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01 April 2021

Our ref: GAO/JOR/KAT/U0014922

Your ref: PP-09440264

Dear Sir/Madam,

**27 Connaught Street, London, W2 2AY
Planning (Listed Buildings and Conservation Areas) Act 1990
Application for Listed Building Consent**

We write on behalf of our client, The Church Commissioners for England, to submit an application for listed building consent at 27 Connaught Street, London, W2 2AY (the "Site"). Listed Building Consent is sought for:-

"Damp proofing works at basement level, lightwell and vaults, and associated works."

The Church Commissioners for England

The property is located within the Hyde Park Estate and is owned by the Church Commissioners for England. The Estate which is bounded by Sussex Gardens, Bayswater Road and Edgware Road extends to approximately 1,700 residential, commercial and retail properties.

The Church Commissioners take very seriously its role of stewardship of the historic built environment and the contribution that the uses on the Estate make to the vitality and viability of this part of Westminster. The Commissioners actively manage and invest in the Estate to upgrade and maintain its properties, many of which are listed, and to enhance the public realm and gardens across the Estate to ensure that it is an attractive and vibrant residential area, in the heart of the City.

Site and Surroundings

The site is located on the southern side of Connaught Street, with Archery Close to the east, and Albion Street to the west. The property is comprised of a retail unit over basement and part ground floor with residential accommodation above.

The site is a Grade II listed building and is located within the Bayswater Conservation Area.

The listing description states:

***"TQ 2781 SW CITY OF WESTMINSTER CONNAUGHT STREET, W2 (south side) 53/36 10.4.75
Nos 7 to 57 (odd)***

GV II

Terrace. Laid out c.1828. S P Cockerell for Trustees of Bishop of London. Brown brick, reddened in part with channelled stucco ground floor to Nos 7, 37 and 43-57. 3 storeys, except Nos 7-15, 31, 33, 55 and 57 of 4 storeys. Basement. Each house 2 bays. No 7 has a round-arched entrance with fanlight flanked by a casement windows. No 37 has a round-arched entrance containing double doors with fanlight. Nos 43-57 have elliptical-arched entrances with panelled doors and overlights flanked by sash windows, some with glazing bars. Otherwise C19 and C20 shop fronts. No 11 incorporates a mews arch. 1st floor balconies to most. Sashes with glazing bars. Flat gauged brick arches. Stucco sill band to those with 3rd floors. Railings with urn finials to No 7 and 43-57."

The property is located within the Connaught Village, which is designated as a local shopping centre on the City of Westminster City Plan Proposals Map (November 2016). The surrounding area is characterised by retail and restaurant units at the ground and basement floors with residential floorspace above. There are also a number of pubs, galleries and studios in the surrounding area.

The site is well placed for access to public transport, being located close to Marble Arch Underground Station, Oxford Street, Park Lane and Edgware Road which provide a number of bus routes. The site has a Public Transport Accessibility Level of 6b meaning excellent accessibility.

Planning History

A desk-based review of the planning history at 27 Connaught Street has revealed a number of minor applications relating to the site, no applications are considered relevant to this application.

Proposals

The Church Commissioners as part of their extensive investment in the Hyde Park Estate have appointed Colman Architects to bring forward proposals for the damp proofing of the retail unit at basement level. As set out in the Damp Proofing Report, prepared by ProTen Services the damp is widespread throughout the basement.

The proposals include the provision of a full cavity drain system to the front of the basement including the vaults and lightwell, and a chemical DPC junction and wall membrane applied to the affected areas in the remainder of the basement. The works proposed at this site are similar to those approved in December 2017 at 65 Connaught Street under application reference 17/09206/LBC. A full specification of the damp proofing works and waterproofing works has been submitted as part of the application.

For the avoidance of doubt, the proposals do not impact the floor area or plan form at 27 Connaught Street.

Planning Policy Context

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the Local Planning Authority to determine applications affecting listed buildings and pay special regard to the desirability of preserving the building or its setting.

Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on local planning authorities when considering proposals for development within Conservation Areas to give special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

Adopted Policy

Proposals for the site would be assessed against planning policy contained within the National Planning Policy Framework (2019), the London Plan (2021), Westminster's City Plan (2016), and the saved policies of the Unitary Development Plan (UDP) (2007). The National Planning Policy Guidance and local Supplementary Planning Guidance are further material considerations.

Emerging Policy

The council submitted the City Plan 2019-2040 to the Secretary of State on 19 November 2019. Following an independent examination by the Planning Inspectorate the council received the Inspectors' Report on the City Plan 2019-2040 on 19 March 2021. This concludes that with the recommended main modifications, the plan is sound and compliant with legal requirements. The conclusions of this report mean that the council will now proceed towards formal adoption of the City Plan 2019-2040: Intend to Adopt version (incorporating these main modifications) at the next meeting of Full Council.

Given the advanced stage in the plan-making process, all policies in the City Plan 2019-2040 will therefore now carry significant weight as a material consideration when Westminster City Council carries out its duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004.

The following documents are also material considerations in the assessment of the applications:

- Repairs and Alterations to Listed Buildings SPG (1995);
- Development and Demolition in Conservation Areas SPG (1996);
- Protection of Historic Buildings in Westminster (2000); and
- Bayswater Conservation Area Audit (CAA) (2000).

Conservation and Heritage

The Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the local authority to determine applications affecting listed buildings and pay special regard to the desirability of preserving the building or its setting.

Paragraph 196 of the NPPF provides a test which requires impact on a Listed Building to be weighed against the public benefits of a development proposal which includes securing its optimum viable use, while no alterations to the Listed Building are proposed, this test is considered relevant in this case.

Policy S25 of the Westminster City Plan and Policy HC1 of the London Plan seek to conserve heritage assets such as listed buildings and Conservation Areas. It encourages sensitive upgrade of historic and other important buildings, to improve their environmental performance and make them easily accessible. The policy recognises the need to allow Listed Buildings to be suitably adapted to evolve

with modern economic circumstances, and by not adapting this can lead to buildings becoming vacant and neglected, which becomes a considerable danger.

Emerging City Plan Policy 40 ensures heritage assets and their settings are conserved and enhanced through their retention and sensitive adaptation. Paragraph 40.11 sets out that where listed buildings are at risk through neglect, decay or other threats the Council will support works to bring buildings back into active uses consistent with their heritage value.

Paragraph 2.4 of the Repairs and Alterations to Listed Buildings SPG (1995) sets out that the Council will encourage the proper repair and maintenance of the fabric and structure of historic buildings. Consent will be granted where works are confined to the best possible method of rectifying any defect in the light of the statutory protection placed on the building.

Planning Policy Assessment

The purpose of the proposed works is to rectify the problem of rising damp in the basement in order to both safeguard the building's fabric and bring it up to current standards. The works will involve the minimum amount of intervention required to achieve the optimal result with no change to plan form. A damp report has identified the areas of the building which are at risk and require intervention to safeguard the listed building to ensure that unnecessary works and intervention are not required. The proposed works are therefore minor in nature and fully respect the characteristics of the listed building.

A Heritage Statement has been prepared by KM Heritage and accompanies the application. The Heritage Statement concludes that the proposed works fully respect the spatial and decorative characteristics of the listed building's design and layout, insofar as they are connected to its core architectural and historic interest. The proposed works are not considered to affect the architectural or historic interest of the building to a degree that would alter its special interest in any significant way or the Bayswater conservation area.

The damp proofing works will involve minimal intervention and will address issues of rising damp, the works will therefore contribute to securing the future of the property and the proposals will offer a positive contribution to the Grade II Listed Building with no impact upon the Bayswater Conservation Area. For these reasons, the proposed scheme will comply with Policy S25 of the City Plan, Policy HC1 of the London Plan, Emerging City Plan Policy 40 and the Repairs and Alterations to Listed Buildings SPG. On this basis, listed building consent should be granted accordingly.

Application Documents

In support of this application, we enclose the following supporting documents:-

- Completed Application Form (ref. PP-09440264);
- Completed Ownership Certificate A;
- Site Location Plan, prepared by Colman Architects;
- Heritage Statement, prepared by KM Heritage;
- Damp Proofing Report, prepared by ProTen Services;
- Damp Proofing Specification Reports;
- Existing and proposed drawings, prepared by Colman Architects;
- Proposed damp proofing drawings, prepared by Colman Architects;
- Photographs of site;
- Design and Access Statement, prepared by Colman Architects; and

- Scope of works, prepared by Colman Architects.

There is no application fee for a listed building consent application. We trust that we have provided all of the material required for the purposes of validation and therefore await confirmation of the registration and validation of this application shortly.

In the meantime should you have any queries or require further information, please do not hesitate to contact Joanne Rams (0207 333 6372) or Kathryn Tyne (020 3486 3735) of this office.

Yours faithfully,



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