

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 3 February 2015	<b>Classification</b> For General Release	
<b>Report of</b> Operational Director Development Planning		<b>Wards involved</b> Warwick	
<b>Subject of Report</b>	<b>17 Sussex Street, London, SW1V 4RR</b>		
<b>Proposal</b>	Installation of balcony with glazed canopy over at rear upper ground floor level.		
<b>Agent</b>	City Planning Ltd		
<b>On behalf of</b>	Mr & Mrs Laffineur		
<b>Registered Number</b>	14/08945/FULL	<b>TP / PP No</b>	TP/20039
<b>Date of Application</b>	10.09.2014	<b>Date amended/ completed</b>	17.09.2014
<b>Category of Application</b>	Other		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Pimlico		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone  Within Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

**1. RECOMMENDATION**

Grant conditional permission.





17 SUSSEX STREET, SW1

## 2. SUMMARY

No. 17 Sussex Street comprises lower ground, ground and three upper storeys and is in use as a single family dwelling.

An application has been submitted seeking planning permission for the installation of balcony with canopy over at rear upper ground floor level.

The key issues for consideration are:

- The impact of the proposals on the character and appearance of the building and the surrounding Pimlico Conservation Area.
- The impact of the proposals on the amenity of neighbouring residents.

The proposals are considered to comply with the Council's policies in relation to design, conservation and amenity as set out in Westminster's City Plan: Strategic Policies (City Plan) and the Unitary Development Plan (UDP) and the application is recommended for approval.

## 3. CONSULTATIONS

### WESTMINSTER SOCIETY

No objection.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 14; Total No. of Replies: 1.

One letter of objection has been received from a neighbouring resident, raising the following concerns:

#### Amenity

- Privacy would be compromised by the proposals.
- Potential noise, light pollution and obnoxious fumes from balcony use.

#### Other

- The balcony would restrict ability to conduct external maintenance to first floor rear window.
- The canopy would compromise security of property.

ADVERTISEMENT/SITE NOTICE: Yes

## 4. BACKGROUND INFORMATION

### 4.1 The Application Site

No. 17 Sussex Street is an unlisted building located within the Pimlico Conservation Area. Formerly a public house, the building was converted into a single family dwelling following the grant of planning permission in March 2012 and in conjunction with subsequent approvals for alterations and extensions to the property, as set out below.

### 4.2 Relevant History

Planning permission was granted on 29 March 2012 (RN: 11/02724/FULL) for use of the building as a single dwellinghouse (Class C3).

Planning permission was granted on 2 January 2013 (RN: 12/08147/FULL) for demolition and erection of rear extensions at lower ground and ground floor levels. Installation of pavement

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lights and access hatch to front. Alterations to front ground floor elevation. Alterations to windows and doors.

Planning permission was granted on 15 April 2013 (RN: 13/01100/FULL) for erection of extension to rear central stair tower at first floor half landing level.

Planning permission was granted on 16 August 2013 (RN: 13/05547/FULL) for renovation works to the roof including new slates and the installation of rooflights.

## **5. THE PROPOSALS**

Planning permission is sought for the installation of balcony with glazed canopy over at rear upper ground floor level.

## **6. DETAILED CONSIDERATIONS**

### **6.1 Land Use**

The balcony of approximately 9m<sup>2</sup> will be used in connection with the use of the property as a single family dwelling and does not give rise to any land use issues.

### **6.2 Townscape and Design**

In terms of townscape, the balcony and canopy would be located to the rear of the property which is highly enclosed by the host property and boundary walls to the rear of Winchester Street and the adjacent Church. The balcony and canopy will not be visible from the street and will only be visible in oblique views from rear windows in the upper floors of surrounding buildings.

In terms of design, the balcony would be constructed of steel with glass balustrading and glass panels to the floor. The canopy will be constructed of steel supports and opaque glass panels. Although modern, the materials are considered appropriate in this instance as they will match the contemporary style of the recently permitted rear extensions. A condition is recommended requiring the colour of the metalwork to match the existing ground and lower ground floor rear window and door frames.

Given that the proposals will not be visible from the street, the proposed balcony and glazed canopy are considered acceptable in design terms and would accord with Policies S28 of the City Plan and DES1, DES5 and DES9 of the UDP.

### **6.3 Amenity**

An objection has been raised by a neighbouring resident at No. 28 Winchester Street on the grounds that the proposals would compromise their privacy and security and would give rise to potential noise, light and obnoxious fumes nuisance from the use of the proposed balcony.

The rear of the host building faces the blank flank wall of the adjacent Church and is highly enclosed. In terms of privacy, the only potentially affected window is in the rear of 28 Winchester Street at first floor level, which is located above where the proposed canopy would be erected and serves one of the three bedrooms in this dwelling.

The window was permitted on 26 February 2010 as part of an application made at 28 Winchester Street (RN: 09/09657/FULL). At the time an objection was raised by 17 Sussex Street, then a public house, with regard to the new windows in the rear elevation of No. 28 Winchester Street (another window was proposed at second floor level, but this was not installed). It was noted that these windows would overlook an existing patio area, used by the pub as an outdoor seating area and was likely to increase the chances of noise/disturbance issues with the residents of the application site. At the time legal advice was sought and the

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installation of these windows was considered to be permitted development under Class A of the General Permitted Development Order 1995 (GPDO) (as amended).

The proposed canopy would be situated below the window cill to the rear of No. 28 Winchester Street and the balcony would be located 2.2m below the canopy at its highest point. Given that the balcony platform would be approximately 2.9m below the window cill of this window and the glass roof to the canopy will be opaque, it is not considered that the proposals would give rise to any significant amenity impact in terms of privacy.

The balcony and canopy structure would be situated in an existing outdoor area and it is not considered that an objection on the grounds of potential for noise, light pollution and obnoxious fumes nuisance can be sustained, as the activities which would give rise to such nuisances can already take place in this area.

The opaque treatment to the glass canopy would provide additional privacy for both properties and details are recommended to be secured by condition.

The proposals are therefore not considered to lead to an unacceptable level of overlooking to compromise the privacy of neighbouring residents, nor to give rise to the potential of an unacceptable level of noise, light or obnoxious fumes nuisance in respect of the rear first floor window to No. 28 Winchester Street to merit a refusal of permission. As such, the proposals are considered acceptable in amenity terms compliant with Policies S29 of the City Plan and ENV13 of the UDP.

#### **6.4 Transportation/Parking**

Not applicable.

#### **6.5 Economic Considerations**

Not applicable.

#### **6.6 Other UDP/Westminster Policy Considerations**

Not applicable.

#### **6.7 London Plan**

The proposals do not raise strategic issues.

#### **6.8 Planning Obligations**

The proposals are of insufficient scale to generate a requirement for any planning obligations.

#### **6.9 Environmental Assessment including Sustainability and Biodiversity Issues**

The proposals are of an insufficient scale to require an environmental assessment.

#### **6.10 Other Issues**

The objection received from the neighbouring resident at No. 28 Winchester Street also suggests that the proposals would restrict the ability to conduct external maintenance to the first floor rear window of their property. The question of whether the proposals would hinder neighbouring owner/occupiers from conducting external maintenance to their property is not a material consideration in the determination of the application as such matters are governed by other legal and procedural regimes.

## 6.11 Conclusion

The application is considered acceptable in design and amenity terms, in accordance with Policies S25, S28 and S29 of Westminster's City Plan: Strategic Policies and Policies ENV6, ENV13, DES1, DES5, DES9 and TRANS23 of our UDP, subject to the conditions set out in the draft decision letter.

## BACKGROUND PAPERS

1. Application form.
2. Letter from Westminster Society dated 30 September 2014.
3. Letter from owner/occupier of 28 Winchester Street dated 14 October 2014.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT PAUL QUAYLE ON 020 7641 2547 OR BY E-MAIL [pquayle@westminster.gov.uk](mailto:pquayle@westminster.gov.uk)

**DRAFT DECISION LETTER**

**Address:** 17 Sussex Street, London, SW1V 4RR

**Proposal:** Installation of balcony with glazed canopy over at rear upper ground floor level.

**Plan Nos:** Drawings Issue Date 3 December 2014: Site Location Map; Existing and Proposed Ground Floor Plan; Existing Lower Ground Floor Plan; Proposed Lower Ground Floor; Existing and Proposed Rear Elevation; Proposed Rear Elevation 1:30; Existing and Proposed Section; Design and Access Statement; Completed Environment Agency Form (Household and other minor extensions in Flood Zones 2 and 3); (for information only) 3D Visual Images NTS.

**Case Officer:** Sebastian Knox

**Direct Tel. No.** 020 7641 4208

**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 You must carry out any building work which can be heard at the boundary of the site only:

- \* between 08.00 and 18.00 Monday to Friday;
- \* between 08.00 and 13.00 on Saturday; and
- \* not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

**Reason:**

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 The glass that you use for the canopy must not be clear glass. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then use the type of glass we have approved and must not change it without our permission.

**Reason:**

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 4 The metalwork to the balcony and canopy structure hereby approved shall be coloured to match the existing rear door/window frames (dark grey).

**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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 The glass balustrading to the balcony hereby approved shall match the existing glass screen to



the rear ground floor windows in terms of method of fixing and handrail detailing.

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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 The balcony must not be used until the canopy has been fully installed in accordance with the approved plans and details.

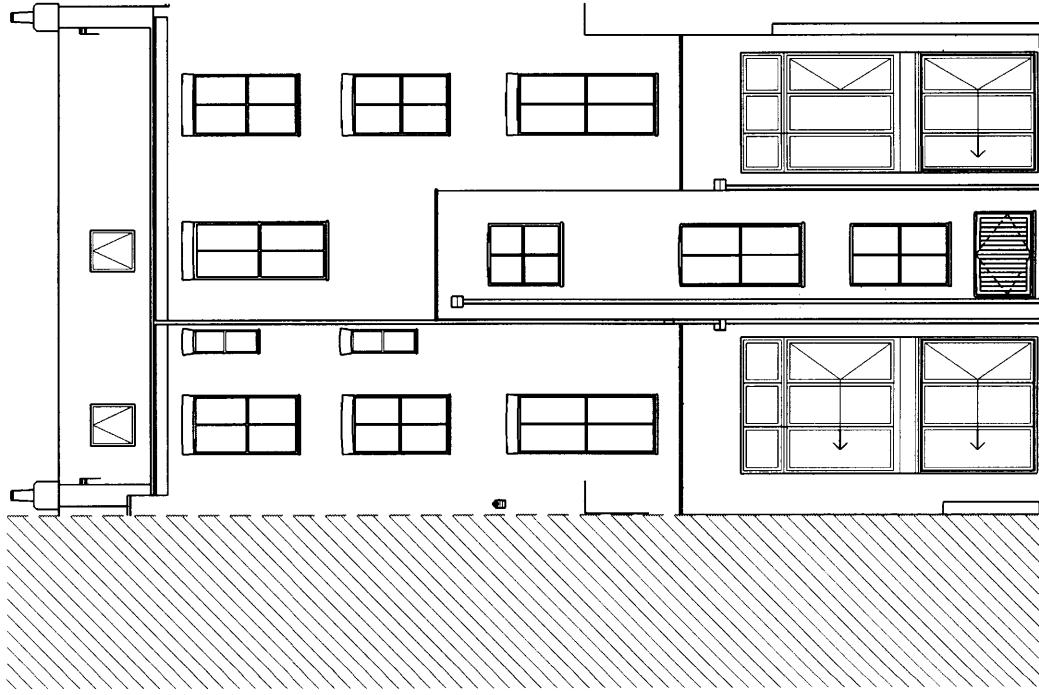
Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

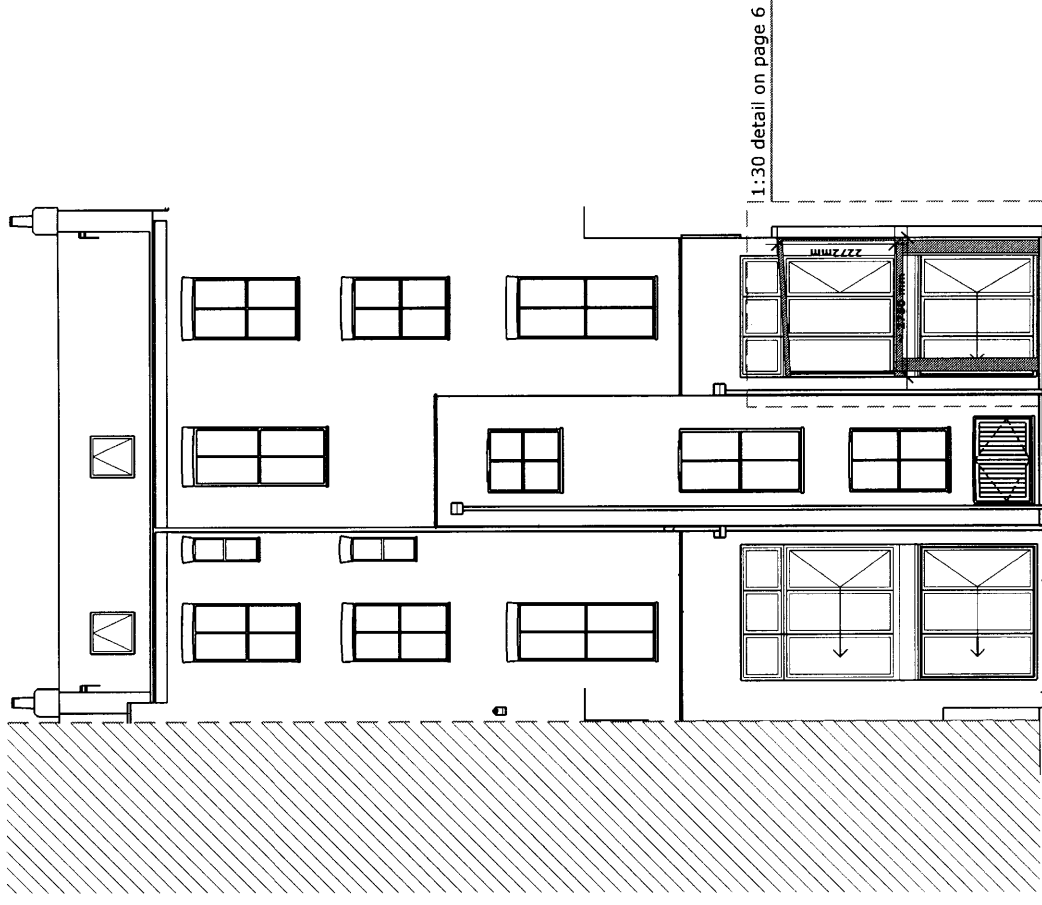
**Informative:**

- 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 Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, 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.

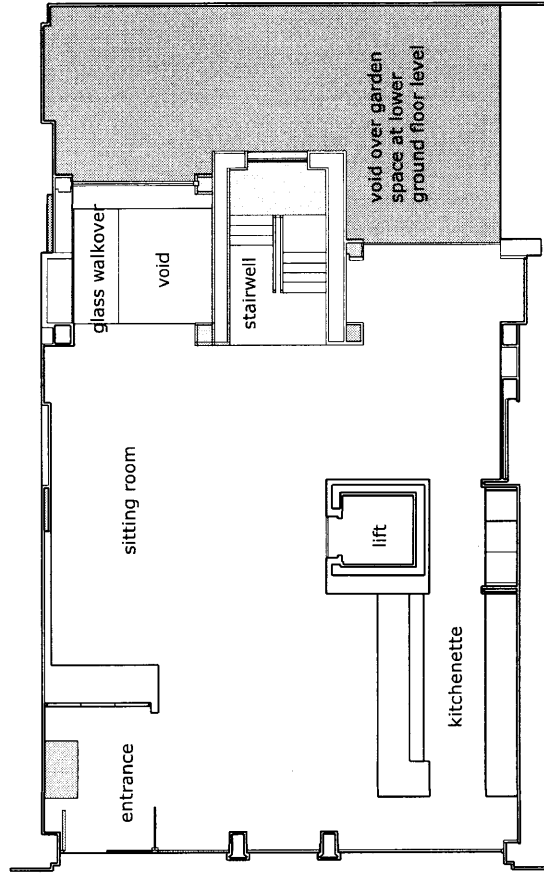
existing rear elevation



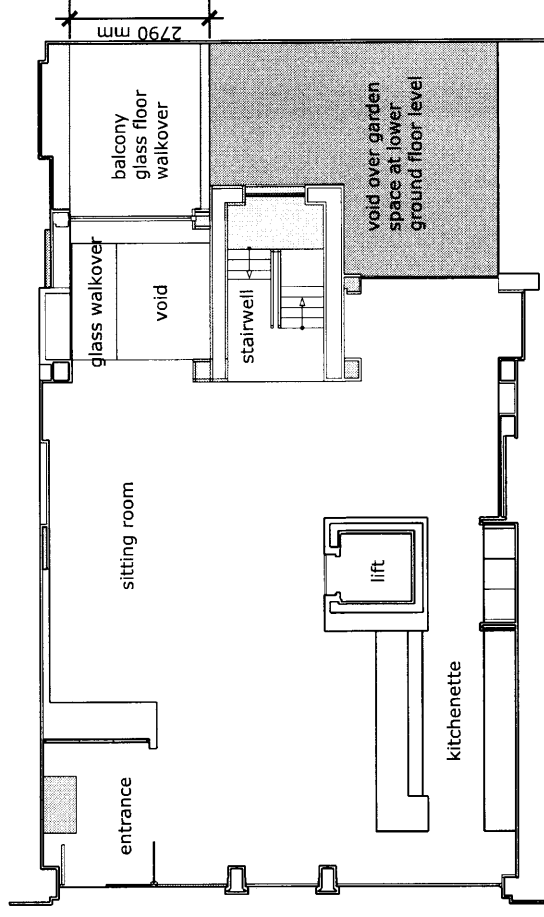
proposed rear elevation



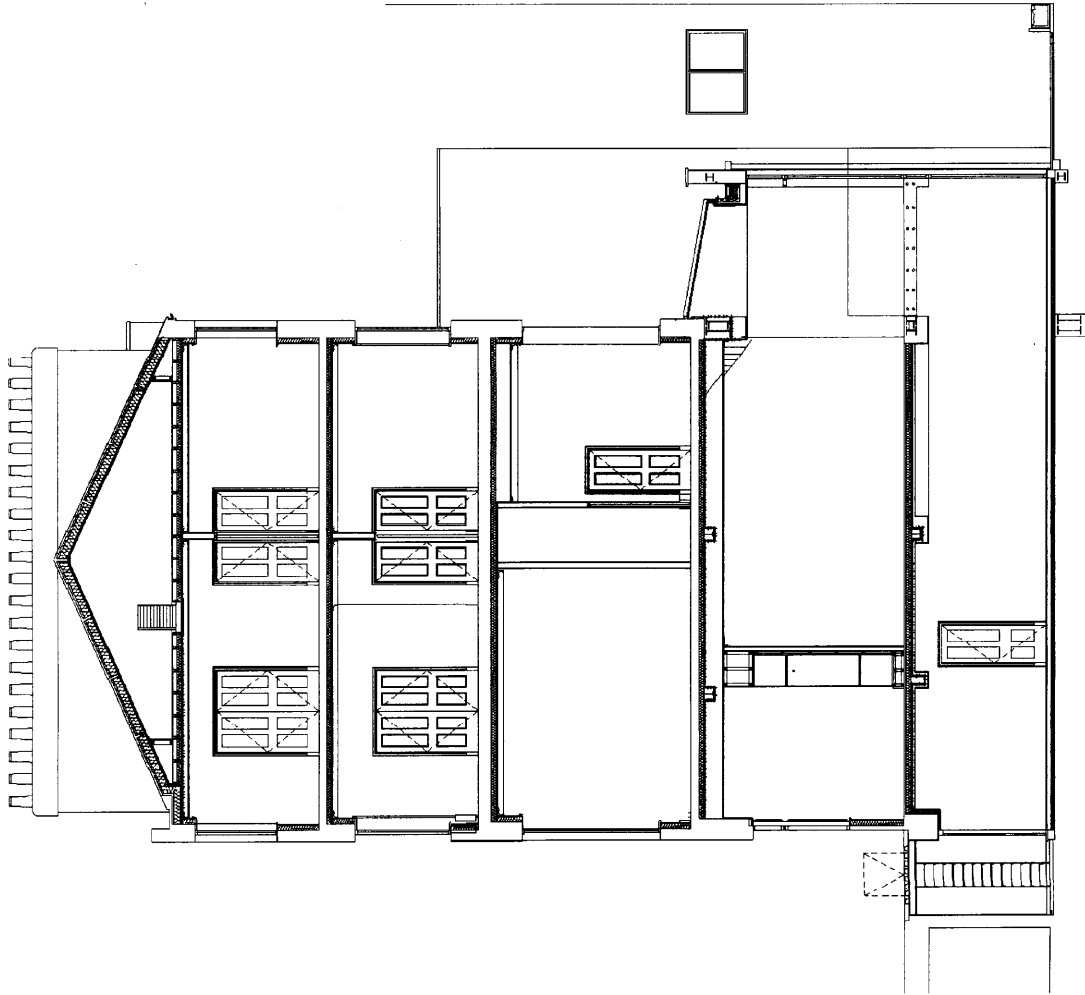
existing ground floor plan



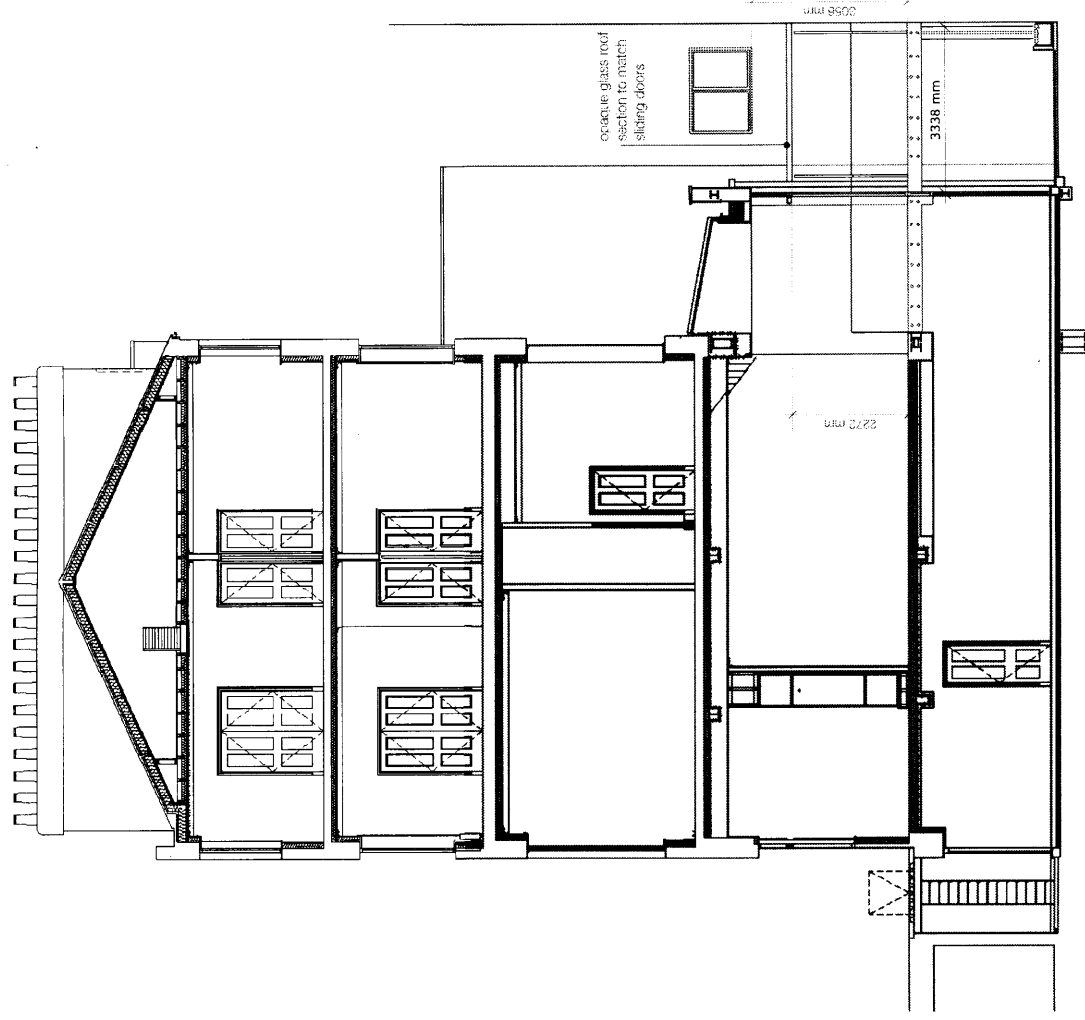
proposed ground floor plan



# existing section



# proposed section



# 3D visual images - not to scale

