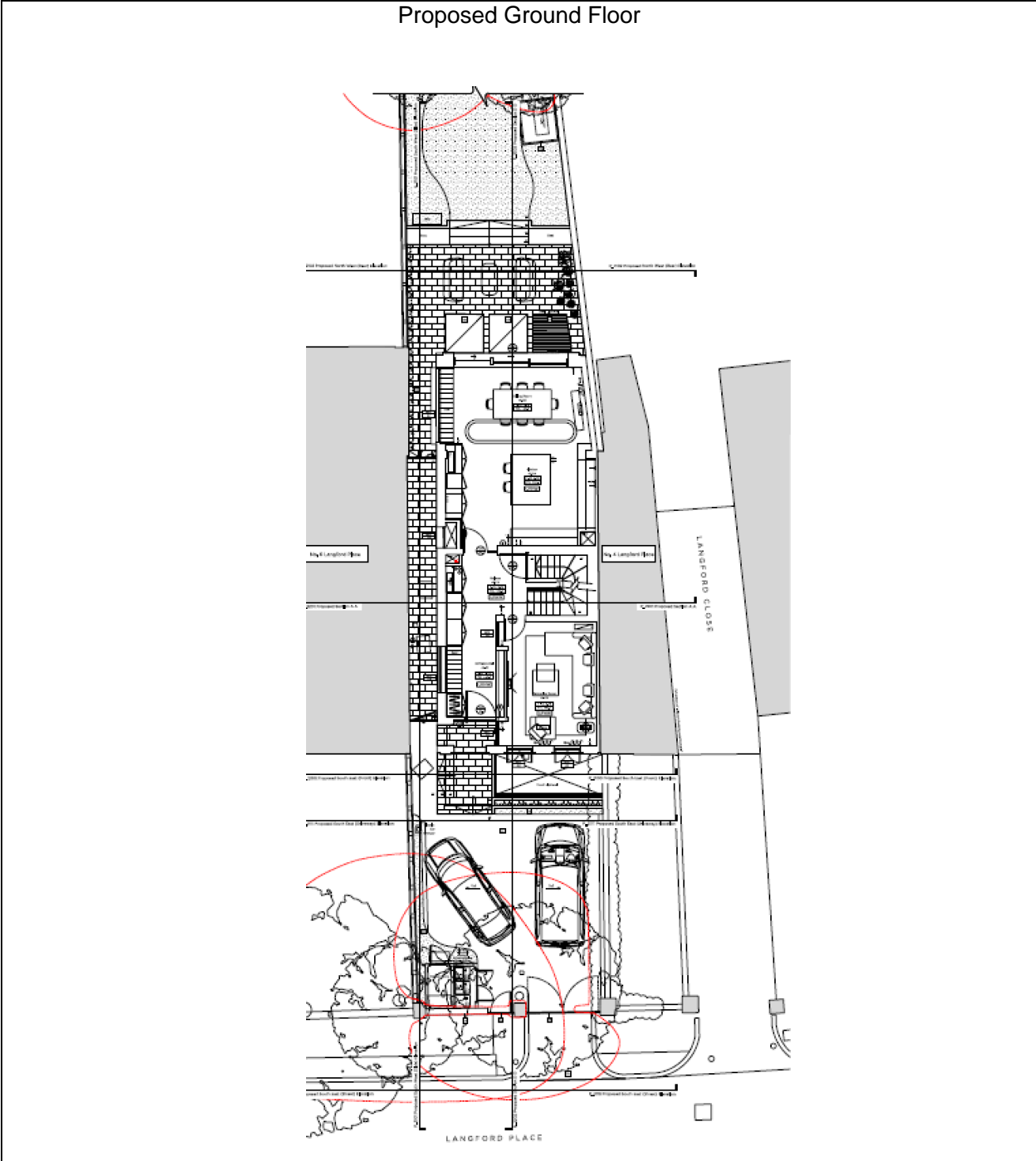
Proposed basement



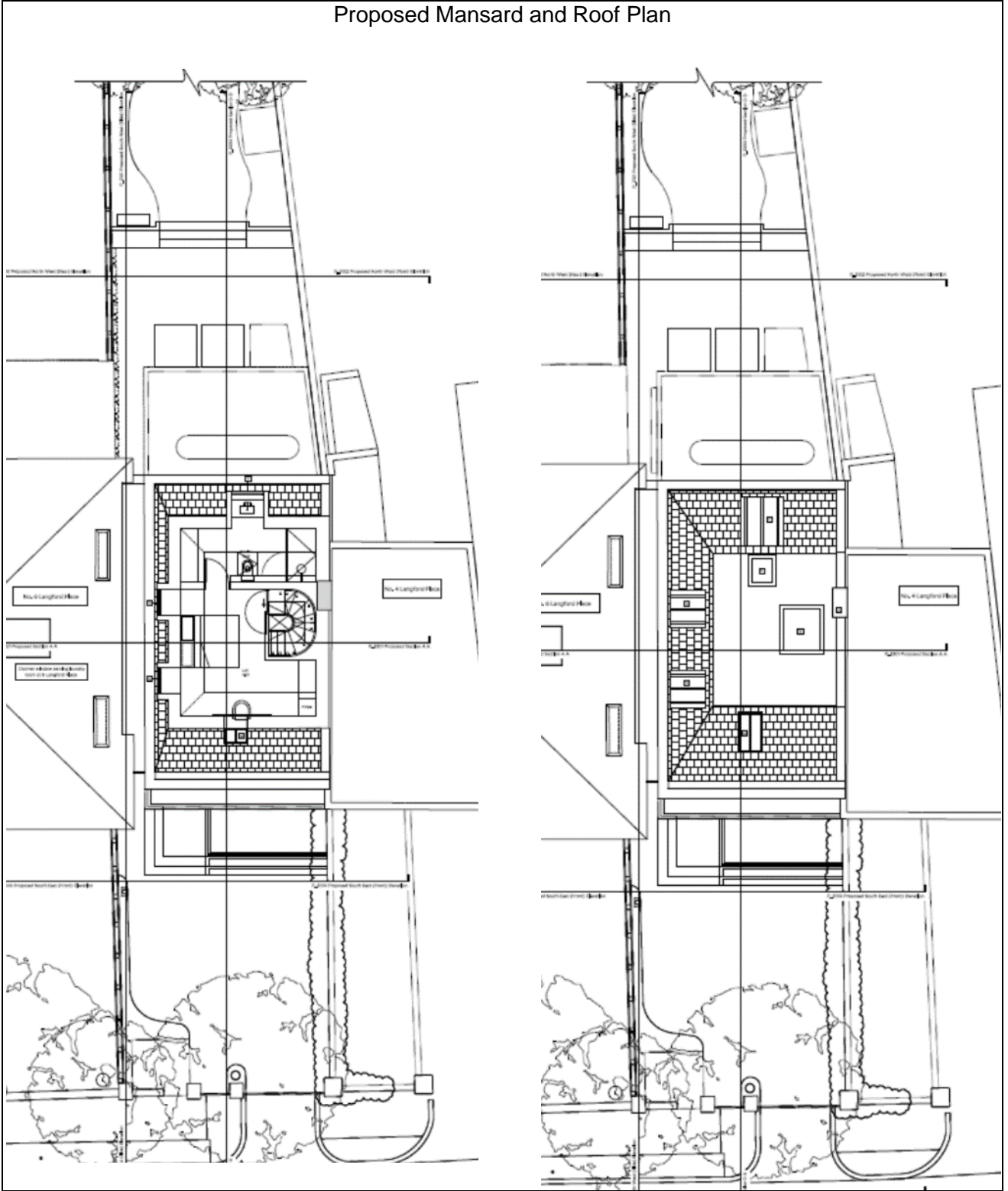
Proposed lower ground floor



Proposed Ground Floor



Proposed Mansard and Roof Plan



DRAFT DECISION LETTER

Address: 6A Langford Place, London, NW8 0LL,

Proposal: Demolition of the existing 3-storey dwelling house, erection of a replacement dwelling house with hipped roof over four storeys (plus basement), with front and rear lightwells, alterations to front boundary including installation of vehicular and pedestrian gates, new hard and soft landscaping and all associated works including air source heat pumps.

Plan Nos: Site location PlaP0200; P0290; P0600; P0601; P0602; P0603; P0700; P0701; P0702; P0710; P0801; P0802; P0300; P1000; P1001; P1002; P1003; P1100; P1101; P1102; P1110; P1201:P1202; P0310A; P1999; P2000C; P2001; P2002; P2003; P2004; P2100B; P2101RevA; P2102; P2110B: P2111A; P2201; P2202; P3500A; Highways Technical Note; Planning Statement; Energy and Sustainability Statement; Basement Impact Assessment; Design and Access Statement; Structural Method Statement (for information only); Noise planning compliance report; Noise Impact Assessment; Tree Survey and Impact Assessment; Heritage Statement;

Case Officer: Richard Langston

Direct Tel. No. 07866036470

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

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

Reason:

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

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

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

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

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

Reason:

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

- 3 You must apply to us for approval of further information about the following parts of the development:
- (a). Windows, doors, dormers and rooflights (detailed elevations and sections at 1:10, plus product specifications where applicable);
 - (b). New front boundary gates (detailed elevations and sections at 1:10);
 - (c). The appearance of the condenser acoustic enclosure (detailed elevations and sections at 1:20).

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

- 4 You must apply to us for approval of a detailed written and photographic schedule / specification of the facing, roofing and hard-surfacing materials you propose to use, with annotated versions of the approved plans and elevations to show the usage of each of the proposed materials. You must not start work on the relevant parts 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. (C26BD)

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)

- 5 You must apply to us for approval of detailed drawings of a landscaping scheme which includes the surfacing of any part of the site not covered by buildings. 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 according to these approved drawings within 1 year of completing the development (or within any other time limit we agree to in writing). (C30AC)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the 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)

- 6 You must protect the trees according to the details, proposals, recommendations and supervision schedule set out in the arboricultural report ref: S665-J1-IA-1 by John Cromar's Arboricultural Company Ltd You must undertake the special methods of working and arboricultural supervision according to 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 protect the trees and the character and appearance of this part of the St Johns Wood Conservation Area. This is as set out in Policies 34, 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R31DD)

- 7 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved 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 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved 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 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;

(i) The proposed maximum noise level to be emitted by the plant and equipment. (C46AC)

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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. 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. (R46AC)

- 8 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.2m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property. (C48AB)

Reason:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 9 The noise mitigation measures specified in Section 6 of the submitted Planning Compliance Report must be installed prior to the operation of the plant hereby approved.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), 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. 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. (R46AC)

- 10 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number P2000RevC prior to occupation and thereafter you must permanently retain them for the storage of waste and recycling. You must clearly mark them and make them available at all times to everyone using the property. (C14FC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 11 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 Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

12 **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)

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

Reason:

In the interests of public safety and to avoid blocking the road as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24AD)

14 You must apply to us for approval of details of secure cycle storage and associated facilities for cyclists for the residential use. You must not start any work on this part of the development until we have approved in writing what you have sent us. You must then provide the cycle storage and associated facilities in line with the approved details prior to occupation and make it available at all times to everyone using the house. You must not use the cycle storage and associated facilities for any other purpose. (C22JA)

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

15 You must provide each car parking space shown on the approved drawings prior to occupation of the development and thereafter permanently retain them. Each car parking space shall only be used for the parking of vehicles of people living in the residential part of this development. (C22BB)

Reason:

To provide parking spaces for people using the development as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021). (R22AC)

- 16 Prior to commencement of development details of an electric vehicle charging point should be submitted for approval and thereafter installed and maintained in working order for the life of the development

Reason:

To provide an electrical vehicle charging point as set out in Policy 27 of the City Plan 2019 - 2040 (April 2021).

- 17 The glass that you put in the window at second floor level and the lower sash panel of the windows to the roof dormers in the side elevation (South West) of the building must not be clear glass, and you must fix the second floor window and lower sash of the dormer windows permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have given our written approval for the sample. You must then install the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 18 You must provide the green roof to the roof above the rear extension as shown in the approved drawings. Prior to commencing works on this part of the development you must submit details of a green roof including species and maintenance. This must be installed as an integral part of the construction of the extension, and once installed must be maintained and retained in accordance with the details thereafter.

Reason:

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

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 As this development involves demolishing the buildings on the site, we recommend that you survey the buildings thoroughly before demolition begins, to see if asbestos materials or other contaminated materials are present - for example, hydrocarbon tanks associated with heating systems. You can get a copy of this document at www.westminster.gov.uk/contaminated-land. For further advice you can email Public Protection and Licensing at environmentalsciences2@westminster.gov.uk.

3 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.

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 or visit 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

- 4 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You can apply online at the following link: www.westminster.gov.uk/trees-and-high-hedges. You may want to discuss this first with our Tree Officers by emailing privatelyownedtrees@westminster.gov.uk.
- 5 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that

has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**

CIL forms are available from the planning on the planning portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Forms can be submitted to CIL@Westminster.gov.uk

Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.

- 6 With reference to condition please refer to the Council's Code of Construction Practice at (www.westminster.gov.uk/code-construction-practice). You will be required to enter into an agreement with the Council 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, e.g. the full Site Environmental Management Plan (Levels 1 and 2) or Construction Management Plan (basements), must be submitted to the City Council's Environmental Inspectorate (cocp@westminster.gov.uk) **at least 40 days prior to commencement of works** (which may include some pre-commencement works and demolition). The checklist must be countersigned by them before you apply to the local planning authority to discharge the above condition.

You are urged to give this your early attention as the relevant stages of demolition, earthworks/piling or construction cannot take place until the City Council as local planning authority has issued its written approval of each of the relevant parts, prior to each stage of commencement.

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) excavation or (c) construction or a combination of these) the details relate to. However please note that the entire fee payable to the Environmental Inspectorate team must be paid on submission of the details relating to the relevant phase.

Appendix A must be signed and countersigned by the Environmental Inspectorate prior to the submission of the approval of details of the above condition.

- 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

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building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.