

PLANNING AND HERITAGE STATEMENT

ADL Planning Ltd
Planning For Better

Flat 2, 1 Hyde Park Street, London, W2 2JW

ADL

Planning and Heritage Statement, including a Design and Access Statement, to accompany an application for planning permission and listed building consent for the installation of an air-conditioning condenser unit in the rear corner of the garden, vent grilles located on the side and rear elevations, replacement secondary glazing and the reconfiguration of the internal arrangement of Flat 2, 1 Hyde Park Street



ADL Planning Pty Ltd.
www.adlplanning.co.uk
contact@adlplanning.co.uk
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Introduction

This statement has been produced to accompany an application for planning permission and listed building consent for the installation of an air-conditioning condenser unit in the rear corner of the garden, vent grilles located on the side and rear elevations, replacement secondary glazing and the reconfiguration of the internal arrangement.

The works are a resubmission of an earlier permission that has now expired under reference 18/03943/FULL and 18/03944/LBC.

This Statement, read in conjunction with all submitted documents, demonstrates that the proposed works would not result in any harm to the architectural or historical interest of this Grade II listed building thereby preserving the character and appearance of the parent building, the respective front and rear street scenes and, by association, the wider conservation area.

The proposed works would not result in any detriment to the residential amenity of the neighbouring properties by way of noise implications as confirmed by the accompanying Acoustic Report.

Application site

1 Hyde Park Street is an end of terrace property located at the junction of Hyde Park Street and Bayswater Road. It was built between 1830 and 1840 as two houses (formerly 15 and 16 Hyde Park Terrace) and was extended in the 1930s. It was later divided into apartments and another floor was added under a mansard in 1958. Flat 2 is located on the ground floor of the 1930s extension.

The application site has a modern interior with no apparent historical features remaining. As shown in the submitted photographs, it appears that all fittings and finishes – including doors, built in furniture, kitchen, sanitaryware, fireplaces, cornices, architraves and skirtings are modern. It also appears that the plan form has been historically altered.

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

The property was listed in 1975 and the listing description states

"TQ 2780 NW CITY OF WESTMINSTER HYDE PARK STREET, 56/10 W2 10.4.75 No. 1 G.V. II End of terrace town house (formerly 2). c. 1830-40, probably by George Gutch Stucco, slate roof. 4 storeys with later additional sheer attic storey. 4 windows wide plus two blind bays. 6 windows wide return to Bayswater Road. Entrance to centre right with large fluted paired column Greek Doric porch projecting to pavement. Recessed plate glass sash windows, those on 1st floor with cornices: Stucco balustrade of Doric column pattern to 1st floor, carried over porch; entablature with dentil cornice over 2nd floor. Heavy, large scale, cast iron spear head railings. Part of the post 1827 Tyburnia development of the Bishop of London's Estate. 'The History of Tyburnia', G Toplis; Country Life 15, 22 Nov 1973."

The Proposal

Planning permission and listed building consent are sought for the installation of an air-conditioning condenser unit in the rear corner of the garden, vent grilles located on the side and

rear elevations, replacement secondary glazing and the reconfiguration of the internal arrangement.

The works are identical to those consented in 20/03364/LBC and 20/03424/NMA. Both of these consents had their parent permissions under 18/03943/FULL and 18/03944/LBC. This consent was not implemented and has now expired. This application is a resubmission of that earlier approval and subsequent modification in order that the works can now take place.

Planning History

The planning history for the property is detailed below.

Application Number	Description	Decision	Date of Decision
21/01039/ADFULL and 21/01040/ADLBC	Details of acoustic enclosure and supplementary acoustic report pursuant to conditions 4 and 8 of planning permission dated 24 July 2018 (RN: 18/03943/FULL).	Approved	11/03/21
20/03424/NMA	Amendments to planning permission dated 24 July 2018 (RN: 18/03943) for: Installation of an air conditioning condenser unit in the rear corner of the garden and the installation of two vent grilles located on the rear elevation. Namely, to add vent grilles on the side elevation.	Approved	15/06/20
20/03364/LBC	Variation of condition 1 of listed building consent dated 24 July 2018 (RN 18/03944/LBC) for the installation of an air conditioning condenser unit in the rear corner of the garden and installation of air conditioning in the principal rooms, internal alterations at ground floor level, including the installation of two vent grilles located on the rear elevation and replacement secondary glazing to windows, NAMELY, to vary the approved drawing numbers to amend the internal layout and add grills to side elevation.	Approved	17/07/20
18/03943/FULL and 18/03944/LBC	Installation of an air conditioning condenser unit in the rear corner of the garden and installation of air conditioning in the principal rooms, internal alterations at ground floor level, including the installation of two vent grilles located on the rear elevation and replacement secondary glazing to windows	Approved	24/07/18
18/01756/FULL and 18/01757/LBC	Internal alterations and refurbishment at ground floor level, including the installation of two vent grilles located on the rear elevation and replacement secondary glazing.	Approved	08/05/18
11/08410/LBC	Internal alterations to ground floor flat (Flat 2) including refurbishment and remedial work to	Approved	25/10/11

	affected area by flooding, new timber flooring, insertion of boiler, radiators and sanitaryware and installation of boiler flue to south west external elevation.		
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Planning Considerations

The Government's National Planning Policy Framework and the City Plan 2019-2040 have been referred to while developing these proposals. The London Plan, the Bayswater conservation area audit and the Supplementary Planning Guidance (SPG) document relating to alterations to historic buildings have also been considered.

The following policies are considered relevant to the consideration of this application:

- Policy 38 – Design
- Policy 39 – Heritage
- Policy 40 – Townscape and Architecture

We believe that, in accordance with the aims of Westminster's Development Plan and adopted SPGs, the proposals will;

- 1) preserve the architectural and historic interest and significance of the listed building
- 2) preserve the character and appearance of the street scene and the wider conservation area; and
- 3) not affect the amenities of surrounding properties.

Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation) Act 1990 require particular attention to be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses and, in respect of conservation areas, to preserve or enhance the character and appearance of a conservation area.

The NPPF requires an Applicant to describe the significance of any heritage assets, including any contribution made by their setting. As noted by paragraph 197 of the NPPF, account should be taken in the decision-making process, of the desirability of sustaining and enhancing the significance of a heritage asset, the positive contribution that conservation of heritage assets can make to communities and the desirability of new development in making a positive contribution to local character and distinctiveness.

As required by paragraphs 199 and 202 of the NPPF, great weight should be given to the conservation of a heritage asset and securing its optimal viable use.

Conservation (for heritage policy) is defined within the National Planning Policy Framework as "the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance".

Heritage assets are identified as a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing).

Significance is defined within the NPPF as “the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting”.

The Council has produced a conservation area Audit. The Audit was adopted in 2000 and describes the attributes that the Council consider contribute to the designation of the area as a heritage asset.

The Audit describes the townscape of the area as “uniform despite its being composed of several distinct areas developed over the space of about 70 years and by different estates and speculators using different architects”. The composition of the streets and their arrangement with views towards and from Hyde Park and Kensington Gardens positively contributes to the character of the conservation area.

The proposal in this application is identical to that approved under applications 18/03943/FULL and 18/03944/LBC which were subsequently amended under 20/03424/NMA and 20/03364/LBC respectively.

The detailed works include:

- the relocation of the kitchen and the installation of new appliances and kitchen furniture
- the demolition of the partition wall between the existing foyer and kitchen and the repartitioning of this area to allow for ensuite bathrooms (refer to structural report)
- the replacement of floor and ceiling finishes throughout, including a new dropped ceiling (refer to drawings 301 & 302)
- replacement secondary glazing to windows where labelled on the plans
- the refurbishment and repainting of all the existing windows, including fitting with new ironmongery
- replacement security bars (internally) to door the back door and windows where labelled on the plans
- fitting of new blinds/ curtains to all windows
- the replacement of all bathroom sanitary ware, wall and floor finishes
- the removal of all fitted joinery (wardrobes, shelving, cupboards etc) and the installation of new joinery to include wardrobes, cupboards and radiator covers
- re-wiring throughout to include new small power sockets, TV sockets, data sockets, light switches, light fittings and audio-visual equipment
- replacing the existing electric underfloor heating, with a new system under the replacement floor finishes
- re-plumbing throughout to include new radiators, sanitaryware and kitchen appliances: this will require some replacement pipe work. The routes of the new pipework can be confirmed only when permission to remove floor finishes has been received
- replacement extract ductwork for the bathrooms and the addition of new ductwork (within the ceiling void) to provide extract ventilation to the bathrooms and kitchen. The termination of these extract vents will be on the external elevations.
- the removal of the existing fire surround in the existing living room (this is not an original fireplace – refer to photographs)

- the replacement of all internal doors
- the replacement of the front door
- the replacement of all architraves, skirting boards, cornices, window cills and panelling (refer to photographs)
- redecoration throughout to include: new skim plaster coat, new paintwork, some areas of wall paper, tiling and specialist wall finishes
- the installation of air conditioning units as shown on the plans, with a new condenser unit to be positioned in an acoustic enclosure in the garden
- the installation of a ceiling mounted fire curtain to separate the dining and living space from the hall / entrance area

Specification Details

- The secondary glazing will be supplied either by Ventrolla (<https://www.ventrolla.co.uk/products/secondary-glazing/>) or by Duration Windows (<https://www.duration.co.uk/Secondary-Glazing-Hinged-Units.asp>). The secondary glazing will be hinged to allow access to the original windows for cleaning, maintenance and ventilation.
- The external grilles required for the ductwork will be white plastic
- The fire curtain will be 'Coopers FireMaster Active Fire Barriers with Smoke Seal' - https://www.coopersfire.com/system/files/private/Coopers_FireMaster_Brochure.pdf

As per the earlier consent, the living and dining spaces have been reorganised and located closer to the front door. In order to comply with building regulations a ceiling mounted fire-curtain has been proposed to separate the living and dining space from the entrance area / hall.

The plan form is thought to have been historically altered and that the existing fit-out of the flat is modern. Therefore, the new proposals have a very limited impact on the special interest of the heritage asset. No elements of the building noted within the Listing would be affected by the proposed works.

As noted during the assessment of the earlier approval, "the flat has a modern interior with limited features of architectural or historic interest remaining'. Additionally the plan form has been historically altered...Given the existing internal condition of the flat, the proposed areas of demolition and the features to be removed will not result in the loss of fabric of historic or architectural interest. Furthermore, given the historic changes to the plan form, the layout as proposed is not considered to harm the special interest of the listed building".

Air conditioning, including a new external condenser unit in the garden, was included in the earlier approval. This current application includes the same positioning of the external condenser unit (including locating it in an acoustic enclosure).

The external changes proposed are minimal. These include the addition of vent grilles for extract ventilation. The earlier assessment of this part of the scheme noted "the grills proposed on the side elevation are small in scale and will not be highly visible in the elevation, as such the impact on the special interest of the designated heritage asset is limited". The grilles to the rear elevation are obscured from all public views.

Flat 2 benefits from a small garden to the north of the main building, accessed from the flat via the back door, located in the existing kitchen.

There is direct access via a lockable gate from the garden to Hyde Park Street (refer to photographs). It is proposed that access for the works, including the removal of rubbish and all required building materials, would be via the garden and back door. This would mean that the communal entrance and lobby would be unaffected by the works. This would minimise disruption to the neighbours and omit the risk of damage to the communal areas.

The earlier consent placed two conditions relating to the acoustic enclosure and a noise report. These were discharged under 21/01039/ADFULL and 21/01040/ADLBC. To avoid the need for further conditions, those details have been provided as part of this formal submission. The Acoustic Report confirms that the unit within the rear garden, when housed within the acoustic enclosure will not give rise to any detriment by way of noise disturbance to surrounding properties in accordance with the requirements of Local Plan policies.

As the building is statutorily listed, the opportunities for other measures to avoid the need for plant/machinery are limited. As per the requirements of Policy 38 part D, the Applicant has explored other options but given the constraints of the site, all measures that can be employed for natural cooling have been undertaken. Items such as brise soleil are not compatible with the historic interest of the listed building and are therefore not an option.

In accordance with para. 202 of the NPPF, if a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. For the reasons detailed in this Statement and by virtue of the earlier approval of these same works under the previous consents, it is considered that the proposals would not amount to any harm, less than substantial or otherwise to the heritage assets (the listed building and the conservation area), that would lead to an assessment under para. 202 of the NPPF in relation to public benefit.

The proposed works are considered to be small-scale, modest improvements that will not result in any detriment to the amenity of surrounding residents or the character and appearance of the parent building or wider conservation area in accordance with the requirements of Policy 40 of the City Plan 2019-2040.

Policy 39 of the City Plan 2019-2040 echoes the national requirement laid down by the NPPF and Sections 16, 66 and 72 of the Act to preserve or enhance the character and significance of heritage assets.

Use:

No change of use is proposed and the flat would continue to be used as a private dwelling.

Amount of Development:

No extension is proposed and the overall footprint of the flat would be retained.

Layout:

Changes are proposed to the internal layout of the flat including the reorganisation of the living and dining spaces.

Scale and Appearance:

No change of scale is proposed. No changes are proposed to the external part of the property with the exception the condenser unit, which will be within acoustic housing and carefully screened by vegetation.

Landscaping:

No changes are proposed to the external landscaping, with the exception of the installation of the air conditioning unit within the garden.

Access:

No changes to the access in or out of the flat are proposed.

Conclusion

Planning permission and listed building consent are sought for the installation of an air-conditioning condenser unit in the rear corner of the garden, vent grilles located on the side and rear elevations, replacement secondary glazing and the reconfiguration of the internal arrangement of Flat 2, 1 Hyde Park Street.

The works are identical to an earlier approval under references 18/03943/FULL and 18/03944/LBC which were subsequently amended by 20/03424/NMA and 20/03364/LBC respectively. The earlier permissions have now expired.

The existing building has been heavily altered with very little original fabric or detail remaining within the building. The proposed alterations will preserve the character and appearance of the parent property, the respective street scenes and wider Bayswater conservation area in accordance with all adopted development plan policies and the requirements of Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation) Act 1990 without giving rise to any detriment by way of residential amenity.

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