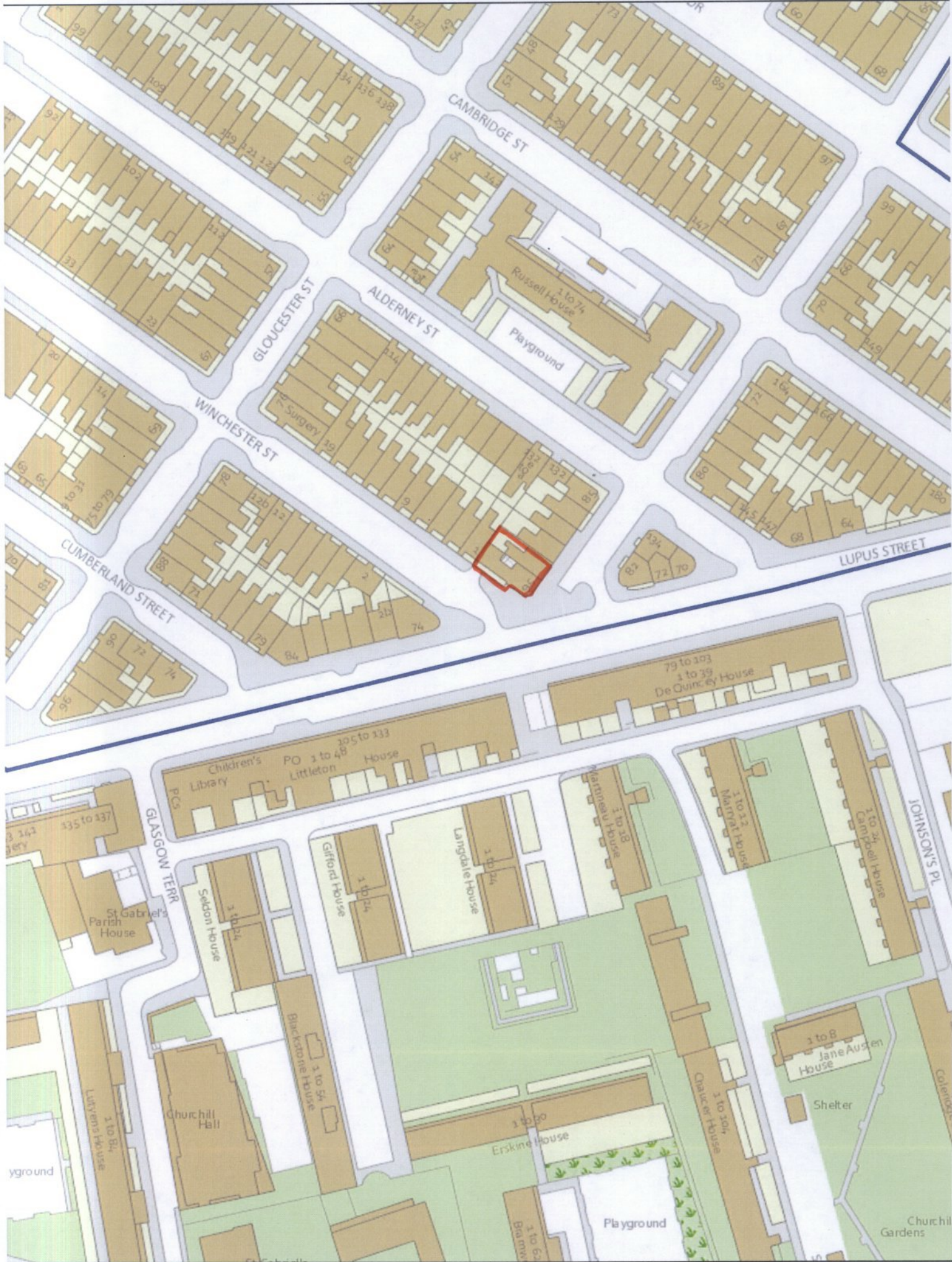


CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 29 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Warwick	
Subject of Report	93 and 95 Charlwood Street, London, SW1V 4PB		
Proposal	Use of the lower ground floor of Nos. 93 and 95 as two flats, creation of lightwells and associated railings on the Charlwood Street frontage, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults.		
Agent	MV Heritage Consultancy Ltd		
On behalf of	Mr R Kenlock		
Registered Number	15/05600/FULL	TP / PP No	TP/24299
Date of Application	22.06.2015	Date amended/ completed	22.06.2015
Category of Application	Other		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		
Development Plan Context - 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		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.





93 AND 95 CHARLWOOD STREET, SW1

2. SUMMARY

93 and 95 Charlwood Street are unlisted buildings located in the Pimlico Conservation Area. The site is located on the corner of Charlwood Street, Lupus Street and Winchester Street. At lower ground floor there is an existing two bed flat and at ground floor level there is a hairdressers and a cafe.

Planning permission is sought for the use of the lower ground floor as two flats (1 x 1 bed and 1 x 2 bed), creation of lightwells and associated railings on the Charlwood Street frontage, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults.

A large number of objections to the application have been received on the grounds that the proposed works to create a lightwell outside 93 Charlwood Street will mean that access to the cafe will be hindered as well as use of the outdoor area.

The key issues in the determination of this application are:

- The impact of the proposals in land use terms.
- The impact of the proposals upon the character and appearance of the Pimlico Conservation Area.
- The impact of the proposals upon the amenity of neighbouring properties.

The proposals are considered to be acceptable in terms of land use, design and amenity and accord with Unitary Development Plan (UDP) policies and Westminster City Plan: Strategic Policies (City Plan) policies and are therefore recommended for approval.

3. CONSULTATIONS

WESTMINSTER SOCIETY

No objection.

HIGHWAYS PLANNING MANAGER

Objection - The proposal represents a lack of car parking contrary to TRANS23 and does not provide any cycle parking. It would be desirable for the railings at street level to be chamfered.

ENVIRONMENT AGENCY

No objection - Despite the application site being in Flood Zone 3, it is considered to be at a low risk of flooding.

ENVIRONMENTAL HEALTH

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 65; Total No. of Replies: 46.

Six letters of support, 40 letters of objection and one petition with 650 signatures received

Objections raised on the following grounds:

Amenity

- The creation of habitable rooms in pavement vaults and the use of borrowed light from lightwells is inadequate.

Other

- The proposed alterations at street level to 93 Charlwood Street prohibit disabled users from accessing the cafe and the outside area.

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site relates to two unlisted buildings located in the Pimlico Conservation Area, although they are noted within the conservation area audit as 'unlisted buildings of merit'. The site is located on the corner of Charlwood Street, Lupus Street and Winchester Street.

4.2 Relevant History

Planning permission was refused on 27 November 2014 for the use of the lower ground floor of Nos. 93 and 95, including the infill extension of the lightwells and vaults and associated works to the Charlwood Street and Lupus Street elevations, to create two residential units (1 x 1 bed and 1 x 2 bed) (Class C3), on the grounds that the proposed ground floor railings were unacceptable in design terms and that the standard of the flat accommodation was unacceptable in terms of light and outlook (14/09779/FULL).

5. THE PROPOSAL

The proposal seeks to change the existing two bed residential unit at lower ground floor to 1 x 1 bed unit and 1 x 2 bed unit. The associated works create a small extension underneath the existing pavement crossover on Winchester Street to allow permanent access to the vaults which are to be incorporated into the one bed flat. An existing pavement light is to be enlarged to allow for additional daylight to the proposed lobby. Access to the one bed flat remains the same as the access to the existing flat. The two bed unit is to be accessed by a new lightwell stair that will be accessed on the Charlwood Street frontage, outside the hairdressers. A further lightwell to this flat is proposed to allow for additional daylight/ventilation to the living area of this flat which is to be located outside the cafe. These lightwells will be surrounded by railings at ground floor level.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The subdivision of one large flat to two flats comprising 1 x 1 bed and 1 x 2 bed is considered acceptable, and is in accordance with Policies H3 of the UDP and S14 of the City Plan.

To overcome the previous reason for refusal, a daylight report has been submitted with the application which assesses the levels of daylight the rooms within the two flats are likely to receive. The report concludes that all the rooms assessed will comply with the BRE Guidelines in terms of Average Daylight Factor. The standard of accommodation for both flats is considered acceptable. Since the last application, changes have been made to the 'infilling of the lightwell' on Winchester Street. This now allows for the bedroom in the one bed flat to have an acceptable outlook over the lightwell area, which is typical of basement flats within Pimlico. The two bedroom flat benefits from outdoor amenity space to the rear and this is welcomed.

6.2 Townscape and Design

The main design changes are railings at street level, which are required to guard the proposed lightwells to the two bed unit on the Charlwood Street elevation. Other works include a small extension under the pavement bridge and a replacement pavement light.

The scheme differs to the previous application that was refused, in that the large expanse of railings on the Winchester Street façade have been removed and the extent of railings on the Charlwood Street frontage, notably to No. 93 have been reduced. These works are now considered acceptable in design terms and replicate historic lightwells that are a feature within Pimlico. The proposals are considered to generally match the lightwells and railings seen at 86 Charlwood Street and across the street at 74 Lupus Street.

The small extension underneath the pavement bridge is discreet and not overly visible from street level. The principle of a replacement pavement light is acceptable subject to a condition securing further details. The proposals are considered to comply with DES 1 and DES 5 of the UDP and S28 of the City Plan.

6.3 Amenity

The subdivision of one flat to create two flats does not raise any amenity concerns. The creation of additional lightwells and the installation of railings at street level also raise no amenity concerns.

6.4 Transportation/Servicing

The Highways Planning Manager objects to the proposals on the grounds that the proposal represents a lack of car parking contrary to TRANS23 and does not provide any cycle parking. Comment is also made that it would be desirable for the railings at street level on Charlwood Street that serve the landing to the stair be chamfered so as to reduce the impact on pedestrian movement.

Whilst parking levels are high in this area both at daytime and night time, it is not considered that the creation of one additional unit, representing an increase of one bedroom compared to the existing, would be so detrimental to the current parking levels to warrant refusal.

Cycle parking can be accommodated within the flat or within the lightwell area and this is considered to be sufficient.

The proposed railings and their design follow the established line of the forecourt and are considered to be acceptable in design terms. If chamfered, this would be at odds with the design of the other railings at street level within Pimlico. Their 'square' design would impact no further on pedestrian movement and flow had they have been chamfered.

The proposals are therefore considered to be acceptable in highways terms.

6.5 Economic Considerations

The proposal is in accordance with the UDP and the economic benefits generated are welcomed.

6.6 Access

There is no level access to the existing café at 93 Charlwood Street and there are no alterations proposed to this threshold as a result of this application. The proposals seek to create a lightwell at street level in front of 93 Charlwood Street to provide natural light and ventilation to the proposed lower ground floor flat. This would remove part of the private forecourt that the café uses for tables and chairs. Objections have been received on the grounds that disabled users use this area on a daily basis and without this they would not be able to use the café or the outside area. The area currently used for tables and chairs, is private land and does not form part of the public highway. Planning permission is not required for the use of this area for placing tables and chairs. The applicant has provided a copy of the lease and the private forecourt does not form part of the café lease. Whilst it is unfortunate that the area for outside tables and chairs is to be reduced, it is not considered that the application can be reasonably withheld on this basis.

6.7 Other UDP/Westminster Policy Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

6.8 London Plan

The proposal does not raise strategic issues and does not have significant implications for the London Plan.

6.9 Planning Obligations

The proposal does not raise the need for planning obligations.

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

Not applicable.

6.11 Other Issues

Not applicable.

6.12 Conclusion

The proposals are considered to accord with the City Council's policies in relation to land use, design and amenity and are recommended for approval.

BACKGROUND PAPERS

1. Application form.
2. Letter from Westminster Society dated 21 July 2015.
3. Memorandum from Environmental Health dated 20 July 2015.
4. Memorandum from Highways Planning Manager dated 21 July 2015.
5. Letter from Environment Agency dated 13 August 2015.
6. Letter received on behalf of owner/occupier of 91 Charlwood Street dated 13 July 2015.
7. Letter received on behalf of owner/occupiers of 2 Winchester Street dated 14 July 2015.
8. Letter received from occupier of 93a Charlwood Street dated 16 July 2015.
9. Letter received from owner of the hairdressers at 95 Charlwood Street dated 21 July 2015.
10. Letter received from owner of 95a Charlwood Street dated 24 July 2015.
11. Letter received from owner of 1b Winchester Street dated 24 July 2015.
12. Letter received on behalf of owner of cafe at 93 Charlwood Street dated 3 August 2015.
13. Letter received on behalf of occupier of 89 Charlwood Street dated 3 August 2015.
14. Letter received from occupier of 49 Bramwell House dated 3 August 2015.
15. Letter received from occupier of 4, 110 Alderney Street dated 3 August 2015.
16. Letter received from occupier of 1 Galliff Close, Ebury Bridge Road dated 3 August 2015.
17. Letter received from occupier of 22 Balderton Flats, Brown Hart Garden dated 3 August 2015.
18. Letter received from occupier of 178 Old Shoreham Road dated 3 August 2015.
19. Letter received from occupier of 30 Knotts Place dated 3 August 2015.
20. Letter received from occupier of 18 Durrell Drive, Cawston dated 3 August 2015.
21. Letter received from occupier of 150a Wandsworth Bridge Road dated 3 August 2015.
22. Letter received from occupier of 36 Sherbourne House dated 3 August 2015.
23. Letter received from occupier of 51a Denbigh Street dated 3 August 2015.
24. Letter received from occupier of Lupus Street property dated 3 August 2015.
25. Letter received from occupier of 3, 56 St George's Drive dated 3 August 2015.
26. Letter received from occupier of 46 Littleton House dated 3 August 2015.
27. Letter received from occupier of 105 St Georges Drive dated 3 August 2015.
28. Letter received from occupier of 802 Howard House dated 4 August 2015.
29. Letter received from occupier of 26 Moore Buildings, Gilbert Street dated 4 August 2015.
30. Letter received from occupier of 113 Livingstone Road, Hove dated 4 August 2015.
31. Letter received from occupier of 7, 39 Sillwood Road, Brighton dated 4 August 2015.
32. Letter received from occupier of 38 Sherbourne House, Abbots Manor dated 4 August 2015.
33. Letter received from occupier of 55 St George's Drive dated 4 August 2015.
34. Letter received from occupier of 60 Cardigan Street dated 4 August 2015.
35. Letter received from occupier of 95 Wincheseter Street dated 4 August 2015.
36. Letters received from occupiers of 5b Peabody Avenue, Sutherland Street dated 4 and 5 August 2015.
37. Letter received from occupier of 35 Ripley House, Churchill Gardens dated 4 August 2015.
38. Letter received from occupier of A, 73 Denbigh Street dated 4 August 2015.
39. Letter received from occupier 51 Wilkins House, Churchill Gardens dated 5 August 2015.
40. Letter received from occupier of 34 Tiller Road dated 5 August 2015.
41. Letter received from occupier 61 Lenthall House, Churchill Gardens dated 5 August 2015.
42. Letter received from previous resident of Pimlico dated 5 August 2015.

43. Letter received from occupier of 22 Hayles Buildings, Elliott Row dated 5 August 2015.
44. Letter received from resident in Gloucester Street dated 6 August 2015.
45. Letter received from occupier of 80 Berewecke, Winchester dated 8 August 2015.
46. Letter received from occupier of 20 West End, Launton dated 8 August 2015.
47. Letter received from occupier of 63 Sancroft Road, Eastbourne dated 8 August 2015.
48. Letter received from occupier of 62 Newport Road, Stafford dated 9 August 2015.
49. Letter received from occupier of 13 Winchester Street dated 9 August 2015.
50. Letter received from occupier of 3 Langdale House, Churchill Gardens dated 9 August 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT VINCENT NALLY ON 020 7641 5947 OR BY FAX 020 7641 2339 OR BY E-MAIL – vnally@westminster.gov.uk

DRAFT DECISION LETTER

Address: 93 and 95 Charlwood Street, London, SW1V 4PB

Proposal: Use of the lower ground floor of Nos. 93 and 95 as two flats, creation of lightwells and associated railings on the Charlwood Street frontage, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults.

Plan Nos: 15/2028/01 B; 15/2028/02 B; Site location plan; Heritage Report dated June 2015; Daylight Report dated June 2015; Planning Statement Summary dated June 2015; Design and Access Statement dated June 2015; Flood Risk Assessment dated September 2014.

Case Officer: Kimberley Davies

Direct Tel. No. 020 7641 5939

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 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 the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 You must apply to us for approval of detailed drawings of the following parts of the

development - pavement light on Winchester Street. You must not start any work on these parts of the development until we have approved what you have sent us.

You must then carry out the work according to these detailed drawings. (C26DB)

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 new railings at street level shall be simple black metal vertical railings and remain in this condition thereafter.

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 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the flats. You must not use the waste store for any other purpose. (C14CD)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 7 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at section 9.76, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development.

- 8 The design and structure of the development 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.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

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 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.
- 2 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 3 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 4 You will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 5 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

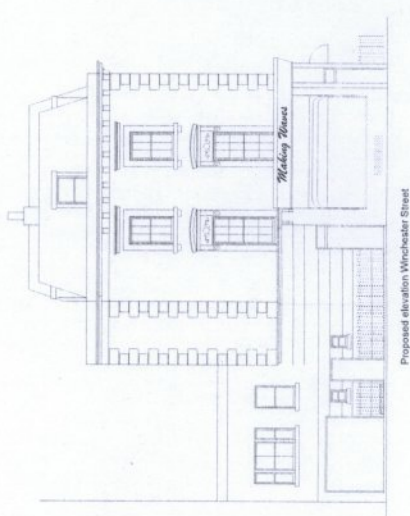
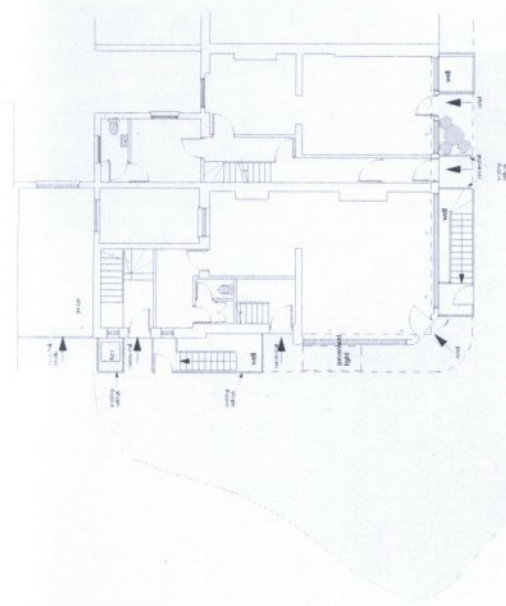
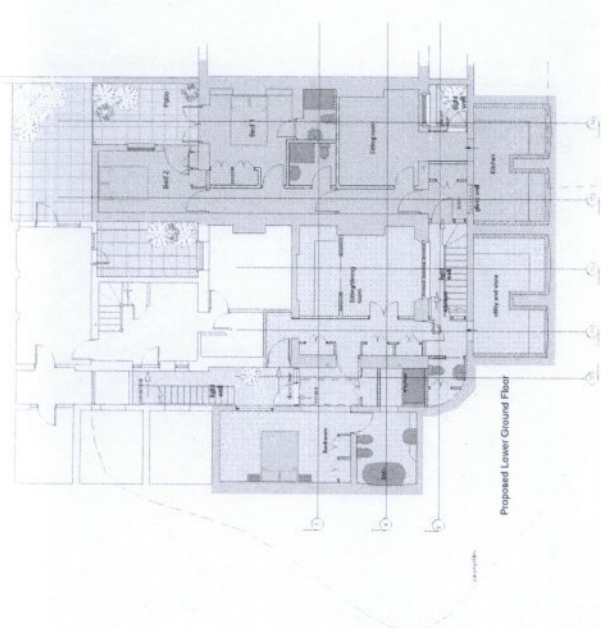
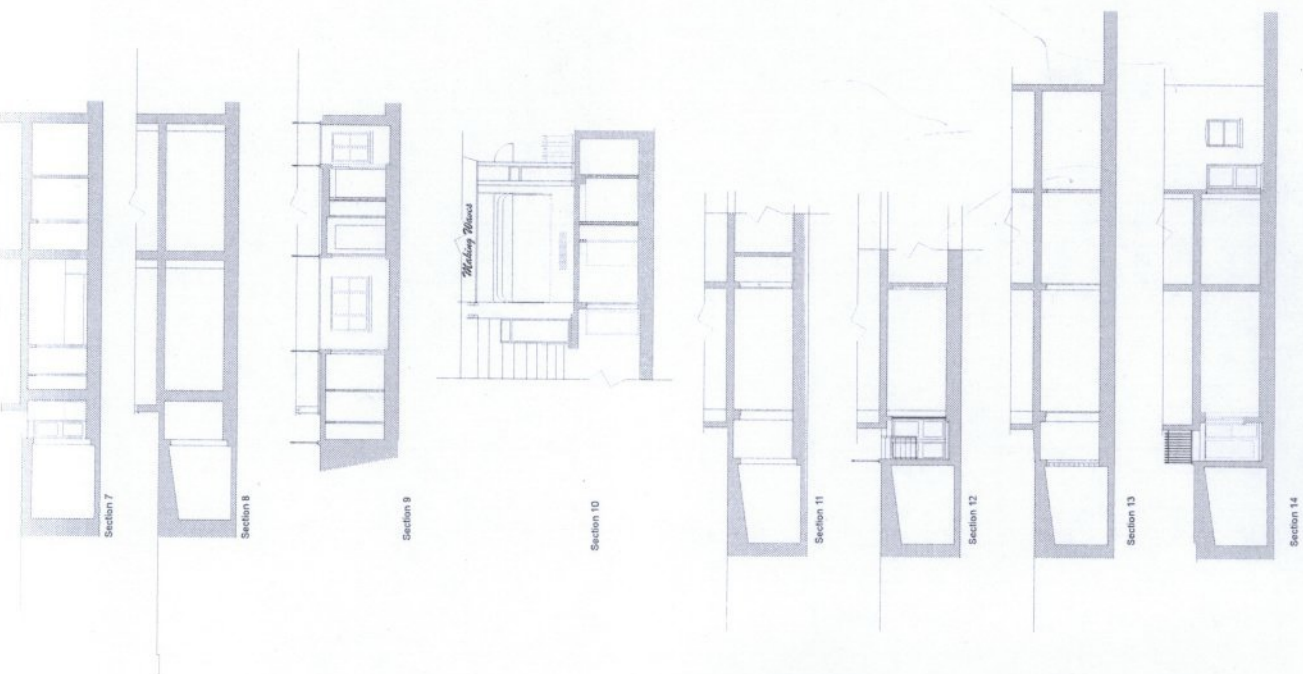
24 Hour Noise Team
Environmental Health Service
Westminster City Hall

64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 6 The sound insulation in each new unit of a residential conversion should meet the standards set out in the current Building Regulations Part E and associated approved documents. Please contact our District Surveyors' Services if you need more advice. (Phone 020 7641 7240 or 020 7641 7230). (I58AA)



DO NOT SCALE ON ANY OTHER DIMENSIONS OR SCALE. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. ARCHITECTS HAVE CONDUCTED VISUAL VERIFICATION OF THE DIMENSIONS AND FINISHES SHOWN ON THIS DRAWING. DIMENSIONS SHOWN ON THIS DRAWING ARE TO FACE UNLESS OTHERWISE SPECIFIED. DIMENSIONS SHOWN ON THIS DRAWING ARE TO FACE UNLESS OTHERWISE SPECIFIED.

93-95 Charwood Street

Proposed plans, elevations and sections

DATE: April 2015

DRAWN BY: B

CHECKED BY: B

SCALE: 1:100

PROJECT: 93-95 Charwood Street

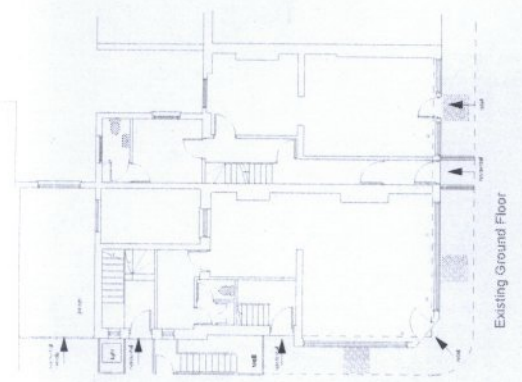
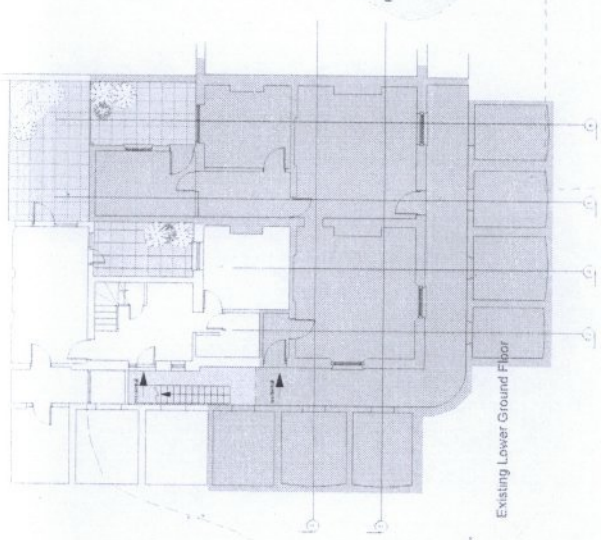
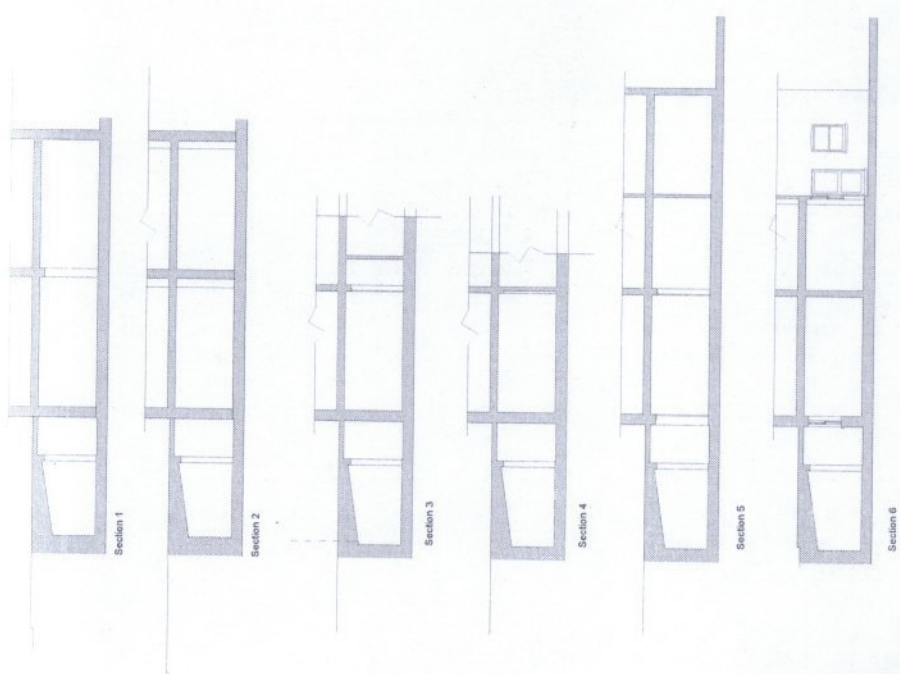
DRAWING: Proposed plans, elevations and sections

DATE: April 2015

DRAWN BY: B

CHECKED BY: B

SCALE: 1:100



8 Apr 17 11:45 AM
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PROJECT
93-95 Charwood Street

DRAWING
 Existing plans, elevations, section and location

DATE: April 2015
 DRAWN: 15/02/2015
 CHECKED: 15/02/2015

Scale: 1:100

Scale: 1:250

Scale: 1:100, 1:250

