

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 4 October 2022	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> Regent's Park	
<b>Subject of Report</b>	<b>16 Dorset Square, London, NW1 6QB</b>		
<b>Proposal</b>	Demolition of the existing closet wing and rear infill extensions; Erection of rear infill extensions at lower ground and ground floor levels; erection of closet wing extension up to first floor level; use of rear flat roofs at ground and first floor levels as terraces, with associated railings and alterations; alterations to windows and doors; installation of plant equipment and enclosures within rear lightwell at lower ground floor level and to rear terrace at ground floor level; alterations to lower ground floor flat. Internal alterations including the removal and addition of partitions.		
<b>Agent</b>	Mr Matthew Woodthorpe		
<b>On behalf of</b>	Fitzpatrick		
<b>Registered Number</b>	21/08859/FULL & 21/08860/LBC	<b>Date amended/ completed</b>	25 December 2021
<b>Date Application Received</b>	25 December 2021		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	Dorset Square		
<b>Neighbourhood Plan</b>	Not applicable		

## 1. RECOMMENDATION

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

## 2. SUMMARY & KEY CONSIDERATIONS

This application relates to a Grade II listed five storey residential terraced building located within the

Dorset Square Conservation Area. 16 Dorset Square currently has a flat at lower ground level with the upper levels used as a separate unit. 7 Taunton Mews has also been separated off from the main house and is under separate ownership.

Planning permission and listed building consent are sought for the demolition of the existing closet wing and rear infill extensions; Erection of rear infill extensions at lower ground and ground floor levels; erection of closet wing extension up to first floor level; use of rear flat roofs at ground and first floor levels as terraces, with associated railings and alterations; alterations to windows and doors; installation of plant equipment and enclosures within rear lightwell at lower ground floor level and to rear terrace at ground floor level; alterations to lower ground floor flat. Internal alterations including the removal and addition of partitions is also proposed.

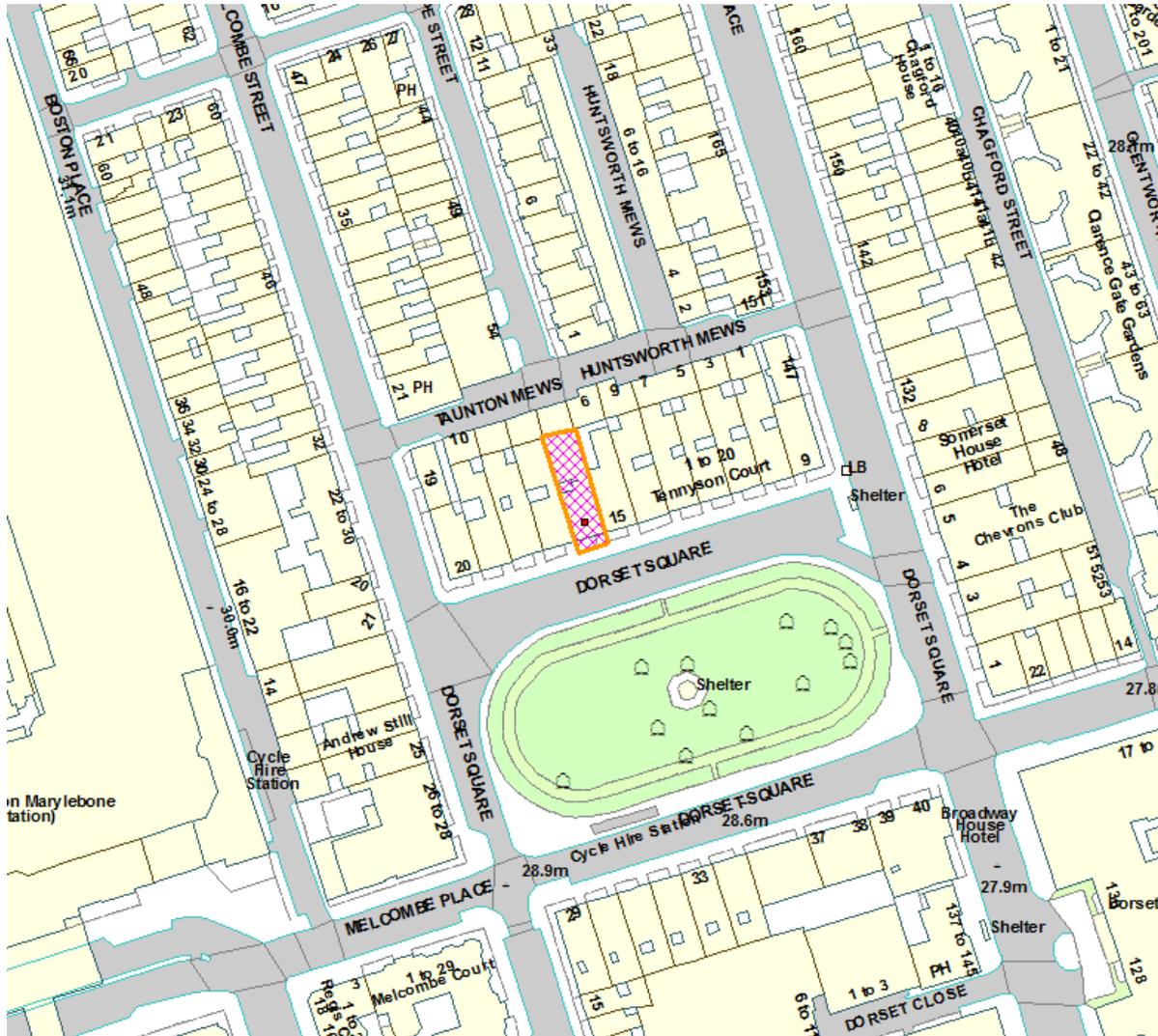
Objections have been received from neighbouring residents on a number of grounds including the impact of the air conditioning units.

The key issues in the determination of this application are:

- The acceptability of the proposed alterations in design terms.
- The impact of the proposed alterations on the character and appearance of the Bayswater Conservation Area and the setting of the grade II listed building.
- The impact on the amenity of neighbouring residential properties.

Subject to appropriate conditions as set out in the draft decision letters appended to this report, the proposed development is considered to comply with the relevant land use, design, conservation and amenity policies in the City Plan 2019 – 2040 adopted in April 2021. As such, the applications are recommended for approval.

### 3. LOCATION PLAN



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**4. PHOTOGRAPHS**



**Front Elevation**



**Rear Elevation at Ground Floor Level**

## 5. CONSULTATIONS

### 5.1 Application Consultations

#### ORIGINAL CONSULTATION:

##### THE ST MARYLEBONE SOCIETY:

- Noted that some very minor internal works throughout the main house
- Welcomed removal of lift shaft.
- No objection raised to the proposed rebuilding of the closet wing if it can be argued that the overall effect can be rationalised from a long term energy efficiency perspective; the rear façade would be tidied up, use of traditional rainwater materials; London Stock brick in the rebuild and use brick not render to the rear.
- The Applicant seeks to significantly increase the thermal performance of the fenestration and (it is assumed) the rebuilt structure. Queries the appropriateness of the appearance (in design terms) of the large-scale metal windows (triple glazed fenestration units); the introduction of light into these levels is welcomed and the proposals, in general, are thoroughly sensible and the slightly industrial look of the fenestration could be slightly 'jarring'.
- Concerns are raised with the air conditioning units: the size of the units vs the size of the Acoustic enclosures appear 'optimistic' at best i.e the acoustic enclosures as shown in the proposal, might not be large enough for adequately doing their job, maintaining and containing sound break-out; they are sited right next to the Mews building behind; this is a serious concern for neighbours; the submission appears not to contain sufficient detail on this; the Westminster yardstick requirement is that such equipment should perform at no greater than 10dBa below ambient background noise levels; if this is met in the design, then fair enough. However, we feel that insufficient detail has been provided and what purpose do the three Condenser Units serve? This was unclear.
- Welcome proposals that successfully use well-designed and sensitively specified double glazing to windows in listed houses such as this. Use of Histoglas is a very sensible proposal.

##### HISTORIC ENGLAND (consulted on 21/08860/LBC):

Authorised to determine the application for listed building consent as the council think fit.

##### ENVIRONMENTAL HEALTH OFFICER:

No objection subject to recommended conditions. Following a response to the objectors being submitted from RBA Acoustics on 06 July 2022, an additional condition was added requiring the submission of a post commissioning noise survey.

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

No. Consulted: 27

Total No. of replies: 10 (8 from one address)

No. of objections: 10

No. in support: 0

In summary, the objectors raise the following issues:

#### Design

- Harm to the heritage asset and historic fabric
- Reference to previously refused scheme
- 

#### Amenity

- Noise and disturbance from construction works
- Noise and vibration from the air conditioning units
- A supplementary report has been undertaken by neighbours, who does not agree with the recommendations of Westminster's Environmental Science officers
- 
- Issues with the submitted noise report
- Overlooking from new window within the rear closet wing

#### Other

- Deadline for comments is unreasonable due to 31 documents and structural and non-structural alterations to a Grade II listed dwelling
- Location where the measurements taken within the Acoustic Report are not appropriate or correct
- Lack of neighbour consultation, and letters have not been received.
- Lack of community involvement
- Submitted Heritage Statement is marked as draft
- No proof of English Heritage or Historic England being consulted
- 7 Dorset Square Trust has not been consulted of the application
- Unclear what the proposed use of 16 Dorset Square will be
- Previous refused applications omitted from submission
- No documentation of 16 Dorset Square and 7 Taunton Mews being split
- No clarity as to demand on water pressure
- No mention of excavation, lack of structural plan and construction management plan and Appendix A
- Design and Access Statement does not include a section on Access; lack of traffic management plan; potential damage to neighbours
- Lack of timeframe of works submitted
- According to the title plan for 16 Dorset Square, there is a right of way for 17 Dorset Square in case of an emergency.
- Not clear if fireplaces are operational or cosmetic.

PRESS ADVERTISEMENT (LBC) / SITE NOTICE:

Yes

**RE-CONSULTATION sent 19 August 2022 (following a revised proposed description of development and drawings)**

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 27

Total No. of replies: 2

No. of objections: 2

No. in support: 0

In summary, the objectors raise the following issues:

Amenity

- Noise and vibration from the air conditioning units

Other

- Information should be provided before it can be determined whether a condition can be achieved in this location for the air conditioning units
- Not clear what changes are made due to all information being re-submitted each time
- Drawings do not provide dimensions
- Do not agree with the noise and suitability of the AC units
- Reports do not highlight the depth of foundation works or a schedule of works or timings.

## 5.2 Applicant's Pre-Application Community Engagement

An objector has raised significant concerns that engagement has not been undertaken by the applicant with adjacent occupiers prior to making the application. They also comment that pre-application advice provided to the applicant is not publicly visible. This is because pre-application advice is confidential. In relation to engagement, the Early Community Engagement Guidance encourages householders carrying out development to engage with those living adjacent or very close to the site at an early stage prior to the submission of a formal application. However, householders are not required to submit details of the engagement they have undertaken with their application. Therefore, whilst details of any pre-application engagement with neighbours that may have taken place has not been submitted, this is not contrary to the expectations of the guidance for development of this scale.

## 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 an adopted 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**

The application site forms part of a terrace of Grade II listed town houses on the north side of Dorset Square (16 Dorset Square). The terrace dates from 1815-20 and forms part of the Portman Estate Development. The building is of 4 storeys plus basement. The front part of the lower ground floor, directly under the terraced house is used as a separate dwelling. The site lies within the Dorset Square Conservation Area. Permission was granted in 2021 that included internal and external alterations which resulted in the separation of the application site (16 Dorset Square) and the mews house (7 Taunton Mews) to the rear.

### **7.2 Recent Relevant History**

21/04518/FULL Permitted 23 August 2021

External alterations to mews house, including render, new doors, windows and rooflights and conversion of one internal garage bay into bedroom accommodation.

17/03869/FULL and 17/03870/LBC Permitted 06 July 2017

Demolition of rear extensions and erection of replacement extensions at basement, ground and part first floor levels with roof terrace at rear first floor level. Reconfiguration of the existing mews house (7 Taunton Mews) and alterations and replacement of windows and doors to all elevations. Associated internal alterations and external alterations to both properties.

16/07923/FULL and 16/07924/LBC refused on 03 November 2016

Demolition of rear extensions and erection of replacement extensions at basement, ground and part first floor levels with roof terrace at rear first floor level. Associated internal and external alterations.

## **8. THE PROPOSAL**

The applicant proposes the demolition of the existing closet wing and rear infill extensions and the erection of replacement closet wing and extensions at lower ground and ground levels with terraces above, the replacement of front and rear elevation windows, installation of air conditioning units at lower ground floor level in the central lightwell and rear ground floor level on proposed terrace adjacent to the mews. Associated internal and external alterations are also proposed, including alterations to, but retention of the lower ground floor flat (16a), which will be accessible via the front basement lightwell.

## **9. DETAILED CONSIDERATIONS**

## 9.1 Land Use

The principle of providing additional floorspace to enlarge an existing residential dwelling house is acceptable in land use terms and accords with Policy 8 of the City Plan 2019-2040 (April 2021).

At lower ground floor level, currently it is use as a two bedroom unit, internal alterations are proposed which will reduce the size of the unit, so that it sits to the front of the property. While the unit is to be reduced in size, it will be in excess of 37sqm and therefore meets the minimum size standards for a studio as outlined within the Housing technical standards (March 2015). Given that there is no change to the number of units, the proposals accord with Policy 8 of the City Plan 2019-2040 (April 2021).

Concerns have been raised by an objector in relation to the separation of the mews at 7 Taunton Mews from the main house. Drawings on the recent August 2021 planning permission and listed building consent indicate that access points from the mews through to the main house were being blocked as part of the application. On-site inspection indicates that the mews has been blocked off. It is also understood that 16 Dorset Square and the Mews are now under separate ownership.

## 9.2 Environment & Sustainability

### Sustainable Design & Energy Performance

Policies 36 and 38 in the City Plan address issues of sustainability and retrofitting, and consideration is also given to the City Council's Environmental SPD. A range of measures are proposed in sustainability terms, comprising the internal insulation to certain areas of the building, the new double glazing and secondary glazing to certain windows, and the air source heat pump to the rear courtyard area. The new rear extensions would also allow for an upgrading of the insulation and thermal efficiency of those building elements. A heat pump is also proposed, which will provide an efficient form of heating and cooling.

While concerns have been raised regarding the energy efficiency of the proposed works, the retrofitting works proposed for the building are welcomed, and it is noted that listed buildings also add challenges due to the requirement to retain historic features. The proposals are considered to be in line with the policies quoted above. The development is not of a scale to require further measures.

### Circular Economy

Due to the proposals being minor in terms of demolition and therefore are not required to submit a Circular Economy Statement.

### Flood Risk & Sustainable Drainage

The site does not lie within a flood zone or within a surface water hotspot. Given the existing rear is built over, there is no scope for any sustainable drainage measures. As discussed below, an area of greening is to be secured to the closet which will aid to

reduce surface water run off.

## **Environment & Sustainability Summary**

The proposals are considered to comply with the Council environmental and sustainability policies.

### **9.3 Biodiversity & Greening**

Policies 7 and 34 in the City Plan seek to increase the greening of Westminster and to promote bio-diversity net gain. A green roof is to be secured to the roof of the rear closet wing. Whilst recognising that this is a relatively small area in footprint, nonetheless it allows for a greater greening and bio-diversity potential than currently exists on site, and given the sensitive listed building context and that in many respects the application proposals follow previous approvals in terms of their extensions, it is not considered that the scheme is unacceptable in terms of its provision of greening and bio-diversity measures.

### **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.

The building incorporates a lower ground, ground and three upper floors, and with extensions to the rear. The building has undergone alterations in the past, including the infilling of the original rear lightwell to lower ground floor level, the erection of a lift extension to the rear elevation, and other external and internal changes, however it also retains a considerable degree of its original fabric and character.

To the rear of the site, the existing rear closet wing and also the existing rear two storey wing at the rear of the site are both proposed to be demolished and rebuilt in differing form. The demolition and rebuilding of these were included in the separate scheme previously approved on 2017. The closet wing may appear to date from the early 20th century and is supported on a steel frame at half landing level between ground and first floor levels and is accessed through an inappropriate opening into the rear room at first floor level. It is not original, nor considered attractive both externally and harmful to the interior of first floor level, and as such its removal and replacement is considered acceptable. Similarly, the 20th century lift to the rear elevation adjoining the closet wing is of poor quality and its removal is welcomed. The rear two storey wing at lower ground and ground floor levels is similarly not considered of any notable quality or significance, and its demolition is also considered acceptable as part of a scheme for an appropriate rebuilding.

The new closet wing is in brick to match the main rear elevation, and with traditional doors and windows, it is lower height and less wide, and will integrate appropriately with the main building and represents a considerable improvement in terms of appearance over and above the existing rear closet wing and lift. The new rear wing opens a lightwell adjoining the main rear elevation thus revealing the elevation to its full height as originally intended which is welcomed. To ground floor level it spans the full width of the site, as did the approval in 2017, and it is noted that a considerable number of the buildings in the terrace have similarly been infilled at ground floor level. Whilst it represents greater bulk to ground floor level in proximity to the building, this is balanced by the opening of the lightwell and overall these works are supported in terms of their impact on the building and townscape. The extension sets back at ground floor from the mews to the rear giving outdoor amenity space to this single dwelling house, and creates a clear townscape distinction between it and the mews building. The railings to the terrace above will not be unduly cluttering, mindful of those existing already to the rear, and an appropriate appearance for the paving to the terrace will be secured by condition. Overall, the proposals for the rebuilding of the rear extensions are considered acceptable.

To the front of the building, works are proposed to the staircase within the lightwell. The staircase has an evidently concrete facing, though it is not certain whether it is a fully modern staircase or whether instead the concrete is a thinner screed over an original staircase. Mindful of the desire to carry out works to the staircase, and the uncertainty over its fabric, a condition is imposed requiring a sample removal of a thin surface layer to be carried out first, to allow for a better understanding of the most sensitive approach to its wider restoration which would be secured under the condition.

The windows to be fully replaced are more modern additions to the building, and the designs shown are of more appropriate arrangement, with an acceptable detailed design to be secured by condition. Further windows are proposed to have their timber framing retained and to be upgraded with double glazed inserts into those frames, which is considered acceptable on grounds of the minimal removal of fabric anticipated to be required, however full details will again be secured by condition. The areas of internal secondary glazing will not harm the character of the interior, and a condition is imposed to require a meeting rail which would align with that of the sashes to ensure that they did not clutter the impression of the building from inside or outside.

The removal of the existing and apparently more long standing air conditioning unit to main roof level is welcomed in design terms.

Internally, the works to separate the front of lower ground floor level from the remainder are considered acceptable given the altered nature of this space and that it retains the important elements of what remains of the original floorplan and fabric. The new and more appropriate handrail proposed to the stone staircase rising to ground floor level is welcomed in principle, subject to details to be secured by condition regarding how it would integrate with the existing staircase.

Reference is made to the cleaning of the stone flags to the ground floor hallway. These appear to be original to the building, and whilst their cleaning is supported, the method of this is to be secured by condition to ensure it does not damage this important internal fabric.

To the main rear room to second floor level, the room is referred to on the proposed drawings as containing a 'dressing room' and an 'en-suite', with an annotation stating that a 'non structural pod-like frame inserted within the room and set away from the existing walls and ceiling. Layout to allow for perimeter lightweight partitions to conceal service runs'. This would suggest a box-like internal lining to the room, which would not be acceptable. Nonetheless, the installation of a dressing room as a piece of furniture within the otherwise retained room could be considered acceptable, and an amending condition is included requiring approval of any works to the room and with an informative advising of what would be considered acceptable.

The works to the front of the plan of third floor level restore the building back to closer to its more anticipated original layout, as noted by the St Marylebone Society, and as such are considered acceptable. To the rear of third floor level, a room is proposed to be subdivided, however in this case the room has in the past lost its original ceiling which is now open to the roof pitch, and is fitted out as a modern bathroom, and in this context the new partition proposed and the door to the adjoining main rear room are considered acceptable.

Aerogel insulation panels are proposed to several rooms internally to assist in the greater thermal efficiency of the building. These are to rooms already altered and/or without historic cornicing or skirting to be affected by the work. The use of a breathable material is supported, as is the greater sustainability it will allow for, and in the areas used it does not unacceptably harm the significance of the listed building.

Whilst the application states that the existing service routes are to be used where

possible for internal service runs, nonetheless it leaves open a consideration that further new works may be proposed to allow for internal pipework. In the absence of further clarity on this subject the application includes a condition stating that notwithstanding any submitted information, any new internal service routes will need to be applied for. This is to ensure that any new routes do not inappropriately affect the character or fabric of the building. Subject to that, the internal servicing is considered acceptable.

The remainder of the works internally have been assessed and are considered acceptable subject to conditions and to the further comments below, and not to harm the significance of the listed building.

#### CONSULTATION RESPONSES ON DESIGN AND LISTED BUILDING GROUNDS:

A local resident has responded to the application commenting that they are unaware of Historic England having been consulted, however a consultation was undertaken to Historic England and did not state any concerns in their response letter.

The local resident has expressed concern about the use of double glazing. Several windows are proposed for replacement with new double glazing, however these are more modern windows and the new replacements, even allowing for the double glazing, are considered of improved design and appropriateness. Other windows are having the framing retained and with new double glazed inserts incorporated, however this involves a minimum removal of historic fabric and with the appearance, as secured by condition, closely replicating the original notwithstanding the change to double glazing. It is also recognised that the double glazing will improve the thermal efficiency of the building. As such, the objection on this ground is not supported.

The local resident also expresses concern regarding the extent of demolition, and queries a perceived lack of evidence of professional guidance being sought. The demolition is highlighted on the application drawings and is considered acceptable for the reasons set out above. The application has been prepared by qualified architects, supported by a Historic Building Report from the applicants heritage consultants, and thus the concerns on this ground are not supported.

The local resident also states that previous modifications should not set a precedent, however any application must be considered on its planning merits and in the context of the character, appearance and significance of the existing building on site.

The reference in the objection to the balustrading being set in from the party wall is noted, however this is not considered to give rise to an unacceptable impact on the listed building or conservation area.

The local resident makes further comments regarding concerns about the upgrading of the building to reduce energy loss, however for the reasons set out above these proposals are considered acceptable in these terms, and the retrofitting of the building is welcomed in sustainability terms. The resident also comments on the plant equipment to the rear, however this is considered discreetly sited and conditions will secure an appropriate appearance for the enclosure. They also question the air source heat pump not serving the whole house, however its incorporation will support a less carbon intensive source of heating/cooling and is welcomed on that basis to the extent of its proposed use to the property.

The St Marylebone Society state that they do not object to the proposed rebuilding of the existing rear closet wing extension if it can be argued that the overall effect can be justified on a long term energy efficiency perspective, that the rear façade would be tidied up, and that traditional rainwater materials and brickwork would be used. It is considered that all of these are features of the application proposals, as secured by condition, and these comments are considered to have been addressed by the submission.

The St Marylebone Society also state that they do not support the use of render to the rear. Whilst recognising that this will differ from the exposed brickwork more generally found to the main building, nonetheless the render is used in lightwell and enclosed terrace areas on a modern rear wing. Lightwells are not uncommonly faced in render to 19th century buildings and given this and the relative lack of visibility of these areas in more generally views from surrounding buildings it is not considered that these concerns could be supported.

The Society also advise that to third floor level they wish to see historically appropriate architraves and doors matching the originals. The submitted drawings show an appropriate approach in line with this stated desire, and a condition will secure appropriate detailing.

The St Marylebone Society stated that they would wish to see natural Welsh slate used for the roof material, however whilst noting this desire, there are no proposals for the removal and replacement of the existing slates in the application to allow for the securing of the details of any new slates.

The St Marylebone Society advised that they questioned the design of the large metal windows to the rear of the rear closet wing extension, and considered the appearance jarring. This appears a reference to the doors and windows at the rear of the ground floor rear wing, which contains a wide expanse of metal framed glazing. Whilst noting that these are not in a 19th century style, these elevations are set into relatively discreet lightwell areas and are not anticipated to be readily visible from many vantage points, and are on a modern extension somewhat visually separated from the main original building. As such, the design and materials proposed are not considered unacceptable in this case.

The St Marylebone Society state that the size of the acoustic enclosure to the rear appears 'optimistic', however in design and listed building terms the application is proposed with drawings and as set out elsewhere in the report is supported by an acoustic assessment, and is accepted on that basis. Any proposed enlargement of the enclosure would likely require further applications, which would be considered on their merits. Full details of the design and materials of the enclosure will be secured by condition to ensure a discreet finish.

The support of the St Marylebone Society for the incorporation of double glazing in certain locations in association with the retention of existing framing is noted.

#### CONCLUSION ON DESIGN, CONSERVATION AND SUSTAINABILITY

Given the above, the proposals are considered in line with relevant policy and guidance

and are considered acceptable subject to the conditions attached to the draft decision letter. The recommendations are considered in line with s. 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 9.5 Residential Amenity

Development that could result in a change to the amenity of neighbouring residents such as that of the proposals here must be found to be in accordance with policy 7 of the City Plan. The policy seeks to prevent unacceptable impacts in terms of losses of daylight and sunlight, privacy and increases in sense of enclosure and overshadowing.

Policy 33 is also relevant which seeks to make sure that quality of life and health and wellbeing of existing and future occupiers.

The rear infill extension at ground floor level would be between existing party walls and would have no significant detrimental impact on neighbouring properties in terms of loss of daylight/sunlight or sense of enclosure. The infill of a small section of the closet wing which is currently open with the brick structure above supported by metal columns would have no significant amenity impact. The extension of the closet wing largely involves the replacement of an existing external dumb waiter shaft and would similarly have no significant impact in terms of loss of daylight/sunlight and sense of enclosure on neighbouring properties.

The proposal involves the creation of a roof terrace on the roof of the proposed infill extension at first floor level. There already exists a roof top walkway at this level along the boundary with number 15 Dorset square which could be used as a terrace, therefore there would be no substantial increase in the level of overlooking to windows within 15 Dorset Square. A terrace was granted permission in this location and the same size within the 2017 permission (RN: 17/03869/FULL).

The extension of the terrace nearer to the boundary with 17 Dorset Square would result in increased overlooking into rear windows of No 17 and rear windows of 8 Taunton Mews. The terrace will however be 2.4m set away from the main rear elevation of the host and adjacent buildings. The existing boundary wall which separates No 16 & 17 also rises towards the rear elevation of the properties, which will help to some extent to reduce views of the most effected window of No.17 adjacent to the boundary. It is also noted that this window does not serve a habitable room and provides light to a staircase. The terrace is set away slightly from the boundary, but it may be possible to view down and back to lower windows within no 17, but given the angle it is unlikely that this overlooking would be significant.

The nearest rear windows of No 8 Taunton Mews is obscure glazed and according to planning records serves a bathroom and is therefore not a habitable rooms. The window adjacent appears to be a study, but is set further away from the boundary. No 7 Taunton Mews was previously under the same ownership as the application site, however as part of a recently granted permission the windows to the rear include some obscure glazing. They experience overlooking from the existing terrace which runs the full length of the plot.

While the proposed terrace will increase overlooking, particularly given it will now be full

width, but of a shorter length, the existing terrace at the same level, and the relationship and use of adjacent windows, it is not considered that the loss of amenity would be so significant as to be unacceptable.

A terrace is also proposed at rear ground floor level. Located at the same level as the existing much larger terrace, this will be enclosed by existing boundary walls on all sides (including the rear wall of the Mews), and is not considered to result in any significant impact on the amenity of adjacent occupiers.

The proposal involves the installation of a timber sash window to the rear closet wing extension at first floor level to serve the WC. The window will have an aspect down to the rear of the site, with oblique views into the neighbouring outdoor amenity spaces. It is noted that objections have been received from a local neighbour stating the placement of this window will result in overlooking, however there are many rear facing windows in the terrace, and it is not considered that this window would result in any significant increase in overlooking.

Overall and given the above, the proposed development would meet policies 7 and 33 of the City Plan.

## **9.6 Transportation, Accessibility & Servicing**

As the proposed development involves extensions to an existing dwellinghouse, and no change to parking levels on the application site, there are no relevant transportation and parking considerations. The construction impact of the proposed development on the highways network is considered further below.

## **9.7 Economy including Employment & Skills**

Whilst the development is of insufficient scale to require an employment and skills plan, it will contribute positively to the local economy during the construction phase through the generation of increased opportunities for local employment, procurement and spending.

## **9.8 Other Considerations**

The proposed plant comprises of two condensers which are to be located within the rear lightwell at lower ground floor level within an acoustic enclosure; and one condenser and an air source heat pump housed within an acoustic enclosure on the proposed terrace at ground floor level on the boundary shared with No 15 Dorset Square.

Objections have been received from a resident with significant concerns in relation to noise and vibration from the proposed units. They have also had their own independent acoustic report undertaken to review both the acoustic report submitted in support of the application and the comments to the report by the council. The Environmental Sciences Officer did not raise objection to the proposals subject to conditions. Following a review of these further documents they retain the view that the proposals can be considered acceptable, subject to suitable conditions in relation to noise (including night time 'super quiet mode'), and the provision of a post commissioning survey to ensure that the equipment meets the councils noise standard requirements.

Objectors are also concerned that the proposed development will result in noise and disturbance from construction works. Whilst this is noted the standard Westminster construction hours of work condition is recommended in order to limit the working times of construction on the site. An informative is also recommended to advise the applicant to join the considerate construction scheme, to help ensure that the works are undertaken in a neighbourly fashion.

Objections have been received on lack of insufficient information being submitted e.g. water pressure, structural plan, construction management plan, Appendix A from Code of Construction Practice, timeframe of works and traffic management plan. The development is of insufficient scale to require the applicant to enter into a CoCP. If granted, the permissions would be subject to a 3 year implementation condition. If implemented, it is not possible under planning legislation to limit the time taken for works to be completed. Similarly it is not possible to consider matters such as water pressure under the planning process. This will however be considered by Thames Water. Officers consider the submitted information meets the validation requirements and sufficient information has been provided in order to assess the proposal and draft a recommendation.

Objection was also received in relation to the time available to respond to consultation. The applicant has now been in for a significant length of time, providing ample time for consultation responses.

Other concerns also state that the title plan for 16 Dorset Square indicates a right of way for 17 Dorset Square in case of an emergency. This is a private matter between the respective owners. They have also queried if fireplaces are operational or cosmetic. The proposals have been considered by the councils conservation officer and found to be acceptable. It is not a planning matter if the fireplaces are used for combustion or not, however this is likely to be considered by building regulations.

## **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.

No CIL will be required from the development.

No pre-commencement conditions are recommended.

## **10. Conclusion**

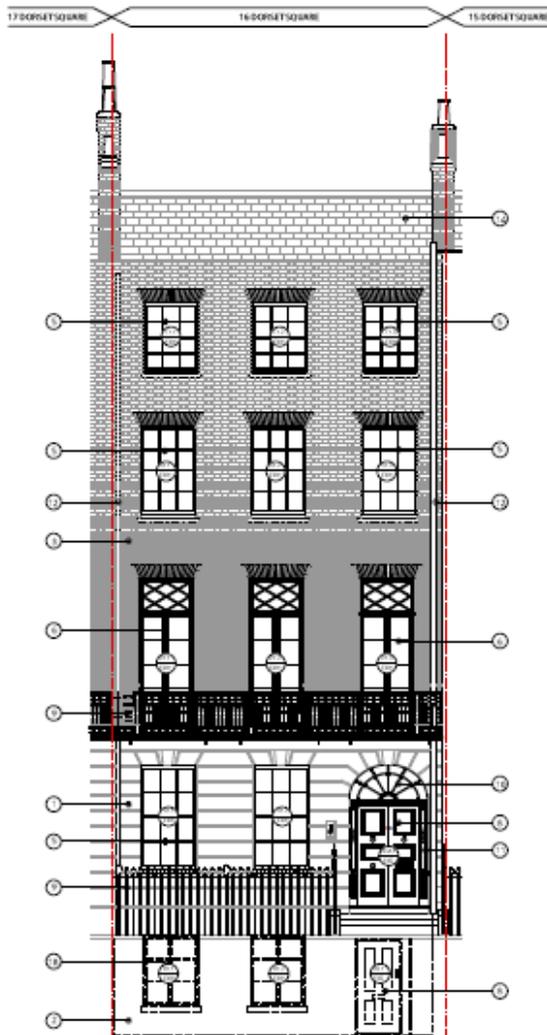
The proposals for additional residential accommodation are acceptable and the works to facilitate this are acceptable in conservation and design terms and are not considered to harm surrounding residential amenity. As such, the proposal is considered acceptable,

mindful of policies 7, 8, 33, 34, 38, 39, 40, and 45 of the 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.

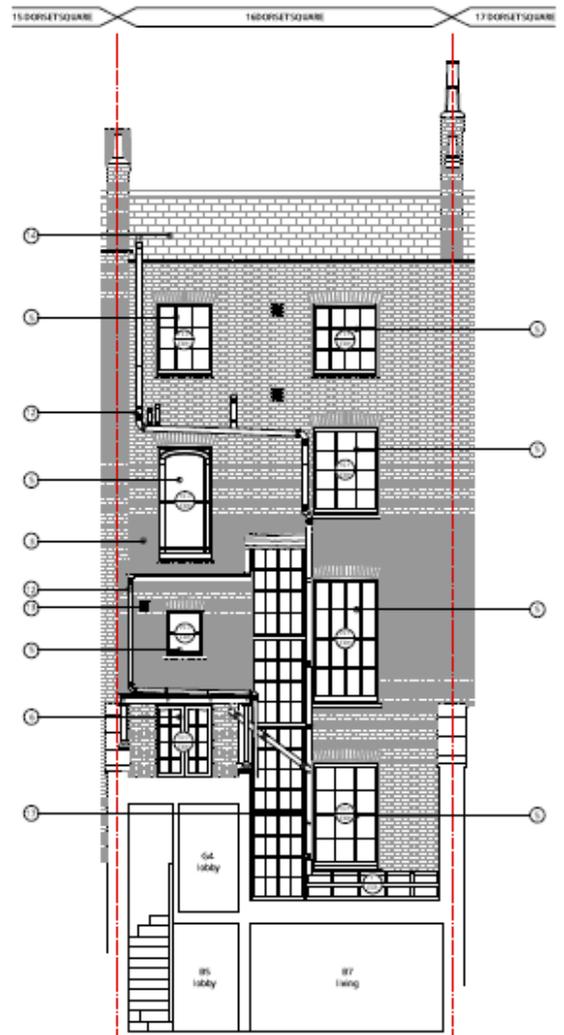
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RUPERT HANDLEY BY EMAIL AT [rhandley@westminster.gov.uk](mailto:rhandley@westminster.gov.uk)

11. KEY DRAWINGS

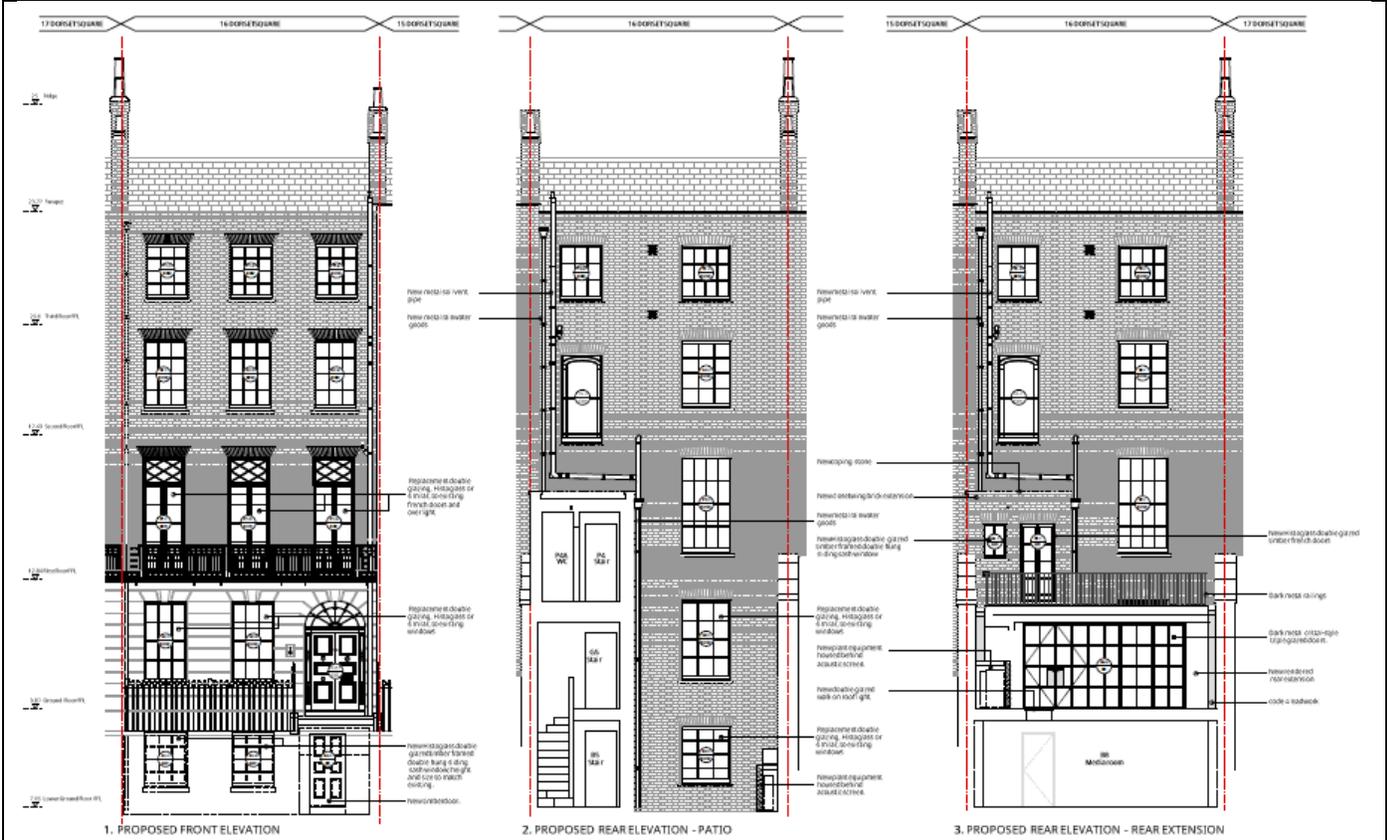


1. EXISTING FRONT ELEVATION

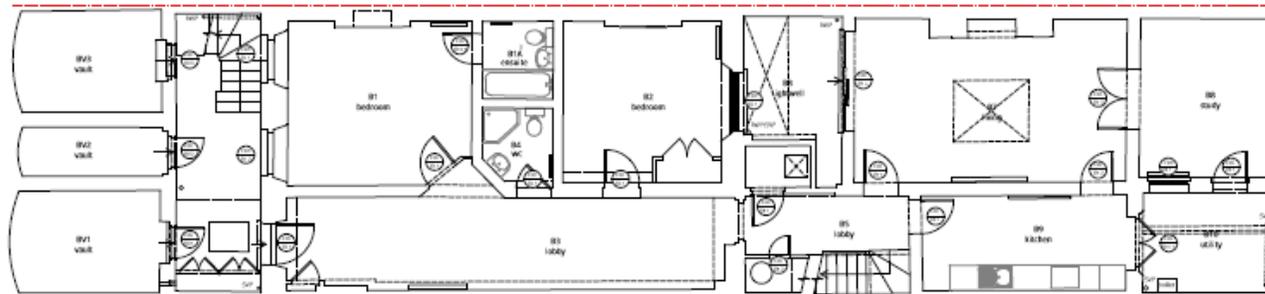


2. EXISTING REAR ELEVATION

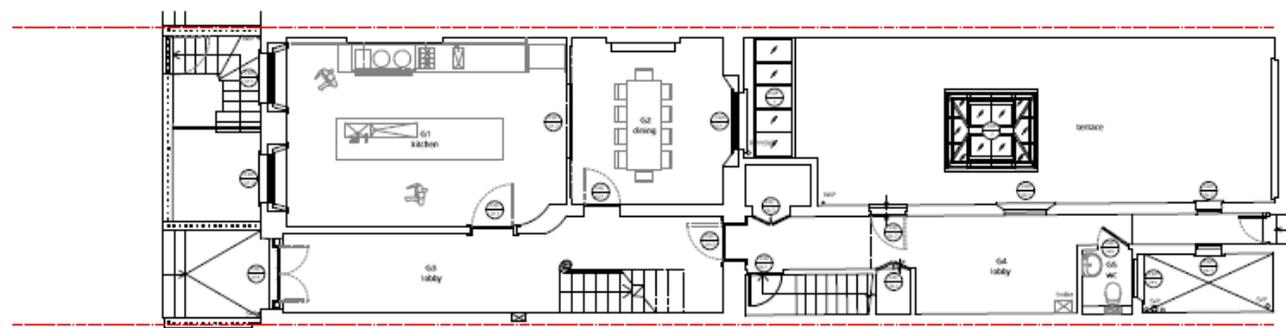
Existing Front and Rear Elevation



**Proposed Front Elevation, Rear Elevation from Patio and Rear Elevation from Extension**

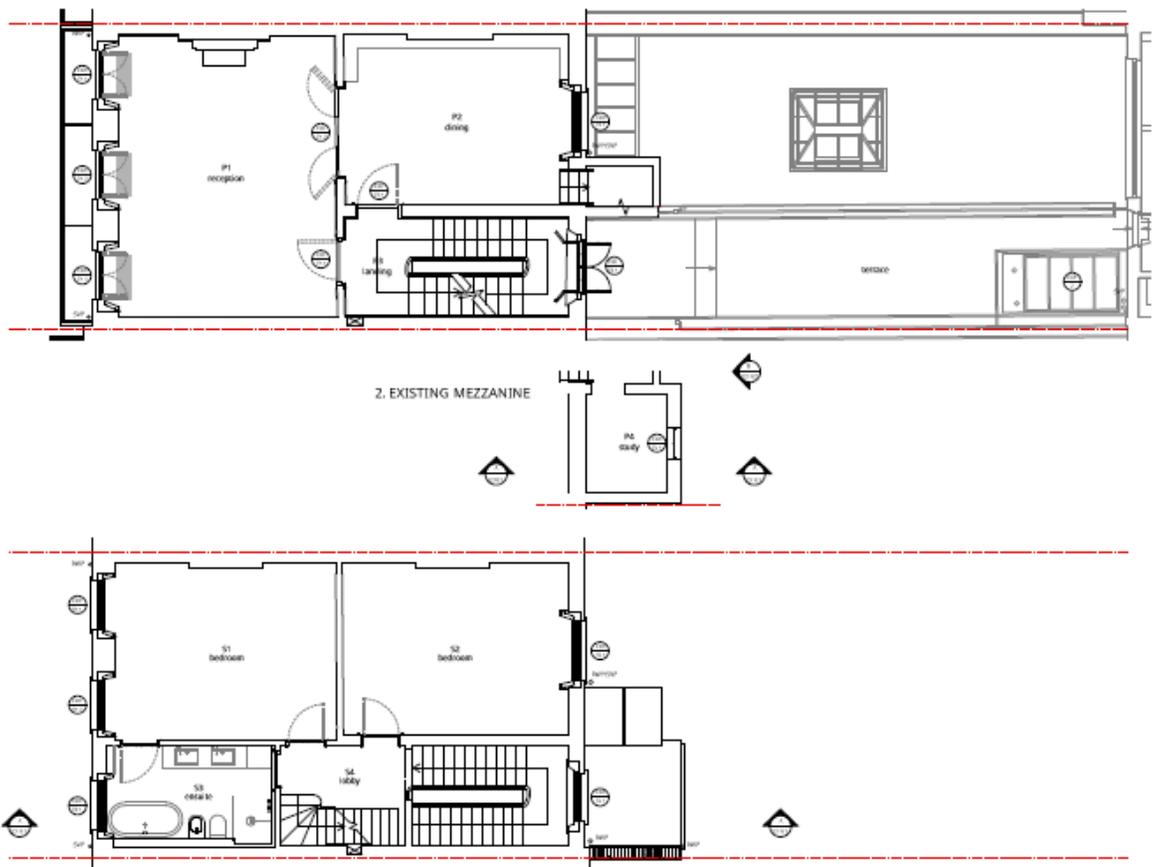


1. EXISTING LOWER GROUND FLOOR  
APPROX GFA: 146sqm

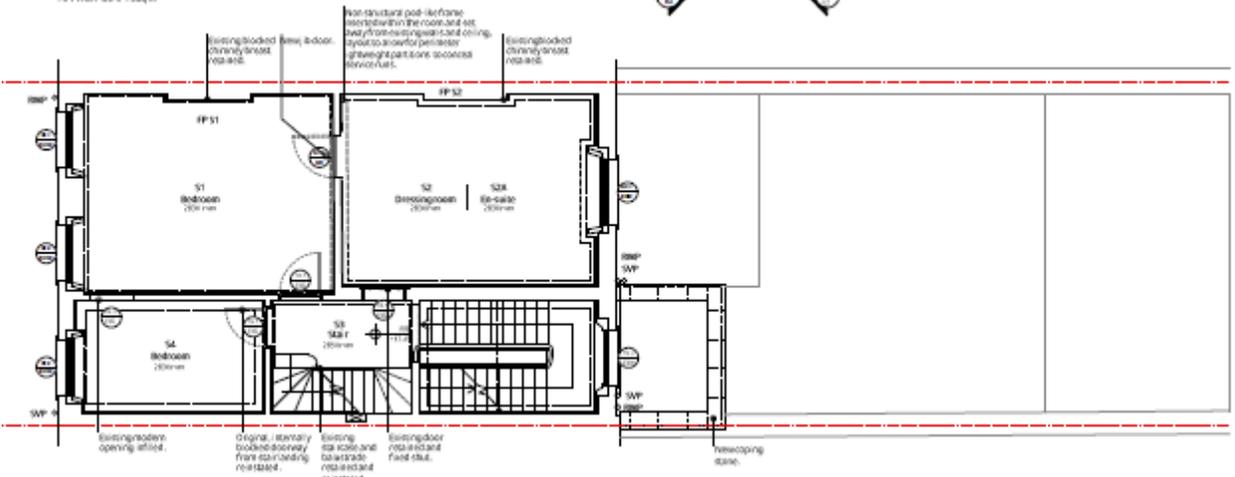
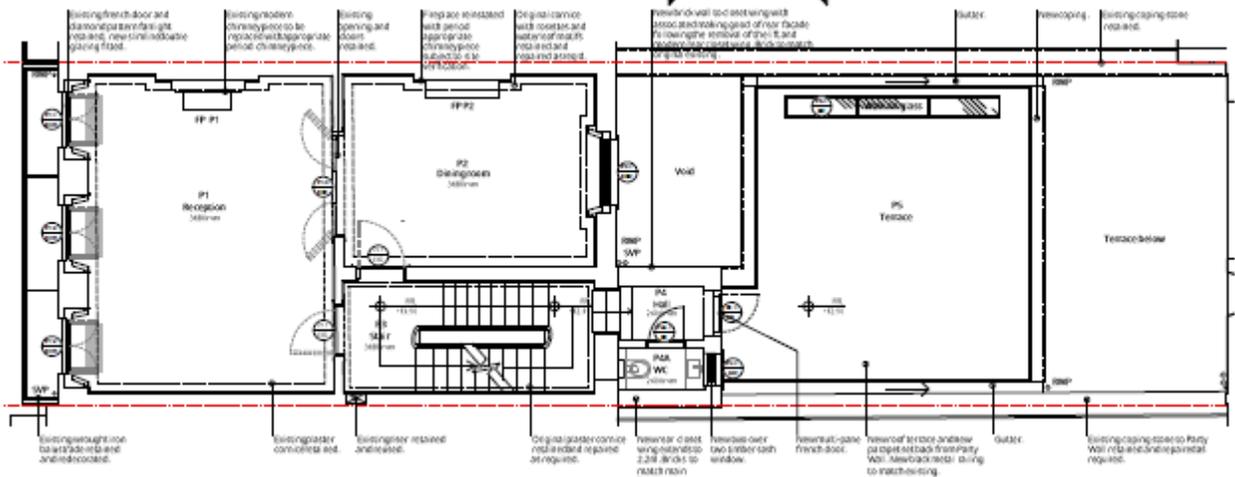


Existing Lower Ground and Ground Floor Plan

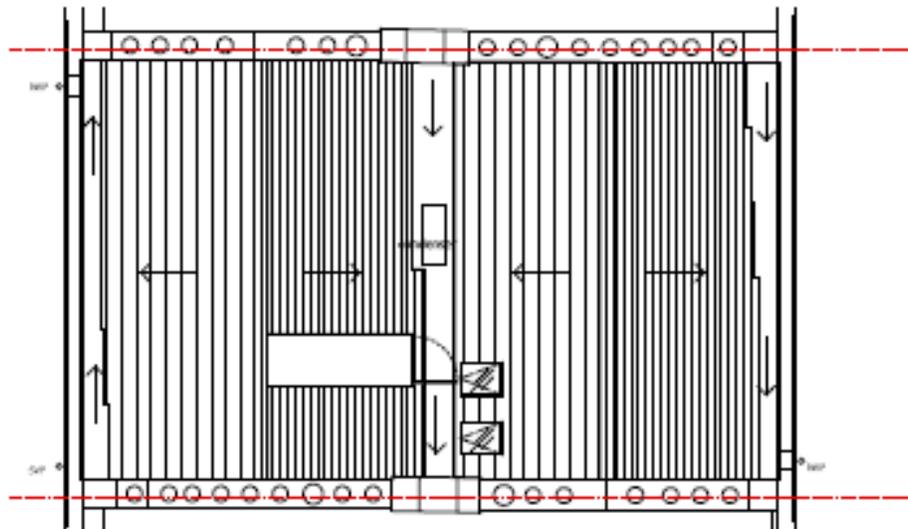
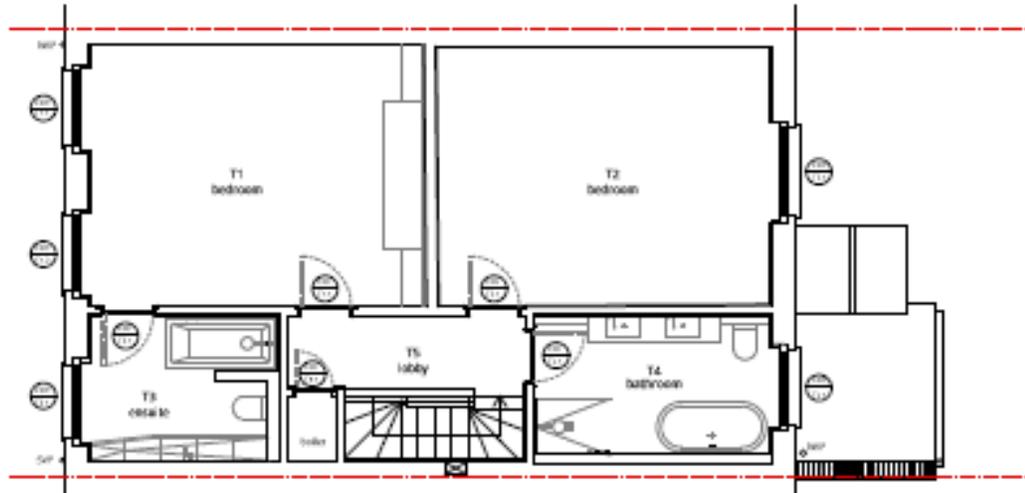




Existing First and Second Floor Plan



Proposed First and Second Floor Plan



Existing Third Floor and Roof Plan



**DRAFT DECISION LETTER**

**Address:** 16 Dorset Square, London, NW1 6QB,

**Proposal:** Demolition of the existing closet wing and rear infill extensions and the erection of replacement closet wing and extensions at lower ground and ground levels with roof terrace above; replacement of front and rear facade windows; installation of air conditioning units at lower ground floor level in the central lightwell; and associated internal and external alterations. (Linked with 21/08860/LBC)

**Reference:** 21/08859/FULL

**Plan Nos:** Site Location Plan, EX 11 Rev A, EX 12, EX 13, EX 51, EX 61, EX62, DEM 11, DEM 12, DEM 13, DEM 51, DEM 61, DEM 62, PL 11 Rev A, PL 12 Rev A, PL 13 Rev A, PL 51, PL 61 Rev A, PL 62, PL 63 Rev A, PL 70, Design and Access Statement dated 11 March 2022, Historic Building Report dated December 2021 and Plant Noise Assessment dated 22 December 2021 and Acoustic Technical Note dated 6 July 2022.

**Case Officer:** Frederica Cooney

**Direct Tel. No.** 07866037206

**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 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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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

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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 5 The framing to the new windows shall be formed in white painted 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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 6 The new external railings shall be black in colour at the time of installation and shall be retained as such 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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 7 You must install the acoustic attenuation measures shown on the approved drawings before you use the machinery. You must then maintain the attenuation measures in the form shown for as long as the machinery remains in place. (C13DB)

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 Dorset Square 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 drawings showing the plant screen to the rear terrace area. These must include a section drawing and must show a roof to the screen, and must demonstrate that there is no direct visibility through the screen to the equipment behind. 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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 9 The plant screen to the rear terrace area shall be finished in a dark grey or black colour on its installation, and maintained as such 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 Dorset Square 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, prior to the wider removal of fabric from, or alterations to, the staircase within the front lightwell of the building, you must:

A) Apply to us for approval of a methodology for the removal of the top layer of concrete screed to a sample panel area no larger than 150mm x 150mm, and must then carry out the works to that sample panel area according to that methodology.

B) Upon the completion of the works set out in A) above, you must submit photographs and a written description demonstrating the condition and fabric of the staircase based on the findings of that sample panel area, and confirming the methodology used for those works, and in addition submit a confirmation of the works proposed to the staircase following the findings of the sample panel (including plan/elevation/section drawings as appropriate).

You must not continue with works to the remainder of the staircase until we have approved in writing the methodology and further works drawings and descriptions submitted under B), and you must then carry out the work according to those documents

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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 11 Notwithstanding the submitted drawings, you must apply to us for approval of elevation and section drawings showing the new sash windows at scale 1:5 and 1:10 (as

appropriate, and including break lines in the drawings if required) including glazing bar details and including the relationship of the windows to the external wall of the building and also any rebates present in the wall surrounding the window openings. These drawings shall show the incorporation of glazing bars integral to the structure of the window and projecting seamlessly through the panes of glazing and shall show the incorporation of putty detailing externally to the framing. 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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 12 The new 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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 13 You must apply to us for approval of elevation and section drawings showing the existing windows where new double glazed inserts into retained frames are proposed which show the extent of removal of fabric from the existing frames, and show the integration of the new double glazed inserts into the retained frames. The drawings shall show the incorporation of putty detailing externally to the framing. 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 Dorset Square 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 provide a green roof to the roof above the rear closet wing extension to the building (ie. above the room containing 'P4 Hall' and 'P4A WC' on drawing P12-A). This must be installed as an integral part of the construction of this closet wing extension, and once installed must be maintained and retained thereafter

Reason:

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

- 15 You must apply to us for approval of a photograph of a sample of the paving you will use to pave the 'Terrace' and 'Terrace Below' areas (as referred to on drawing PL-12). 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 material(s). (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 Dorset Square Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 16 (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

- 17 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)

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:

- 18 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 draft Environmental Supplementary Planning Document (May 2021). (R48AB)

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) 16 of this permission.

Reason:

- 19 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)

The plant equipment must not operate (except for testing purposes) until the noise mitigation and reduction measures outlined within sections 5.5 and 5.6 of the Plant Noise Assessment dated 22 December 2021 by RBA acoustics are installed. The mitigation and noise reduction measures shall be retained and maintained for as long as the plant equipment is in operation and removed thereafter.

**Reason:**

- 1 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)

**Informative(s):**

- 2 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.

**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)

Item No.
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<b>1</b>
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Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

**DRAFT DECISION LETTER**

**Address:** 16 Dorset Square, London, NW1 6QB,

**Proposal:** Demolition of the existing closet wing and rear infill extensions and the erection of replacement closet wing and extensions at lower ground and ground levels with roof terrace above; replacement of front and rear facade windows; installation of air conditioning units at lower ground floor level in the central lightwell; and associated internal and external alterations. (Linked with 21/08859/FULL)

**Plan Nos:** Site Location Plan, EX 11, EX 12, EX 13, EX 51, EX 61, EX62, DEM 11, DEM 12, DEM 13, DEM 51, DEM 61, DEM 62, PL 11 Rev A, PL 12 Rev A, PL 13 Rev A, PL 51, PL 61 Rev A, PL 62, PL 63 Rev A, PL 70, Design and Access Statement dated 11 March 2022, Historic Building Report dated December 2021 and Plant Noise Assessment dated 22 December 2021 and Acoustic Technical Note dated 6 July 2022.

**Case Officer:** Frederica Cooney

**Direct Tel. No.** 07866037206

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

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

Reason:

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

- 2 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

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

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021).

(R27AC)

- 4 The framing to the new windows shall be formed in white painted timber framing.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021).

(R27AC)

- 5 The new external railings shall be black in colour at the time of installation and shall be retained as such thereafter

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021).

(R27AC)

- 6 You must install the acoustic attenuation measures shown on the approved drawings before you use the machinery. You must then maintain the attenuation measures in the form shown for as long as the machinery remains in place. (C13DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021).

(R27AC)

- 7 You must apply to us for approval of drawings showing the plant screen to the rear terrace area. These must include a section drawing and must show a roof to the screen, and must demonstrate that there is no direct visibility through the screen to the equipment behind. 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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021).

(R27AC)

- 8 The plant screen to the rear terrace area shall be finished in a dark grey or black colour on its installation, and maintained as such thereafter

Reason:

To protect the special architectural or historic interest of this building and to make sure the

development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 9 Notwithstanding the submitted drawings, prior to the wider removal of fabric from, or alterations to, the staircase within the front lightwell of the building, you must:

A) Apply to us for approval of a methodology for the removal of the top layer of concrete screed to a sample panel area no larger than 150mm x 150mm, and must then carry out the works to that sample panel area according to that methodology.

B) Upon the completion of the works set out in A) above, you must submit photographs and a written description demonstrating the condition and fabric of the staircase based on the findings of that sample panel area, and confirming the methodology used for those works, and in addition submit a confirmation of the works proposed to the staircase following the findings of the sample panel (including plan/elevation/section drawings as appropriate).

You must not continue with works to the remainder of the staircase until we have approved in writing the methodology and further works drawings and descriptions submitted under B), and you must then carry out the work according to those documents

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Dorset Square Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 10 Prior to the cleaning of any other parts of the stone paving to the internal ground floor hallway, you must apply to us for approval of a 300mm x 300mm sample panel of cleaned paving and a methodology for how the cleaning was undertaken.

You must then submit a clear set of photographs (including both wider angle photographs and close up photographs) of the area cleaned and adjoining paving. You must not clean the remainder of the paving until we have approved in writing the methodology submitted. You must then carry out the work according to the approved methodology and clean the paving to the same extent as the sample panel.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 11 Notwithstanding the submitted drawings, you must apply to us for approval of elevation and section drawings showing the new sash windows at scale 1:5 and 1:10 (as appropriate, and including break lines in the drawings if required) including glazing bar details and including the relationship of the windows to the external wall of the building and also any rebates present in the wall surrounding the window openings. These drawings shall show the incorporation of

glazing bars integral to the structure of the window and projecting seamlessly through the panes of glazing and shall show the incorporation of putty detailing externally to the framing. 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 protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 12 The new sash windows shall operate only in a vertically sliding manner

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 13 You must apply to us for approval of plans/elevations/sections/methodology (as appropriate) showing the new handrail to the existing internal lower ground to ground floor staircase (including any supporting bars) and its integration/fixings with the existing staircase. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these drawings/methodology. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 14 You must apply to us for approval of detailed drawings, and/or an example photograph, of the new fireplaces proposed for the front and rear rooms to first floor level. 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/or photographs. The existing hearth to the chimney breast on the rear room shall be retained in-situ (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 15 Notwithstanding the submitted drawings, the cornice to the main front room at ground floor level shall be retained in-situ

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 16 You must apply to us for approval of elevation and section drawings showing the existing windows where new double glazed inserts into retained frames are proposed which show the extent of removal of fabric from the existing frames, and show the integration of the new double glazed inserts into the retained frames. The drawings shall show the incorporation of putty detailing externally to the framing. 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 protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 17 The new secondary glazing shall not incorporate a subdivision of the glazing with the exception of framing in line with the horizontal meeting rail of the adjoining sash window

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 18 Notwithstanding the submitted drawings, you must apply to us for approval of plans/sections/methodology/clarification of fabric removal (all as appropriate) for any new servicing routes internally to the 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 documents. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 19 You must apply to us for approval of a photograph of a sample of the paving you will use to pave the 'Terrace' and 'Terrace Below' areas (as referred to on drawing PL-12). 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 material(s). (C26BD)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 20 You must apply to us for approval of detailed drawings, or example photographs, of the design and detailing for the new doors and architraves added to the third floor level within the 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 or example

photographs. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 21 Notwithstanding the submitted drawings, you must apply to us for approval of plan/section/internal elevation drawings/methodology of works (as appropriate) for any works within rooms 'S2' and 'S2A' (as annotated on drawing P12A). 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 submitted drawings and details (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

#### **Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF.

In reaching this decision the following were of particular relevance:

Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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

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

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

It is a criminal offence to carry out work on a listed building without our consent. Please remind

your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

- 3 With regards to condition 21 on this decision letter, you are advised that the approach suggested in annotation for this room is not supported, and for an application to discharge this condition to be considered acceptable it would only be on the basis of the dressing room element being designed as a piece of furniture set within the room, on it being pulled away appreciable from the chimney breast and therefore not fully spanning the width of the room, and on it being set well below ceiling level.