

Queen's Park Community Council's

Planning Information Guide *to the* Queen's Park Conservation Area



Photo courtesy of Susan Chedgey

v1.1 (February 2018)

London's first Parish Council
www.queensparkcommunitycouncil.gov.uk



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1. Introduction

This *Planning Information Guide to the Queen's Park Conservation Area 2017/ 2018* has been produced by the Queen's Park Community Council.

Our experience of working on planning matters has taught us that people sometimes struggle to find the planning information they need. This Planning Information Guide aims to be a starting point for owner occupiers, landlords (both private and social), tenants, builders and architects. To keep things short, we will use the term 'homeowners' to cover all these categories of people.

This Planning Information Guide should not be relied on as a statement of law or policy. Planning law and policies are complex and changes are frequent. Please note that we do not have the resources to update this Guide regularly.

For more information, we suggest that you obtain professional advice and/or follow the links below to further sources of help.

We are grateful for the support and encouragement given to us by Westminster City Council Planning Team and their permission to reproduce some drawings and text from their publications. Westminster City Council have agreed that as at the 1st November 2017, this Guide is an accurate summary of their policy position. [NOTE: this guide was updated in February 2018 (v1.1) following changes by the Government outlined in section 1.e]

a) Queen's Park Community Council

The Queen's Park Community Council [QP Community Council] was established in May 2014 and was the first Community Council to be established in London.

Community Councils have the right to be consulted on all planning applications in their area. Since May 2014, the QP Community Council has been monitoring and commenting on planning applications. We have also discussed current planning policies with Westminster City Council and have consulted local people about what changes they would like to see.

For more information about the QP Community Council, please see our website: www.queensparkcommunitycouncil.gov.uk, or to get in touch email info@queensparkcommunitycouncil.gov.uk or phone 020 8960 5644.

b) What is a conservation area?

A conservation area is a place of "special architectural or historic interest". Westminster City Council is our Local Planning Authority and therefore has a duty to identify areas of special architectural or historic interest within its boundary. It must then designate them as conservation areas.¹

Once a conservation area has been designated, the Local Planning Authority has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

As a homeowner in a conservation area, you have fewer rights to alter your property without first obtaining planning permission. For example, you will need planning permission to:

- Replace your front door or windows
- Install dormer windows or change roofing material
- Install a burglar alarm
- Extend your home by building a side or rear extension
- Make changes to your front wall or fence including, in some cases, painting them
- Cut down or prune trees.

This is not a full list. If you are thinking of making changes to your home, you should check with Westminster City Council whether you need planning permission.

c) The Queen's Park Conservation Area

Westminster City Council first designated the Queen's Park Estate as a Conservation Area in 1978. In 1991, the Conservation Area was extended to include the Harrow Road Library and some of the buildings alongside the Grand Union Canal.

The Queen's Park Conservation Area includes around 1,500 residential properties, some of which are divided into leasehold flats.

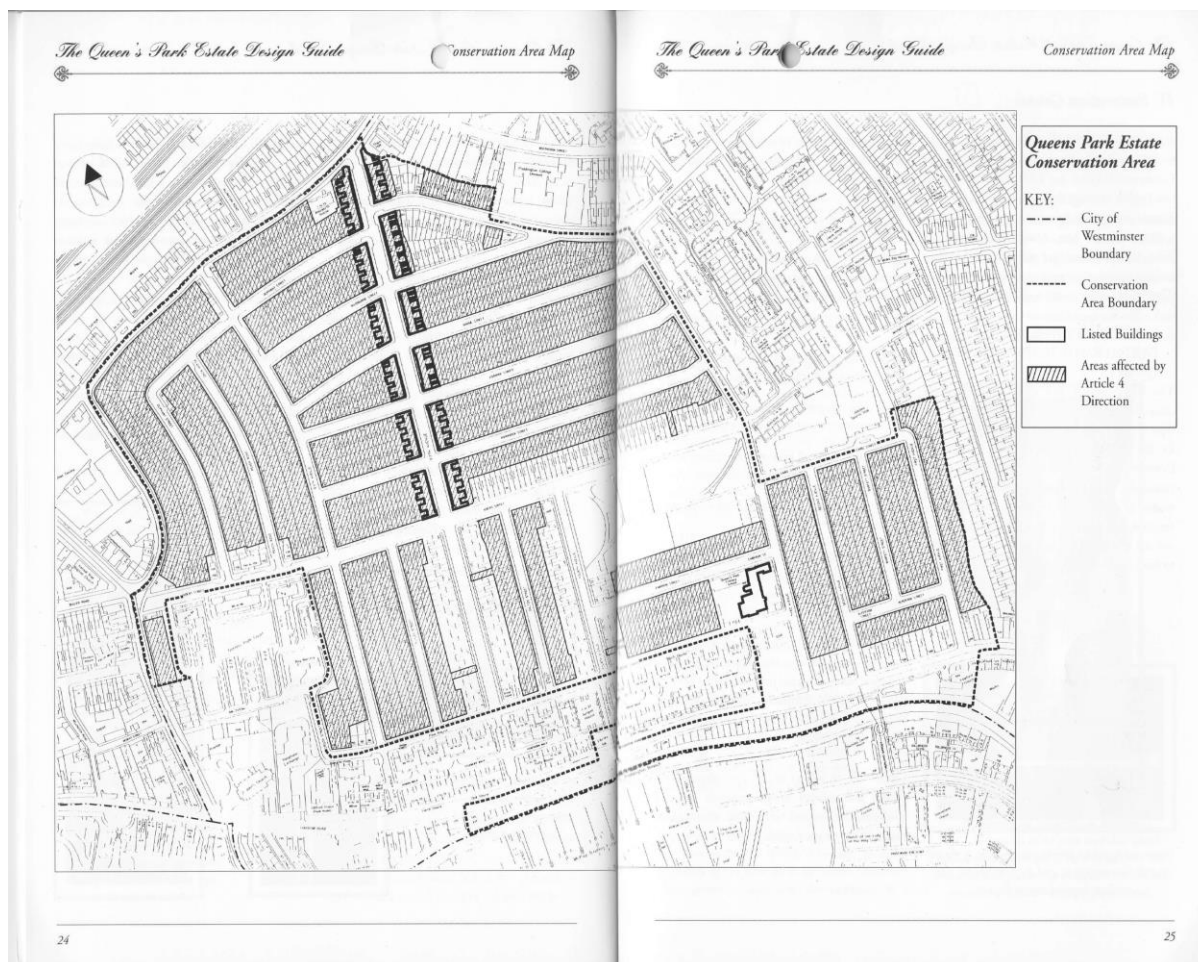
There are 53 Grade II Listed properties within the Queen's Park Conservation Area. These include all the houses on Fifth Avenue between Ilbert Street and Kilburn Lane. If you own one of these houses you will be subject to additional restrictions and should contact Westminster City Council if you are thinking of carrying out any repairs or alterations to your home, internally or externally.

The other Grade II Listed buildings are the Queen's Park Meeting Hall (578-580 Harrow Road) and the Droop Street School.

¹ S69 Planning (Listed Buildings and Conservation Areas) Act 1990

Map of Queen's Park Conservation Area

The map² below gives the boundary of the conservation area and highlights those houses which are Grade II Listed buildings.



The Queen's Park Conservation Area has both architectural interest and historical significance.

i/ Architectural interest

Westminster City Council has described the architectural significance of the area as follows:

The Queen's Park Estate is a large and well-preserved area of picturesque Victorian cottage-style housing. The townscape is characterised by its overall homogeneity and intimacy of scale. All terraces use a similar palette of materials but with gothic detailing repeated in differing combinations to avoid monotony.³

² Taken from the Design Guide 1995

³ Page 10, Conservation Area Audit 2005, Westminster City Council.

ii/ Historical significance

The Queen's Park Estate built between 1874 and 1881 by the Artisans, Labourers and General Dwellings Company which had been formed by William Austin. The company aimed to provide decent accommodation for the working classes and the

Estate was laid out in terraces of two storey cottages with gardens, marking a change in style from the blocks of social housing provided by charitable bodies such as the Peabody Estate in inner London at the time. In this respect Queen's Park was a forerunner to garden suburbs of the early 20th century which sought to promote healthier urban living and better housing for all in leafy surroundings.⁴

You can find out more about the history of the Estate by reading *Artisans and Avenues: A history of the Queen's Park Estate*, which can be borrowed from the Queen's Park Library.

d) How are decisions made about the changes I want to make to my home?

As the Local Planning Authority, Westminster City Council is responsible for developing local planning policies and deciding on planning applications.

In making their decisions, Westminster City Council must take into account planning law, their own policies and the particular circumstances of the case. Previous decisions can also be a material consideration.

i/ Planning law

In many areas of the country, homeowners have the right to make certain changes to their property without having to obtain planning permission. These are called "permitted development rights".⁵

These permitted development rights do not always apply in a conservation area.

Also, in relation to the Queen's Park Estate Conservation Area, Westminster City Council has made an Article 4 Direction which puts increased limits on homeowners' permitted development rights.

⁴ Page 8, Conservation Area Audit 2005, Westminster City Council

⁵ For more information about this see Department for Communities and Local Government guidance at <https://www.gov.uk/government/publications/permitted-development-rights-for-householders-technical-guidance>

This means that, as a homeowner on the Queen's Park Estate, you must also apply for planning permission when you want to⁶

- Make alterations which affect the appearance of the front elevation or any elevation visible from the street (this includes painting)
- Erect a porch or similar enclosure visible from the street
- Change roofing materials or colours
- Erect boundary walls, fences, gates to the front of a property or where visible from the street
- Erect an oil storage tank, dustbin store, meter cupboard or similar construction within the curtilage of a dwelling, which is visible from the highway
- Paint the front elevation or any elevation fronting a highway including boundary walls, fences or gates
- Install or replace a satellite dish which would be visible from the street

The law is complicated. If you think that your proposal is covered by permitted development rights, you may want to protect yourself by applying to Westminster City Council for a Certificate of Lawful Development.⁷

Flats - You should note that permitted development rights do not apply to flats (including former houses sub-divided into flats) and therefore planning permission will be required for most alterations. Leaseholders should also check whether they need their freeholder's permission before making any changes.

ii/ Planning policies

Before making an application for planning permission on the Queen's Park Estate, you should be aware of the following Westminster City Council policy documents:

- *The Queen's Park Estate Design Guide, 1995*
The Design Guide provides detailed information about some alterations and repairs that you may want to make. However, it does not deal with all the repairs and improvements that more recent homeowners may wish to make. Also, unfortunately, the information about the availability of grants is out-of-date. These grants are no longer available. The Guide can be found at
<http://transact.westminster.gov.uk/spgs/publications/Queens%20Park%20Estate.pdf>

⁶ This list is a summary. For the full version of the Article 4 Direction, please see pages 55 and 56 of the 2005 Conservation Area Audit.

⁷ Please see, for example:

https://www.planningportal.co.uk/info/200130/common_projects/120/what_to_do_next/3

- *Development and Demolition in Conservation Areas, 2004*
This Supplementary Planning Guidance can be found at <http://transact.westminster.gov.uk/spgs/publications/Development%20and%20Demolition%20in%20Conservation%20Areas.pdf>
- *Queen's Park Estate Conservation Area Audit, 2005*
This document has also been adopted as Supplementary Planning Guidance and can be found at <http://www.westminster.gov.uk/conservation-area-audits>
- *Unitary Development Plan 2007*
Some of this plan has already been replaced by the Westminster City Plan (see below). However, much of the document is still current and Chapter 10 is particularly relevant.
<https://www.westminster.gov.uk/unitary-development-plan-udp>
- *Westminster City Plan, November 2016*
www.westminster.gov.uk/westminsters-city-plan-strategic-policies

iii/ Previous decisions

As a Local Planning Authority, Westminster City Council must be consistent in the decisions that it makes and take decisions in accordance with adopted policies and guidance. This does not mean that similar applications will always result in the same outcome as each application is looked at on its individual merits and the outcome may depend on a range of factors.

However, it is worth spending time looking at previous planning applications as you can find out what might, or might not, be acceptable. These applications can be found on Westminster City Council's planning website:
www.westminster.gov.uk/search-planning-applications-and-decisions.

e) How do I make an application for planning permission?

Information about making an application for planning permission, including the fees charged, can be found at: <https://www.westminster.gov.uk/applying-planning-permission>.

For advice on specific planning proposals Westminster City Council offer a pre-application advice service. Please see: <https://www.westminster.gov.uk/request-planning-pre-application-advice>

Please note that fees are not charged for planning applications which relate to proposals covered by the Article 4 Direction. [NOTE: following changes by the Government, as from 17th January 2018, fees will be charged for these applications. Please see Westminster City Council's website for further information.]

f) What happens if I do works without planning permission

Westminster City Council planning officers have a programme of regular monitoring to try to identify breaches.

If you make alterations to your home without planning permission (where it was needed), Westminster City Council can take enforcement proceedings against you and this may include requiring you to undo the work that you have done.

For more information about the enforcement process please see www.westminster.gov.uk/planning-enforcement-guide.

Also, making alterations without planning permission may lead to problems when you want to sell your house.

g) What if my house is listed?

As stated above, some of the buildings within the Queen's Park Estate are Grade II listed buildings, including 67-167 (odd) and 68-170 (even) Fifth Avenue.

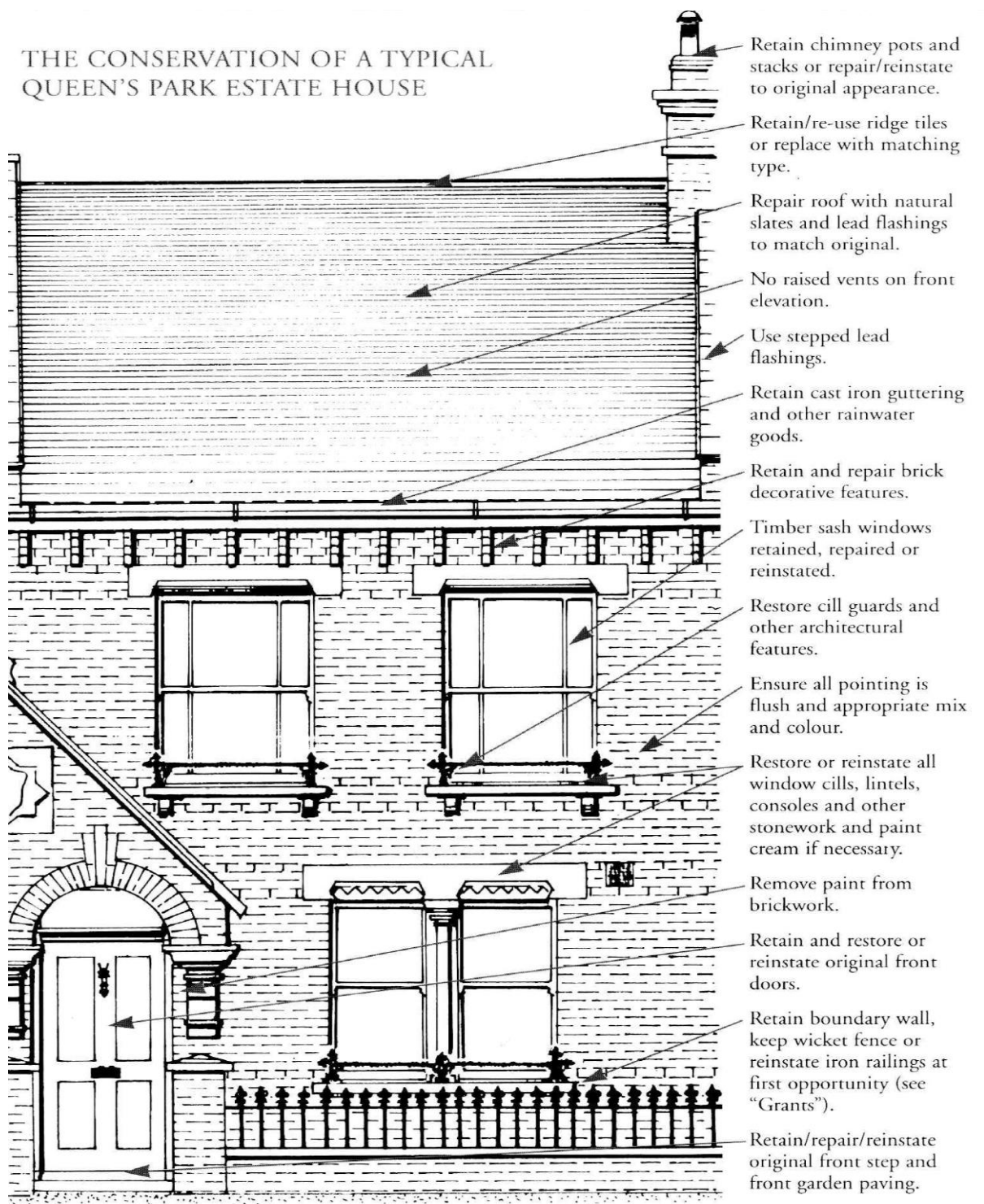
Alterations which affect the special architectural or historic interest of these buildings will require listed building consent and Westminster City Council will decide whether listed building consent is required. The need for listed building consent can apply to both internal or external (front or rear) works.

The Council has produced general guidance on repairs and alterations to listed buildings - <https://www.westminster.gov.uk/listed-buildings>

2. The front of houses

You will almost certainly need planning permission if you intend to make ANY changes to the front of your house.

The Queen's Park Estate Design Guide 1995 includes the following helpful diagram which sets out the features that need to be conserved.



a) Paintwork

- Guttering, drainpipes and any ornamental metal work should be painted gloss black
- Windows should be painted white.
- Doors should be painted in a subdued colour or in original wood grained effect. The Estate was built during the Victorian era and its appearance is enhanced by using appropriate colours.
- Brickwork should not be painted or covered in any way and residents are encouraged to remove any existing paint
- If necessary, window sills, lintels and other stonework should be painted in a soft white or cream colour.
- Moulded features should not be picked out in different or contrasting colours.

b) Brickwork and pointing

Any brickwork should reflect those used in the building of the Estate. Bricks should be London Yellow Stock with red bricks for some of the detailing.

Any mortar mix should be no stronger than 1:2:9 (ordinary Portland cement: lime: sharp sand) as this allows for any slight movement and reduces risk of cracking. Special care should be taken to match the original in colour and texture. The correct type of pointing is "flush pointing", so that the mortar is set back slightly from the face of the bricks. For more information, please see the 1995 Design Guide.

c) Sill guards or pot retainers

These small cast iron railings along window sills are an important architectural feature and must be retained. Where they are missing, if possible, they should be reinstated to match the pattern of the surviving examples in your street.

d) Porches and projecting bays

Original brick porches, canopies and projecting bays should be retained or restored. Please see the 1995 Design Guide for more information.

e) Front gardens

- The low capped brick walls and piers should be retained or replaced. Modern block walls are not acceptable.
- The original black railings must be retained. Where they are missing, residents are encouraged to reinstate them - please see the 1995 Design Guide for more information.
- Bin, or other, sheds should not be constructed in the front gardens without planning permission.

f) Meter boxes

Meter boxes should be installed at a low level, and painted black.

g) Burglar alarms

You will need planning permission to install a burglar alarm. However, they are likely to be acceptable. There should be just one alarm per property and it should be white in colour and aligned with the first-floor window sill and bracket, as shown in the photograph below.



3. Windows

Westminster City Council encourages you to retain and refurbish the original single-glazed timber sash windows to the front of the Queen's Park houses.

Where you want to improve heat and sound insulation, you are encouraged to refurbish or install secondary glazing. Historic England has produced useful information which can be found here: <https://historicengland.org.uk/images-books/publications/eehb-secondary-glazing-windows/>. You do not need planning permission for the installation of secondary glazing.

However, where you want to replace your windows, you will almost certainly need planning permission. Westminster City Council has made it clear that, while they will consider double-glazing, they will want to ensure that any replacement timber-sash windows are like-for-like in terms of appearance. Planning permission is very unlikely to be granted for UPVC or aluminium windows.

The 1995 Design Guide provides information about the characteristics of some of the windows on the Estate.

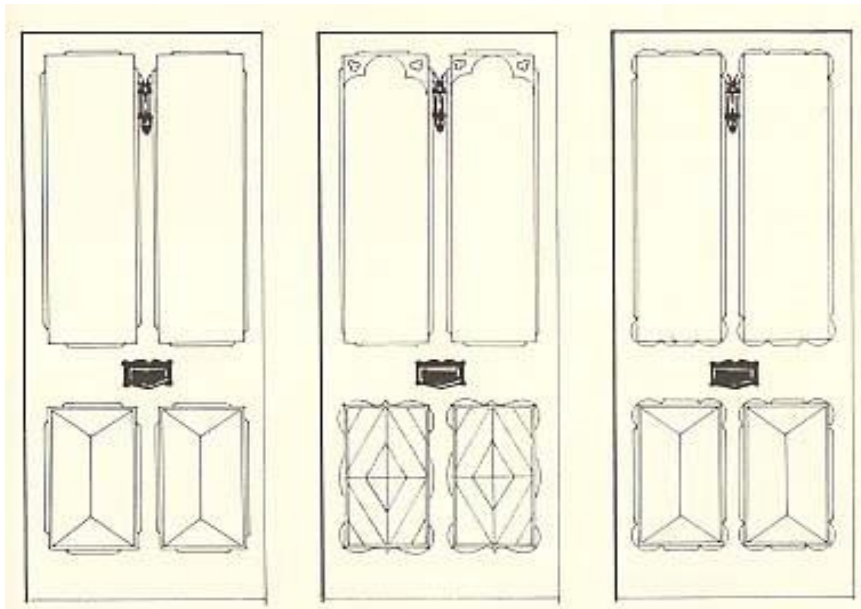
The same restrictions apply to windows at the back of houses which are visible from the street.

Westminster City Council encourages homeowners to retain matching detailing in windows at the back of the houses even if they are not visible from the street.

4. Front doors and door furniture

The original timber panelled doors, with two upper glass panels are characteristic of the estate and they, together with the original door furniture should, if at all possible, be retained and repaired.

The design of the doors varies from road to road, they may be herringbone, fielded or chamfered styles. The diagram below gives an indication of the design of some of the doors.



You will almost certainly need planning permission if you want to replace your door. If the door has to be replaced, the new door should be like the originals.

5. Roofs and dormers

a) Roofs

You should use sound new or salvaged natural grey Welsh slate to match the colour, texture and size of the originals.

Wherever possible, the original ridge and hip tiles should be retained and rebedded. Any new tiles should match the original.

All flashings should be in lead and stepped as specified in the 1995 Design Guide. Party wall upstands should not be rendered and any existing rendering should be removed.

Raised or flat roof ventilators are not permissible on roof slopes facing a highway.

b) Gables and turrets

Where decorative elements to the gables and turrets have been lost, these should be reinstated. Where they have deteriorated, they should be restored with matching materials.

c) Chimney stacks

Chimney stacks form an important element in the overall design of the terraces. They must not be altered or demolished without planning permission, which is likely to be refused. Chimney pots should be retained or, if lost or damaged, reinstated.

d) Satellite dishes

Must not be visible from the street.

e) Rooflights

The installation of rooflights may require planning permission. Westminster City Council encourages the use of low profile, conservation-style rooflights, located on the rear roof pitch.

f) Dormer windows

Recently, Westminster City Council has made decisions to refuse permission to build dormer windows on the Estate. This approach has been endorsed by the Council's Planning Committee and supported by the Planning Inspectorate on appeal.

The Council acknowledges that there are a small number of dormer windows on the Estate. However, its view is that the prevailing character of the roofscape is one where dormers do not exist.

It is possible to modify the houses to allow conversion of the attic space to create an additional bedroom. This work typically involves lowering the first-floor ceiling and the introduction of rooflights into the rear roof pitch.

6. Extensions

a) Extensions into the closet wing, or side return

Applications are commonly made for planning permission to build into the closet wing or side return. These are generally considered to be acceptable subject to their size, location and detailed design.

The drawings below set out the extensions commonly allowed:



Westminster City Council have told us that

the key planning considerations that typically arise when considering rear extensions are:

- *The desire to pay special attention to preserving or enhancing the character or appearance of the conservation area; and*
- *The protection of residential amenity particularly that of the occupants of properties immediately adjacent to an extension.*

With regard to preserving or enhancing the character or appearance of the conservation area, the Council has sought to encourage recessive and lightweight infill extensions to the side of the rear wing so that the original scale, pattern and rhythm of the rear wings are maintained. This will typically include requiring the extension to be set-back from the face of the original wing and to be of a lightweight predominantly glazed construction, so as to appear like a side conservatory.

Where the side infill extension is of a lightweight design the degree of set back can be quite modest as the design maintains the prominence of the original wing, but where a more solid infill, such as brick is proposed then a set back of at least one brick length (approximately 230mm) should be provided.

With regard to protecting the amenity of neighbouring properties a key issue will be whether the extension requires an increase in height on the garden party wall. Circumstances will vary from property to property, but it is likely that where an extension results in a boundary height of 2.5m or less this is likely to be acceptable, unless site specific conditions pertain, which may mean a lower height is required or that an extension may not be acceptable in principle.

Finally, with regard to door openings within the rear wing and side extensions, the size of these ought to be restricted to a double-door width, thus maintaining the vertical alignment of the upper floor windows and maintaining the proportions of the rear façade. Full-width openings, perhaps including bi-folding doors, are not encouraged as they disregard the scale, position and proportions of original openings.

b) Extensions beyond the original house

We are aware that some homeowners have been granted a Certificate of Permitted Development to extend their original property into the garden. As previously stated, permitted development rules are complex and, amongst other things, limit development to no more than 50% of the original garden (i.e. as at 1 July 1948).

As before, all extensions are required to be built of appropriate materials.

c) Basement development

There are no basement developments on the Queen's Park Estate. In July 2016 the City Council introduced a city-wide Article 4 Direction requiring the need for planning permission for basement excavation and Westminster City Council's recent policy on this can be found here: <https://www.westminster.gov.uk/basement-extensions>

d) Outbuildings in the gardens

You will probably need planning permission before you erect an outbuilding in the rear garden. In making its decision, Westminster City Council will take into account several factors including the small garden size and the likely impact on neighbours.

7. Acknowledgements

The Queen's Park Community Council would like to thank Ann Lewis and Simon Walton (members of the Planning Working Group); Tom Burke (Head of Design and Conservation, North Planning Team) and Amanda Coulson (Area Team Leader, North Planning Team) for all the time spent and support given to the production of this Guide.