

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 5 March 2024	<b>Classification</b> For General Release	
<b>Report of</b> Director of Town Planning & Building Control		<b>Ward(s) involved</b> Abbey Road	
<b>Subject of Report</b>	<b>Templar Court, 43 St John's Wood Road, London, NW8 8QJ</b>		
<b>Proposal</b>	Construction of a new three storey dwelling with external terrace and patio located in between 7 & 8 Squire Gardens.		
<b>Agent</b>	Daniel James		
<b>On behalf of</b>	WTB Development Co. Ltd		
<b>Registered Number</b>	23/08585/FULL	<b>Date amended/ completed</b>	22 December 2023
<b>Date Application Received</b>	12 December 2023		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	N/A		
<b>Neighbourhood Plan</b>	N/A		

**1. RECOMMENDATION**

Grant Conditional Permission.
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**2. SUMMARY & KEY CONSIDERATIONS**

<p>This application relates to Squire Gardens, a complex of 2 storey houses around a communal courtyard to the rear of a block of flats, named Templar Court, on the north side of St John's Wood Road. The area in question is a gap between numbers 7 and 8 Squire Gardens currently used as a fire escape. The site is not located in a conservation area and is unlisted.</p> <p>Permission is sought for the construction of a new three storey dwelling with external terrace and patio located in between 7 &amp; 8 Squire Gardens. Some minor revisions to the drawings were made during the course of the application. It was not deemed necessary to reconsult on these.</p> <p>Objections have been received from the St John's Wood Society and local residents on a number of grounds, including: land use, design, residential amenity, fire risk and structural impact.</p>
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The key issues in the determination of this application are:

- The acceptability of the proposed residential accommodation in terms of its, size, mix and accessibility.
- The impact of the proposed building in design terms and upon the character and appearance of the building and wider townscape; and
- The impact of the proposals upon the amenity of neighbouring properties.
- The acceptability of the energy performance of the proposed building.

The application is considered to accord with policies in the City Plan 2019-2040 adopted April 2021 with respect to land use, design, amenity, highways and trees and the application is therefore recommended for approval subject to the conditions as set out within the draft decision letter appended to the report.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Templar Court – street view



Aerial View



**Squire Gardens**



**Entrance to application site area**



Photos to show application site area, from within application (top) and from 27 Storey Court (bottom)



## 5. CONSULTATIONS

### 5.1 Application Consultations

#### ST JOHN'S WOOD SOCIETY:

Objection raised on the grounds that the development is overdevelopment on an inaccessible site with a constrained access. A 3d visual would have been helpful. A request is made that the case officer carries out a site visit to assess the impact to neighbouring properties.

#### LOCAL FLOOD AUTHORITY:

Due to the site, size, location and type of development, this application does not meet the threshold requirements for the LLFA to respond, as there is no known local flood risk to this proposed development, and it is a minor application.

#### HIGHWAYS PLANNING MANAGER:

No objection

#### WASTE PROJECT OFFICER:

Objection raised, whilst the applicant has indicated a waste storage on the drawing submitted for the development, the drawings are not in line with the council waste storage requirements.

#### ENVIRONMENTAL SCIENCES:

No objection subject to conditions.

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

No. Consulted: 290

Total No. of replies: 19

No. of objections: 19

No. in support: 0

Objections have been received on some or all of the following grounds:

#### Land Use:

- overdevelopment
- no more requirements for luxury residential developments
- if something was to be built here, it would have been built as part of the original development
- proposals do not meet the minimum space standards for new homes in terms of space and standard of accommodation
- the proposals go against the guidance of the St John's Wood Society which identifies the concerns of basement development
- the proposals go against the claim of the St John's Wood Society which says 'the society will object to applications for infill development where the scale and detailing and proportions will have a detrimental impact on the character of the building'

**Design:**

- The proposals do not comply with London Plan or City Council design policies
- Proposals would disrupt the harmonious character of the courtyard
- unbalancing of 'gaps' of the courtyard mews
- proposals would not match the detailed design of the existing courtyard houses
- poor architectural quality
- non-matching materials
- security risks from proposed design, making it easier for people to climb onto the roofs
- the green roof is out of keeping with the area

**Amenity:**

- overlooking because of the glass façade
- noise from the new house and terrace/courtyard
- loss of view

**Other:**

- loss of fire escape stair
- building over of ventilation space for lower ground carpark
- lack of sustainable design statement
- lack of structural method statement
- no consultation with neighbours by developer
- the application is factually incorrect/ misleading referring to the site as 'a vacant plot of land'
- title deeds show the land in front of 7 & 8 Squire Gardens is in the ownership of those properties not the freeholder
- lack of consultation on revised drawings
- why did the case officer meet the applicant on site, especially during the consultation procedure and why weren't neighbours afforded the same visit.

**PRESS NOTICE/ SITE NOTICE:**

Yes

**5.2 Applicant's Pre-Application Community Engagement**

The applicants submission is silent on the issue of community engagement. Objectors note in their responses that the applicant has not carried out any consultation with local residents. Given the nature of the proposals, whilst regrettable, this is not a formal requirement for a scheme of this nature.

**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) (December 2023) and should be afforded full weight in accordance with paragraph 225 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 47 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 (December 2023) unless stated otherwise.

**7. BACKGROUND INFORMATION**

**7.1 The Application Site**

The application site comprises a 1990's block of flats, named Templar Court and a series of two storey houses set around a communal courtyard called Squire Gardens. The site sits on the north side of St John's Wood Road sited between Lisson Grove and Hamilton Terrace. The site lies outside of a conservation area, but adjacent to the St John's Wood Conservation Area (the conservation area stops on the boundary with the rear of Squire Gardens/ Scott Ellis Gardens. The property is not listed.

To the rear of the application site, within the conservation area is Scott Ellis Gardens, a series of six flatted mansion blocks. To the west of the application site is Storey Court, a residential development for the over 55's.

**7.2 Recent Relevant History**

23/05600/FULL

Variation of condition 1 (and in turn condition 9) of the planning permission dated 21st December 2021 (RN:21/03579/FULL) for the Erection of a single storey roof extension above the existing circular parapet to provide one self-contained flat (Class C3) with associated roof terrace. Namely, extend the front terraces on both sides of the consented extension to the front of the building.

Application permitted 2 January 2024

21/03579/FULL

Erection of a single storey roof extension above the existing circular parapet to provide one self-contained flat (Class C3) with associated roof terrace.

Application permitted 21 December 2021

13/03561/FULL

Erection of single storey extension to existing side / rear terrace, installation of air conditioning condensers to rear terrace, and installation of replacement windows and doors all at sixth floor level (Flat 36).

Application permitted 24 September 2013

94/07391/FULL

Redevelopment to provide residential development of 34 flat and 9 houses (alterations to scheme granted 23/11/1992 - 92/01445/FULL)

Application permitted 26 January 1995

## **8. THE PROPOSAL**

The proposals are for a new residential dwelling at the northwest corner of the site located in between 7 & 8 Squire Gardens, and between two rows of mews houses. The new house would comprise lower ground, ground floor, one upper storey and slated pitched roofs and incorporates an external terrace and patio. Changes are required to the existing fire escape arrangement adjacent No. 8 Squire Gardens.

During the course of the application the applicant revised the drawings as there was an error on the submitted plans. The original plans showed an area of roof being built up to the boundary with No. 8 Squire Gardens, which in fact was not proposed. The revised drawings removed this 'build up' with No. 8 Squire Gardens. The plans were accepted by the case officer and it was not considered that this rectification was so significant as to warrant further consultation, despite an objection received on this basis.

## **9. DETAILED CONSIDERATIONS**

### **9.1 Land Use**

A number of objections have been received to the proposals on land use grounds.

In land use policy terms, the provision of a new additional residential house is in accordance with Policy 8 (Housing Provision) of the City Plan and is therefore welcomed. The policy refers to optimising housing density and the scheme which seeks to utilise an area of vacant land, subject to other matters discussed below, is therefore acceptable in principle, an innovative approach (as discussed in part 8.4 of the policy) to housing supply and the objections received on the grounds of overdevelopment of this piece of land can not be sustained.

Policy 12 of the adopted City Plan seek to ensure new homes and residential extensions provide a well -designed, energy efficient and high quality living environment; that 90% of all new build housing is accessible and adaptable and that all new homes will meet or exceed the National Described Space Standard.

The unit is proposed as a 2 bedroom, 3 person unit over 3 storey's and measures 81.2m<sup>2</sup>. At lower ground floor level a bedroom, a study and a bathroom are proposed. The study has not been designed as a bedroom given the constraints of the site and layout of the property, open to the staircase. There is a courtyard at this level. At ground

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floor level a living area and kitchen is proposed. There is also a balcony at this level. At first floor level a bedroom and a bathroom are proposed

At 81.2 m<sup>2</sup> the new house exceeds the minimum requirements outlined in the Nationally Described Space Standards for a 2 bed residential unit which is 70sqm. Objections have been received on the grounds that the site should be considered a dwelling over 3 storey's and therefore have a minimum space of 90m<sup>2</sup>. Officers consider this a misinterpretation of the standards as 90m<sup>2</sup> would be for a 3bed, 4 person unit over 3 storey's. Not only can the study not be included as a bedroom for the reasons outlined above, but the lower ground bedroom is not considered large enough to accommodate 2 people. The proposed house will be well lit from glazed elevations at lower ground and ground floor levels and ample rooflights. The applicant has submitted a daylight and sunlight assessment which confirms that the proposed house will be subject to adequate levels of daylighting in accordance with the BRE Guidance, as amended in 2022.

Policy 12 D also requires that all new homes will provide at least 5 sqm of external amenity space. The proposals exceed this with a courtyard and a terrace.

In response to the objections concerning 'more new luxury homes', the City Council in this circumstance have no control over the rent or purchase price of this property should permission be granted and built out and this is not a reason to withhold permission.

A number of objectors comment that had a home been wanted in this location, it would have formed part of the original redevelopment approval from 1995. Whilst this may have been true then, this is not a reason to not accept or dutifully assess a planning application for a new house now.

Objectors also argue that the proposals go against the guidance of the St John's Wood Society which identifies the concerns of basement development. However, whilst the scheme does include a lower ground floor level, there is no basement excavation proposed.

The proposals are acceptable in land use terms and comply with City Council and London Plan policies.

**9.2 Environment & Sustainability**

Objections have been received that a sustainable design statement, as required by the City Council's validation checklist was not submitted with the application. An energy statement which included a section on energy and sustainability was submitted with the application and during the course of the application a sustainable design statement was also submitted.

**Sustainable Design**

The proposals are providing high quality additional residential floorspace to the existing development. The applicant advises that sustainable and sustainability sourced materials will be used wherever possible. The new house will have good insulation and the windows will have sound thermal energy performance.

The proposals are considered to comply with Policy 38D (Design Principles) of the City

Plan and the guidance as set out in the 'Energy' and 'Retrofitting and Sustainable Design' sections of the ESPD.

**Energy Performance**

Policy 36 of the City Plan relates to energy and promotes zero carbon; developments to reduce on-site energy demand and to maximise low carbon energy sources. The applicant has provided an energy statement setting out their commitment to reducing energy demand and CO2 emissions, including: the use of sustainable materials, natural ventilation, energy efficient lighting and a combined heat and power system (CHP).

**Whole Life Carbon**

The proposed scheme is a minor development and therefore a Whole Life Carbon Assessment is not required.

**Circular Economy**

Whilst Policy 37C states that developers are required to demonstrate the recycling, re-use and responsible disposal of construction, demolition and excavation waste, there is no demolition proposed and as the scheme is not a major application, therefore the applicant is not obliged to comply with the Circular Economy policies.

**Flood Risk & Sustainable Drainage**

Due to the site, size, location and type of development, the City Council's local lead flood authority does not consider that there is a risk to local flood risk from the proposed development. Measures to reduce the risk of surface water flooding include the planting of a green sedum roof. The proposals are in accordance with policy 35 (Flood risk) and will help protect receiving waters from pollution and minimise the risk of flooding and other environmental damage.

**Light Pollution**

Whilst the proposals include largely glazed elevations to the rear elevation of the new house at lower ground and ground floor level, these face within the courtyard and toward the existing high boundary walls of the application site and result in little light pollution to the occupiers of Storey Court and Scott Ellis Gardens. At first floor level one window is proposed to the master bedroom and rooflights are proposed to the main roof. Whilst these would be visible from upper levels of adjacent properties, these are very domestic in nature and are not so large so as to result in harmful levels of light pollution. It is also not considered that these levels of light would be harmful to any wildlife. The proposals are considered to comply with Policy 33(B). Local environmental impacts

**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.

**9.3 Biodiversity & Greening**

A green roof is proposed at roof level. This is welcomed and in accordance with policy 34 (B) of the City Plan. A condition securing this is installed is recommended.

## 9.4 Townscape, Design & Heritage Impact

### Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows: Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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.”

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39 in the City Plan 2019-2040 states that features that contribute positively to the significance of conservation areas and their settings will be conserved and opportunities taken to enhance conservation areas and their settings.

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 be clearly and convincingly justified and should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, including where appropriate securing the optimum viable use of the heritage asset, 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 relevant policies for the consideration of this application are 34, 36 38, 39 and 40 of the City Plan 2019-2040.

### Proposals

The site currently accommodates a fire escape staircase, which allows escape from the underground car park. This is proposed to be remodelled to run along the southern side of the site with No. 8 Squire Gardens, with a three-storey pitched roofed dwelling covering much of the remaining space.

The boundary wall with the Storey Court site to the west will be raised for a length of 3.7m and a height of 1.5m. Above this a pitched roof is proposed and slopes up eastwards to match the height of the eaves of the Squire Gardens houses. To the north of the site the bulk of the upper floors/ roof springs off the tall boundary wall with Scott Ellis Gardens. The eaves of the proposed roof at this point slopes up southwards, again to match the height of the eaves of the Squire Gardens houses. Much of the building will be concealed by its pitched roof, which mimics the form of its neighbours to the east and south. At the northwestern corner of the site the proposals will feature a three storey lightwell, providing light to the development site. At lower ground floor level a courtyard is proposed accessed from the bedroom/ study area and at ground floor level behind the party walls will be a small balcony.

## Assessment

Objections have been raised to the development of this 'townscape gap' and that if this was intended on being a house, it would have formed part of the 90's proposals. The 90's scheme included three gaps, to the far east, far south and one in the corner of the development (the application site) and provided ventilation for the car park. The gap in question is not felt significant or worthy of retention in light of a well-designed and considered scheme. Two gaps would remain offering some design symmetry and ventilation for the car park. In addition the reconfigured fire escape stair also still provides ventilation to the carpark.

From a design perspective, the development successfully responds to the form and geometry of the neighbouring mews houses. Whilst a modest amount of bulk will be created by the roof above the existing boundary wall, this is no more imposing than the existing development. It is intended to match the brick work and slates of the existing buildings, which enables the development to integrate successfully with its neighbours, despite the objections raised on this point. A green roof is proposed and this is welcomed in design terms, despite the objection received on the grounds that this is out of keeping with the area. Green roofs are much more common place given the biodiversity benefits they bring about and it should be noted that the roof extension to main Templar Court will also contain one.

In conclusion, from a townscape perspective the proposals will appear quiet and respectful of its context having a negligible impact on the setting of the adjacent conservation area. Subject to conditions ensuring that materials match the estate, the proposals are supported on design and townscape grounds.

### 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 2019 - 2040. 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.

A number of objections have been received to the proposals on the grounds of overlooking, noise from the new house and terrace/courtyard and loss of view.

#### **Loss of light/ sense of enclosure**

To facilitate the development, as noted above the boundary wall with Storey Court is to be raised in height by 1.5m for a length of 3.7m. This will be some 5m away from east facing windows of Storey Court, and is to replicate the relationship that properties 8, 9 and 10 Squire Gardens has with Storey Court. The sloping roofs and the remainder of the bulk and massing of the new home are to be no higher than the roofs of the adjacent 7 and 8 Squire Gardens. The applicant has submitted a daylight and sunlight assessment with the application and this demonstrates that there no significant losses to the properties in Storey Court and that the proposals comply with the BRE Guidance (2022).

In terms of enclosure, whilst the boundary wall with Storey Court is to be built upwards and the 'gap' is to be fully built over, replicating the roof heights of 7 and 8 Squire Gardens it is not considered that this relationship is harmful to the amenity of the occupiers of Storey Court in terms of sense of enclosure and the proposals will result in a similar relationship that the current occupiers of Storey Court experience with 8, 9 and 10 Squire Gardens.

### **Overlooking**

Given the majority of the bulk and massing is contained behind the existing or adapted boundary walls (in the case of the wall with the Storey Court) it is not considered that there would be any harmful overlooking from the windows or balcony which face into the courtyard at lower ground and ground floor level. At first floor level, two full height windows are proposed to the master bedroom. One faces the side elevation of 8 Squire Gardens and therefore results in no overlooking to neighbouring properties. The other faces the courtyard of the new house and towards the rear elevations of Scott Ellis Gardens, over 10m away. It is not considered due to the distance from the proposed bedroom window that any overlooking would be so harmful to warrant refusal.

Rooflights are proposed both within the slopes of the pitched roofs and the flat green roof. Given their angle and siting these will not result in any overlooking to neighbouring properties.

### **Loss of View**

There are no views from adjacent properties other than to the buildings of the application site itself. In any event, protection of views are not a material planning consideration.

### **Noise**

The use of the lower ground floor courtyard and ground floor balcony in this residential property are not likely to be used so heavily so as to result in harmful noise levels to neighbouring properties.

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

### **Car Parking**

No car parking is proposed for the development and this is supported by policy 27 of the City Plan which seeks to encourage car free redevelopments. As a point to note though there is a basement level car park which provides approximately 40 car parking spaces.

### **Cycle Parking**

2 Sheffield stands for the proposed development are proposed in the basement carpark area, adjacent the reconfigured fire escape. This is welcomed and in accordance with City Council and London Plan policy.

## **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. The new residential accommodation proposed will support the local economy through increased local spending, thereby supporting local employment and services.

## 9.8 Other Considerations

### **Waste Storage**

Additional refuse storage is shown on the basement car park floor plan in an existing waste storage area. The Council's Cleansing officer considers this not in accordance with the Council's waste guidelines and that further details should be conditioned.

However, it is not considered reasonable to require further details when one additional residential unit is proposed, within this large building which already has a site wide waste storage/ collection plan in place.

### **Fire Escape**

A number of objections have been received on the grounds that the proposals result in the loss of the fire escape stair from the basement car park and adjacent No. 8 Squire Gardens.

The fire escape stair is not being removed, rather it is being reconfigured to run more fully adjacent No. 8 Squire Gardens and not to occupy so much of the space within the application site area, thereby allowing space for the development proposals.

### **Lack of Structural Method Statement**

An objection has been received on the grounds that there is no structural method statement submitted with the application. A structural method statement is not required for a scheme of this nature and matters of structural methodology will be assessed through Building Regulations.

### **Enclosing of ventilation space for car park**

Objections have been received on the grounds that the proposed development and removal of fire escape will result in the enclosing of the one of the ventilation spaces for the basement car park.

Whilst the proposals result in the building over of the plot, as noted above the fire escape stair remains albeit in a reconfigured form and this would still result in ventilation of the car park. This is in addition to three other areas of ventilation that are being retained.

### **Factual Inaccuracies**

Objectors have referenced that the applicant uses misleading and factually incorrect terms when describing the site as a 'vacant plot' and that this implies it should be built over. Officer acknowledge that these areas were 'left open' as part of the 1990's redevelopment, as discussed in the design section of this report.

### **Ownership Matters**

An objector states that the title deeds show the land in front of 7 & 8 Squire Gardens is in the ownership of those properties not the freeholder. Matters of ownership are not a material planning consideration and will be a civil matter should planning permission be granted.

### **Site Visit**

It has been queried why the case officer carried out a site visit to the site with the applicant, during the course of the application and why affected neighbours were not afforded the same opportunity.

The case officer is required to carry out a site visit to understand and assess the proposals. From this visit, it was not considered necessary to visit the adjacent properties of 7 and 8 Squire Gardens given that the case officer had seen everything they needed to see. A visit to the underground car park and surrounding area was made and this too was considered sufficient. The case officer was also able to carry out a visit to a residents property in Storey Court which gave a good overview of the proposals.

### **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.

The estimated Westminster CIL payment is £62,787.00 whilst the estimated Mayoral CIL payment is £7,432.00. Note that these figures exclude any discretionary relief or other exemptions that may apply and are estimates based on the floorspace identified in the submitted drawings and documents. The actual CIL liability will be calculated by our CIL & S106 Team post determination of the application using the process set out in the Community Infrastructure Levy Regulations 2010 (as amended).

### **10. Conclusion**

This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy. Having regard to this assessment, it has found that the proposed development is acceptable in terms of land use, amenity, design, highways, energy and sustainability.

Accordingly, the proposal is considered acceptable and would be consistent with the relevant policies in the City Plan 2019-2040 and London Plan 2021. It is recommended that planning permission is granted, subject the conditions listed at the end of this report, which are necessary to make the development acceptable.

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

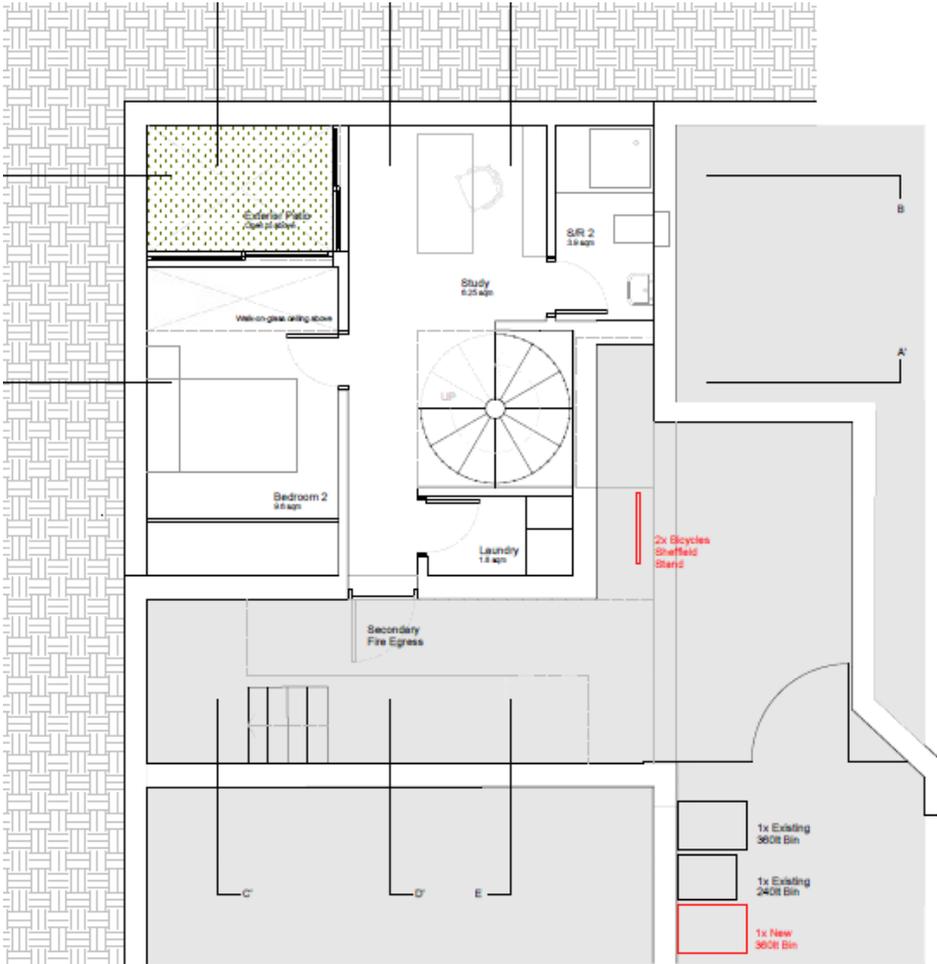
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: IAN CORRIE BY EMAIL AT [icorrie@westminster.gov.uk](mailto:icorrie@westminster.gov.uk)

11. KEY DRAWINGS

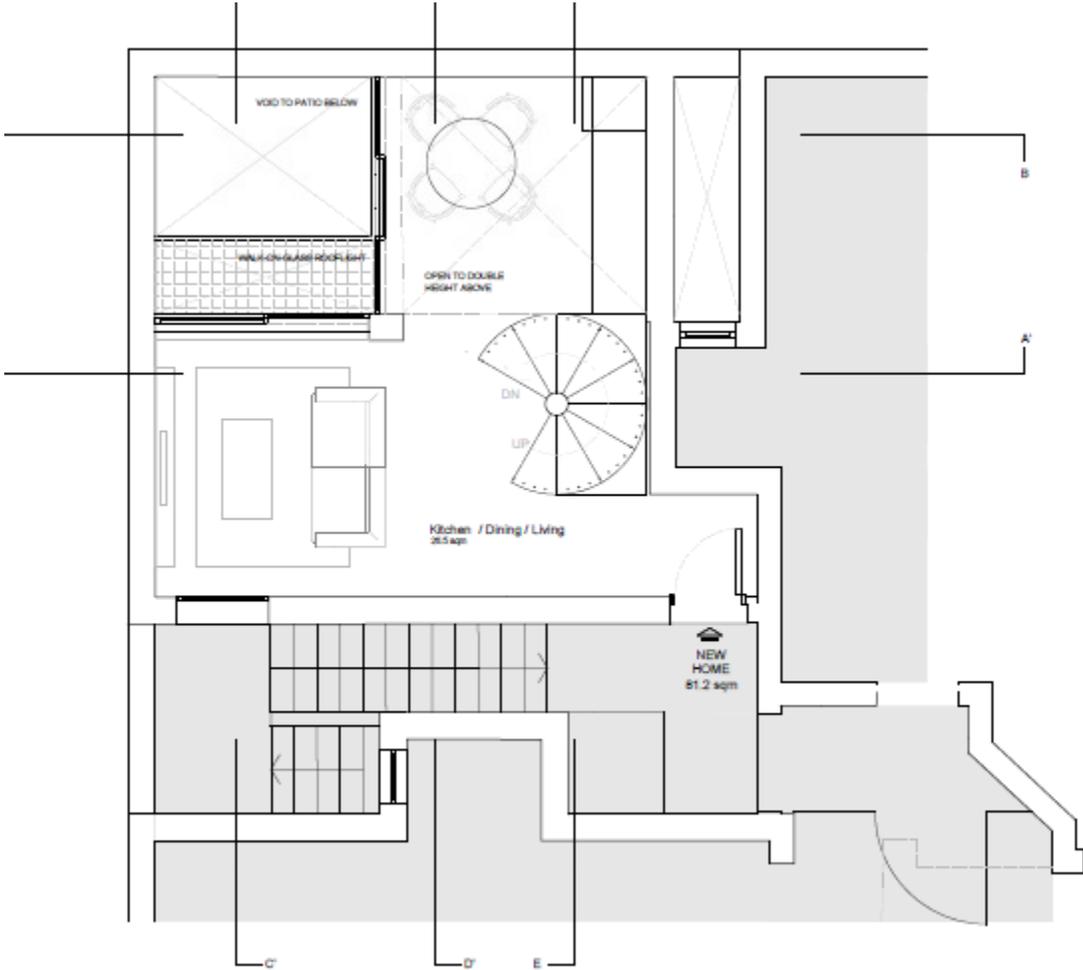
Reminder of application area:



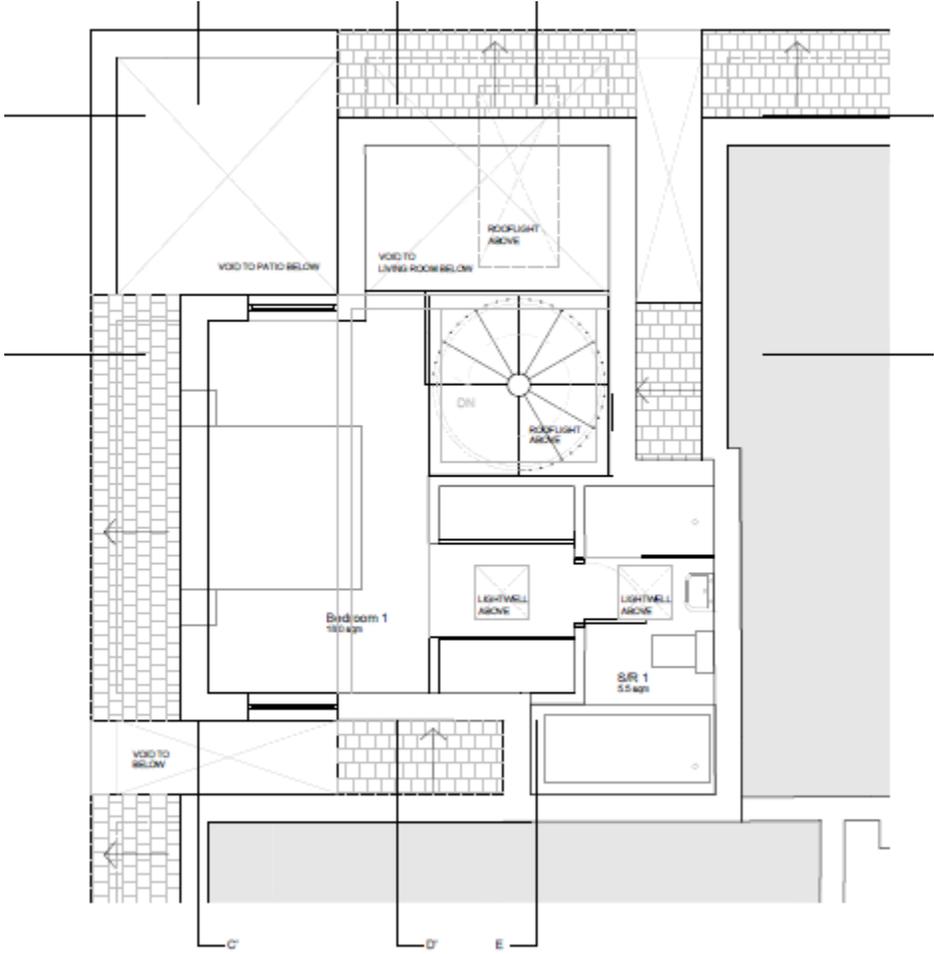
**Proposed Lower Ground Floor Plan:**



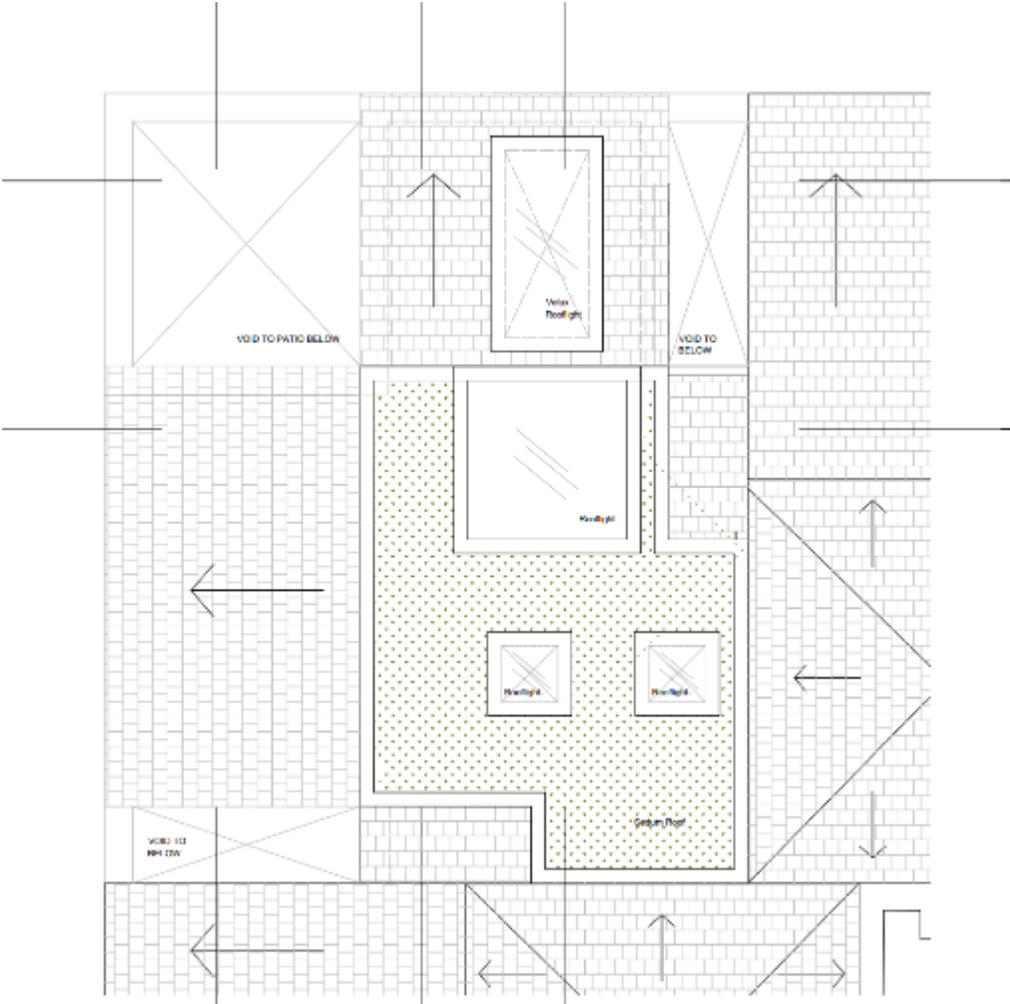
**Proposed Ground Floor Plan:**



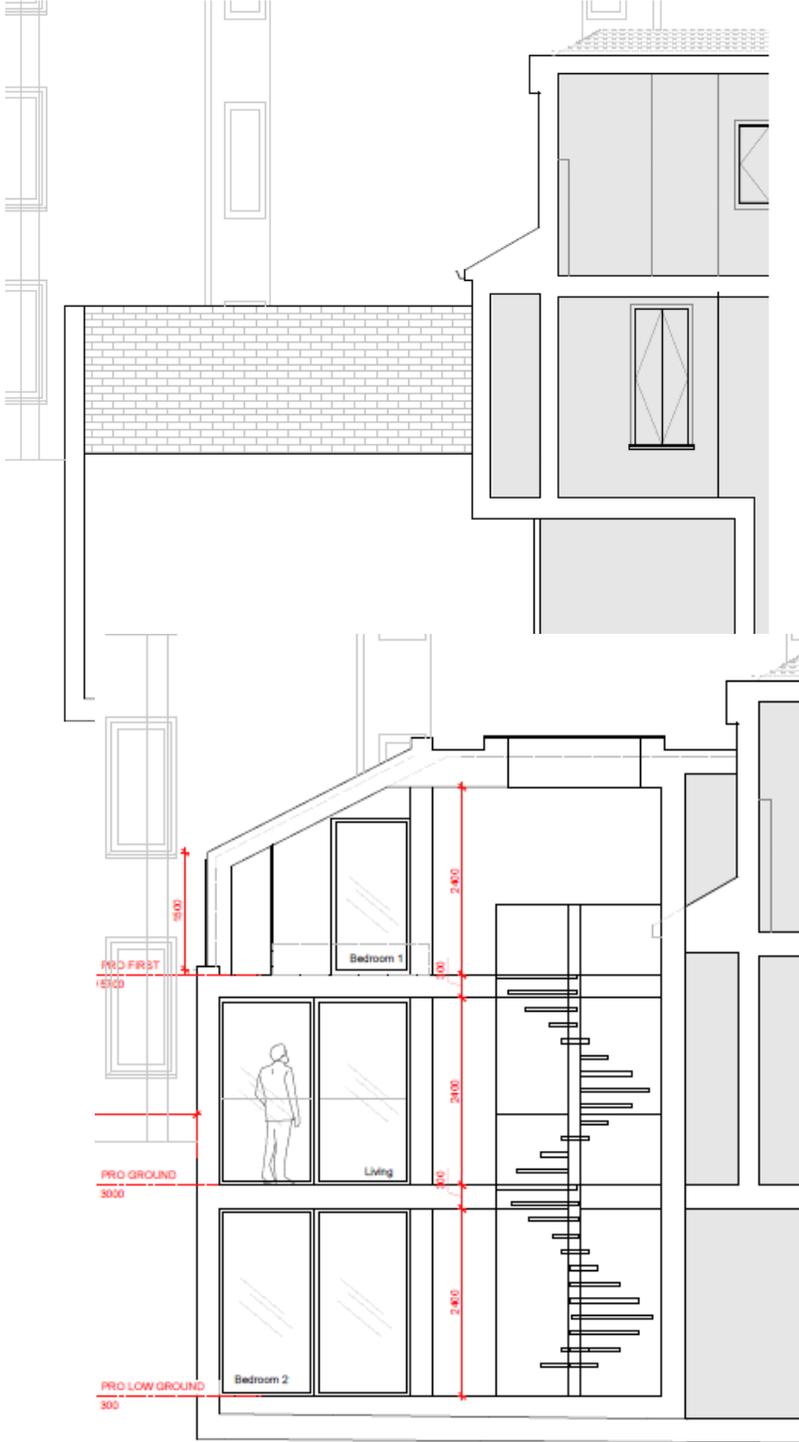
**Proposed First Floor Plan:**



**Proposed Roof Plan:**



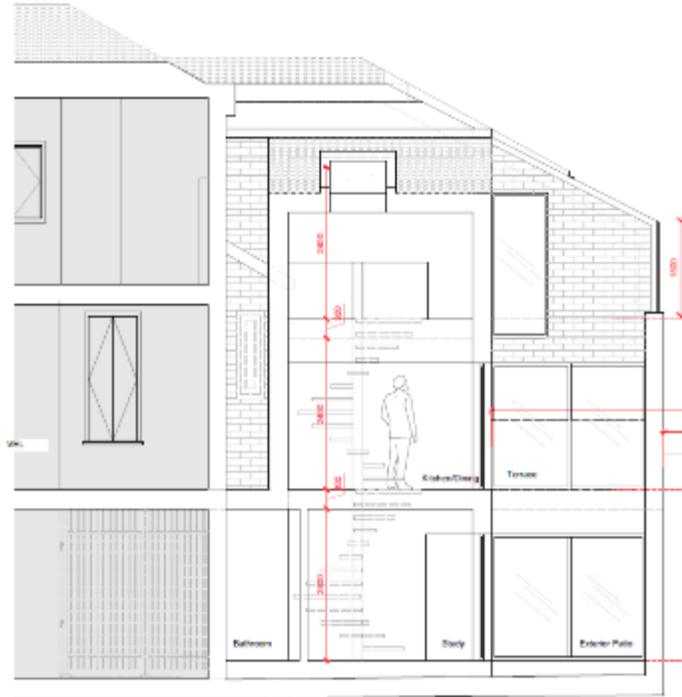
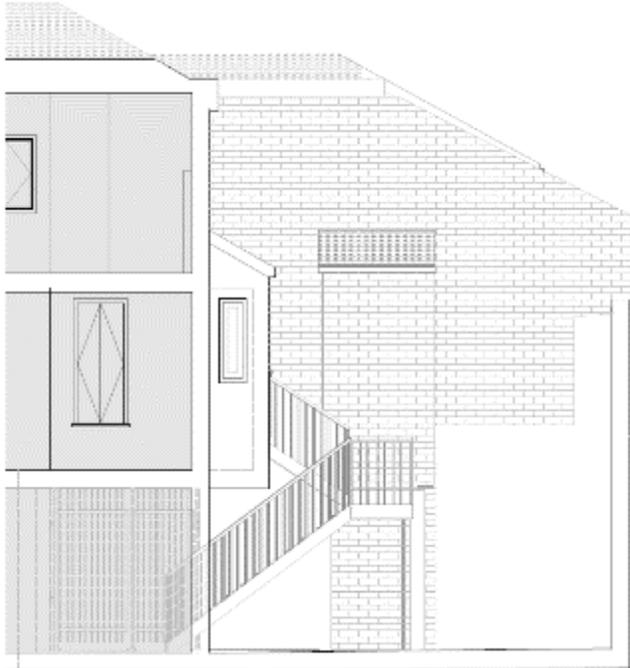
Existing (top) and Proposed (bottom) Section Drawings – Scott Ellis Gardens in rear:



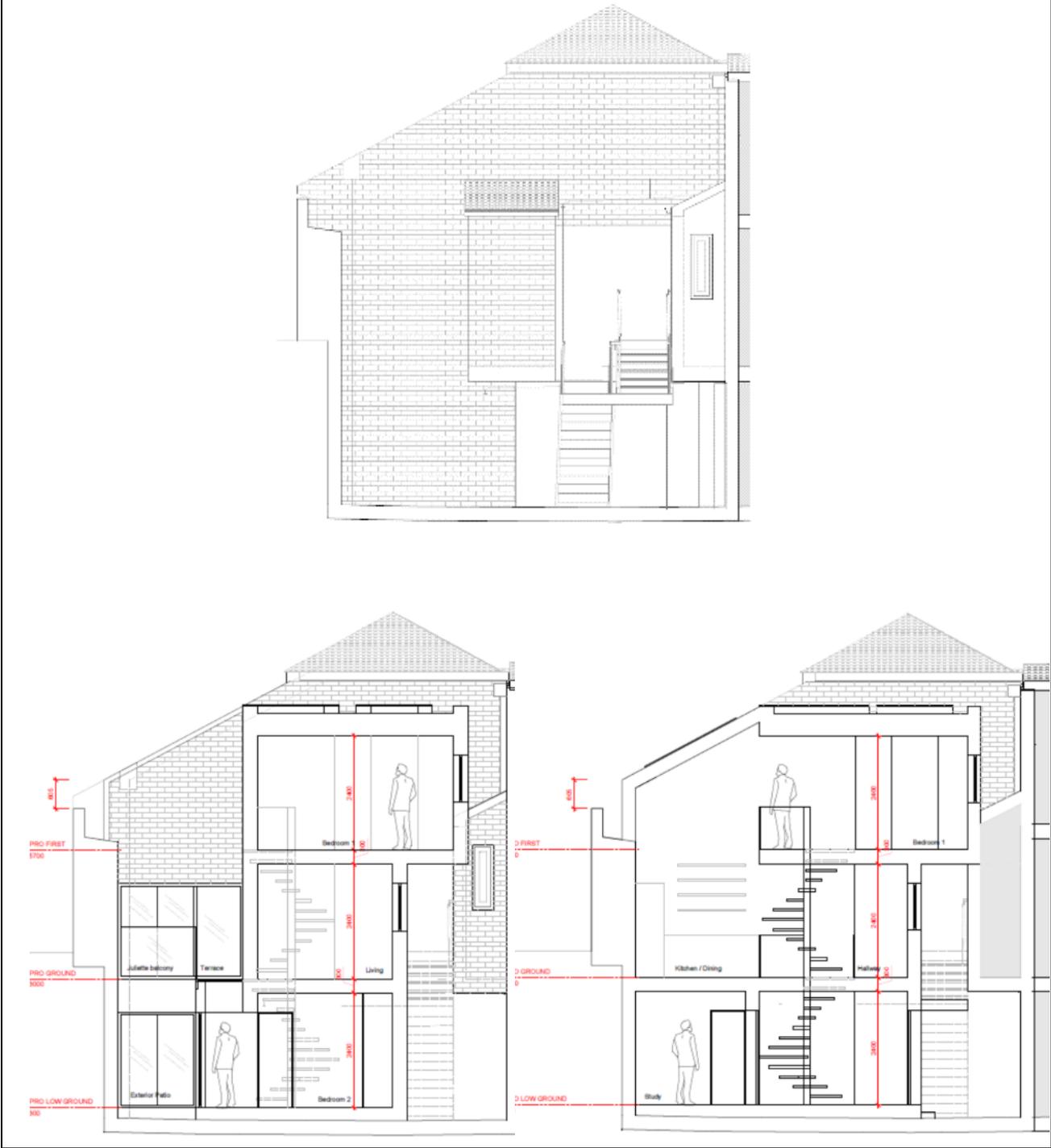
Existing (top) and Proposed (bottom) Section Drawings – Storey Court to rear



Existing (top) and Proposed (bottom) Section Drawings – 8 Squire Gardens to rear



**Existing (top) and Proposed (bottom) Section Drawings – 7 Squire Gardens to rear**



**Axonometrics – For Information**



Mark up of basement parking area and ventilation areas:



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## DRAFT DECISION LETTER

**Address:** Templar Court, 43 St John's Wood Road, London, NW8 8QJ

**Proposal:** Construction of a new three storey dwelling with external terrace and patio located in between 7 & 8 Squire Gardens.

**Reference:** 23/08585/FULL

**Plan Nos:** TCT3\_SK: 100; 101; 102; 103; 104; 130, 131, 132, 133, 134, 140, 201; 202; 203; 204; 300; 301; 302, 303, 304, 400, Design and Access Statement; Daylight and Sunlight Report (Neighbouring Properties) dated 30 November 2023; Daylight and Sunlight Report (Within Development) dated 11 December 2023; Energy Statement dated 28 November 2023.

**Case Officer:** Kimberley Davies

**Direct Tel. No.** 020 7641  
07866036948

### 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 , onot 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 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 not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

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 Before anyone moves into the property, you must provide the separate stores for waste and materials for recycling shown on drawing number TCT3\_SK\_201 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 new house. (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)

- 6 You must provide each cycle parking space shown on the approved drawings prior to occupation of the development. Thereafter the cycle spaces must be retained and the space used for no other purpose. (C22FC)

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)

- 7 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49AB)

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

Reason:

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

- 9 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the building without our written permission. This is despite the provisions of Classes A and B of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (as amended) (or any order that may replace it). (C21EC)

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)

- 10 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application., , Green Roof, , You must not remove any of these features. (C44AA)

Reason:

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

**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 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)

- 3 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](http://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](http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil) , Forms can be submitted to [CIL@Westminster.gov.uk](mailto: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.**
- 4 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 5 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is also a condition of the London Building Acts (Amendment) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application for street naming and numbering, and to read our guidelines, please visit our website: [www.westminster.gov.uk/street-naming-numbering](http://www.westminster.gov.uk/street-naming-numbering). (I54AB)
- 6 In relation to the green roof condition, you should review the guidance provided by the Greater London Authority on their website prior to finalising the structural design of the development, as additional strengthening is likely to be required to support this feature: [www.london.gov.uk/what-we-do/environment/parks-green-spaces-and-biodiversity/urban-greening](http://www.london.gov.uk/what-we-do/environment/parks-green-spaces-and-biodiversity/urban-greening).

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