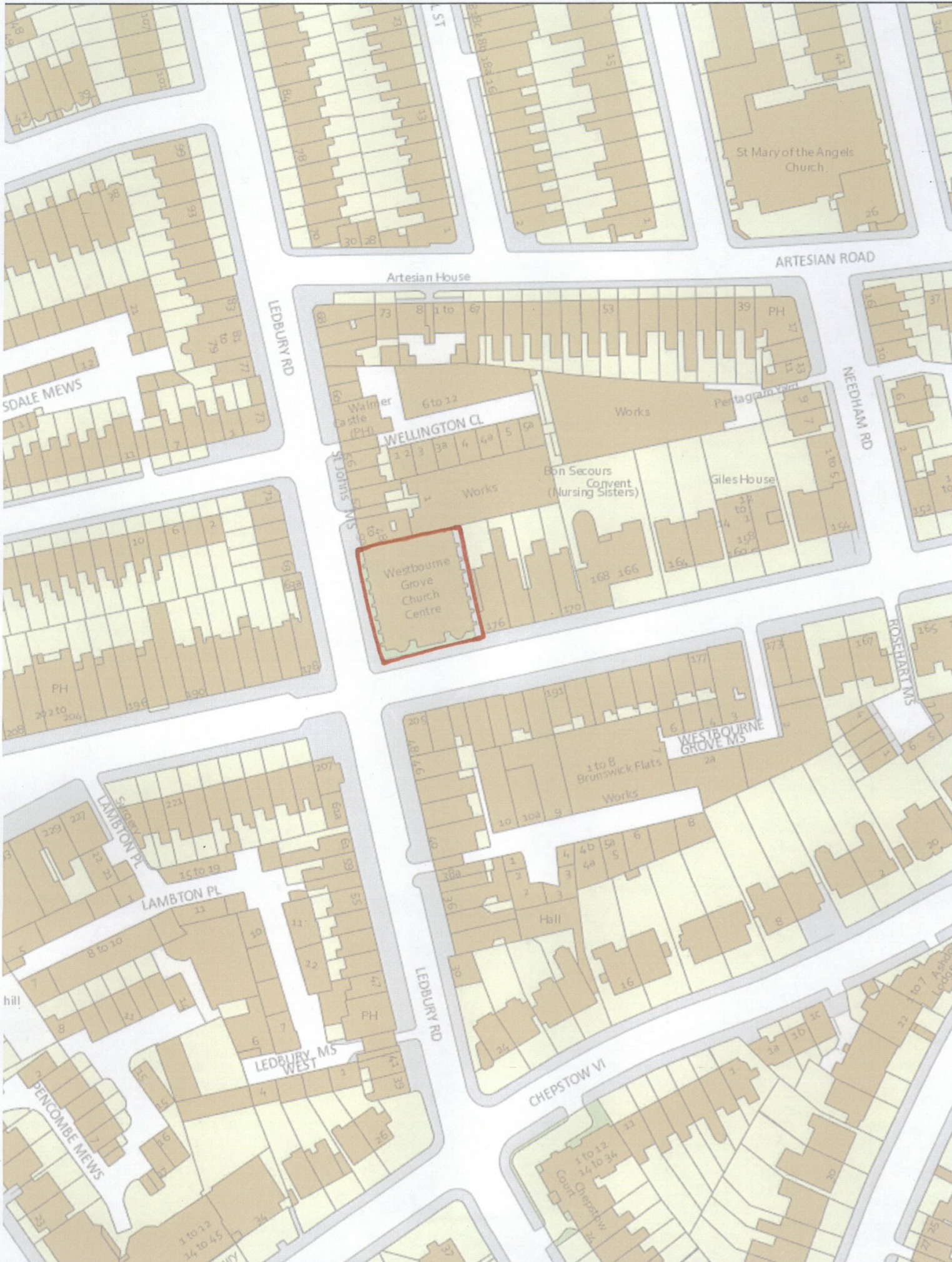


<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 8 December 2015	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Wards involved</b> Bayswater	
<b>Subject of Report</b>	<b>48A Ledbury Road, London, W11 2AS</b>		
<b>Proposal</b>	Amalgamation of Flats 7, 9 and 10 (fourth and fifth floors) into 1x3 bedroom flat.		
<b>Agent</b>	Jonathan Clark Architects		
<b>On behalf of</b>	Mr Jamie Constable		
<b>Registered Number</b>	15/07267/FULL	<b>TP / PP No</b>	TP/11427
<b>Date of Application</b>	07.08.2015	<b>Date amended/ completed</b>	02.09.2015
<b>Category of Application</b>	Minor		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Westbourne.		
<b>Development Plan Context</b> - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
<b>Stress Area</b>	Outside Stress Area		
<b>Current Licensing Position</b>	Not Applicable		

## 1. RECOMMENDATION

Refuse permission - loss of two residential units.









48A LEDBURY ROAD, W11



## 2. SUMMARY

Planning permission is sought for the amalgamation of three flats, being a studio flat and 2x1 bedroom flats at fourth and fifth floor levels into a 1x3 bedroom flat.

The key issue is the overall loss of residential units in light of Policy S14 of Westminster's City Plan: Strategic Policies.

The proposal to amalgamate three dwellings into one would result in the loss of two dwellings, contrary to Policy S14 of Westminster's City Plan: Strategic Policies, without meeting any of the stated exceptions and is therefore recommended for refused.

## 3. CONSULTATIONS

### NOTTING HILL EAST NEIGHBOURHOOD FORUM

Provided the fifth floor terrace has incorporated auto-watered planters to create privacy and anti-look down and the solar collection and rainwater harvesting feature, then no objection.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 19; Total No. of Replies: 1

One letter of support.

ADVERTISEMENT/SITE NOTICE: Yes.

## 4. BACKGROUND INFORMATION

### 4.1 The Application Site

The application site is an unlisted building located on the corner of Ledbury Road and Westbourne Grove, within the Westbourne Conservation Area. The building is in mixed use as a church, retail and residential flats. This application relates to 2x1 bedroom flats on the fourth floor (Flat 7) and fourth and fifth floor (Flat 9) and a studio flat on the fifth floor (Flat 10).

### 4.2 Planning History

Permission was granted on 02.05.2014 for the amalgamation of two flats (Flats 7 and 10) into a 1x2 bedroom flat (Ref: 14/01478/FULL). This has not been implemented.

## 5. THE PROPOSAL

Planning permission is sought for the amalgamation of three flats (Flats 7, 9 and 10) into 1x3 bedroom flat over fourth and fifth floor levels.

## 6. DETAILED CONSIDERATIONS

### 6.1 Land Use

The proposal raises only residential unit number issues and specifically its conformity with Policy S14 of the City Plan. The aim of this policy is to optimise housing delivery. It states that proposals that would result in a reduction in the number of residential units will not be acceptable except where the Council considers that reconfiguration or redevelopment would better meet affordable housing need; a converted house is being returned to a family-sized



dwelling or two flats are being joined to create a family-sized dwelling. The proposal does not involve affordable housing provision, is not a converted house, but involves three flats (rather than two) being converted into a family-sized dwelling, therefore it does not meet any of these exceptions to the presumption to protect the number of residential units.

To achieve and exceed Westminster's housing targets it is necessary to protect existing housing and to have housing as the priority use across the City. This means that schemes which retain or increase the overall housing floorspace should not reduce the number of residential units as this would reduce the number of homes in the City. Although the provision of family-sized units is also a priority within Westminster, this is the reason why there are exceptions to Policy S14. Where these exceptions are not met the protection of the number of residential units must be the priority.

The existing units are all of a good size standard and significantly above the national minimum space standards. Flat 7 is a two bedroom apartment with an internal floor area of 199m<sup>2</sup> (the minimum national standard for such an apartment is 61m<sup>2</sup>), Flat 9 is a two bedroom apartment over two levels with an internal floor area of 152m<sup>2</sup> (the minimum national standard for such an apartment is 70m<sup>2</sup> and Flat 10 is a studio flat with an internal floor area of 49m<sup>2</sup> (the minimum national standard for such an apartment is 39m<sup>2</sup>). There is therefore no justification for the amalgamation of units in terms of floorspace standards.

The proposed flat would be a three bedroom flat with a total floorspace of 400m<sup>2</sup>. The minimum national space standard for such a property is between 84m<sup>2</sup> and 102m<sup>2</sup> depending on the number of people residing at the premises. It is acknowledged that some residential units in Westminster are much larger than the amalgamated unit that proposed and the applicant has stated that one unit in the same development is 493m<sup>2</sup>. However, it would result in a reduction in the number of residential units and this would reduce the number of homes in the City. It is therefore contrary to Policy S14.

## **6.2 Townscape and Design**

No external works are proposed and no design issues are raised by the application.

## **6.3 Residential Amenity**

No external alterations are proposed and no issues are raised in relation to neighbours' residential amenity.

## **6.4 Transportation/Highways**

The amalgamation of three flats into one will have no adverse impact on parking arrangements and therefore the proposal is in accordance with Policy TRANS23.

## **6.5 Equalities and Diversities**

No changes to access arrangements into the property are proposed.

## **6.6 Economic Considerations**

Not relevant in the determination of this application.

## **6.7 London Plan**

This proposal raises no strategic issues.



### 6.8 Central Government Advice

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.

### 6.9 Planning Obligations

Not relevant in the determination of this householder application.

### 6.10 Environmental Assessment including Sustainability and Biodiversity Issues

Notting Hill East Neighbourhood Forum has commented that they have no objection to the proposal provided the fifth floor terrace has incorporated auto-watered planters to create privacy and anti-look down and solar collection and rainwater harvesting. It would not be reasonable to require the provision of such sustainability features on this application.

### 6.13 Conclusion

It is therefore recommended that permission is refused on grounds of loss of residential units.

## BACKGROUND PAPERS

1. Application form
2. Email from Notting Hill East Neighbourhood Forum dated 01.10.2015
3. Letter from owner/occupier of Apartment 8 – 48A Ledbury Road dated 20.10 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARAH WHITNALL ON 020 7641 2929 OR BY E-MAIL – [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)



**DRAFT DECISION LETTER**

**Address:** 48A Ledbury Road, London, W11 2AS

**Proposal:** Amalgamation of Flats 7, 9 and 10 (fourth and fifth floors) into 1x3 bedroom flat.

**Plan Nos:** Planning Statement; 171-PL001; 171-PL002; 171-PL005; 171-PL006; 171-PL010; 171-PL011

**Case Officer:** Richard Langston

**Direct Tel. No.** 020 7641 7923

**Reason(s) for Refusal:**

Reason:

- 1 Your development would lead to a loss of two residential units which would not meet S14 of Westminster's City Plan: Strategic Policies adopted November 2013. We do not consider that the circumstances of your case justify an exception to our policy.

**Informative(s):**

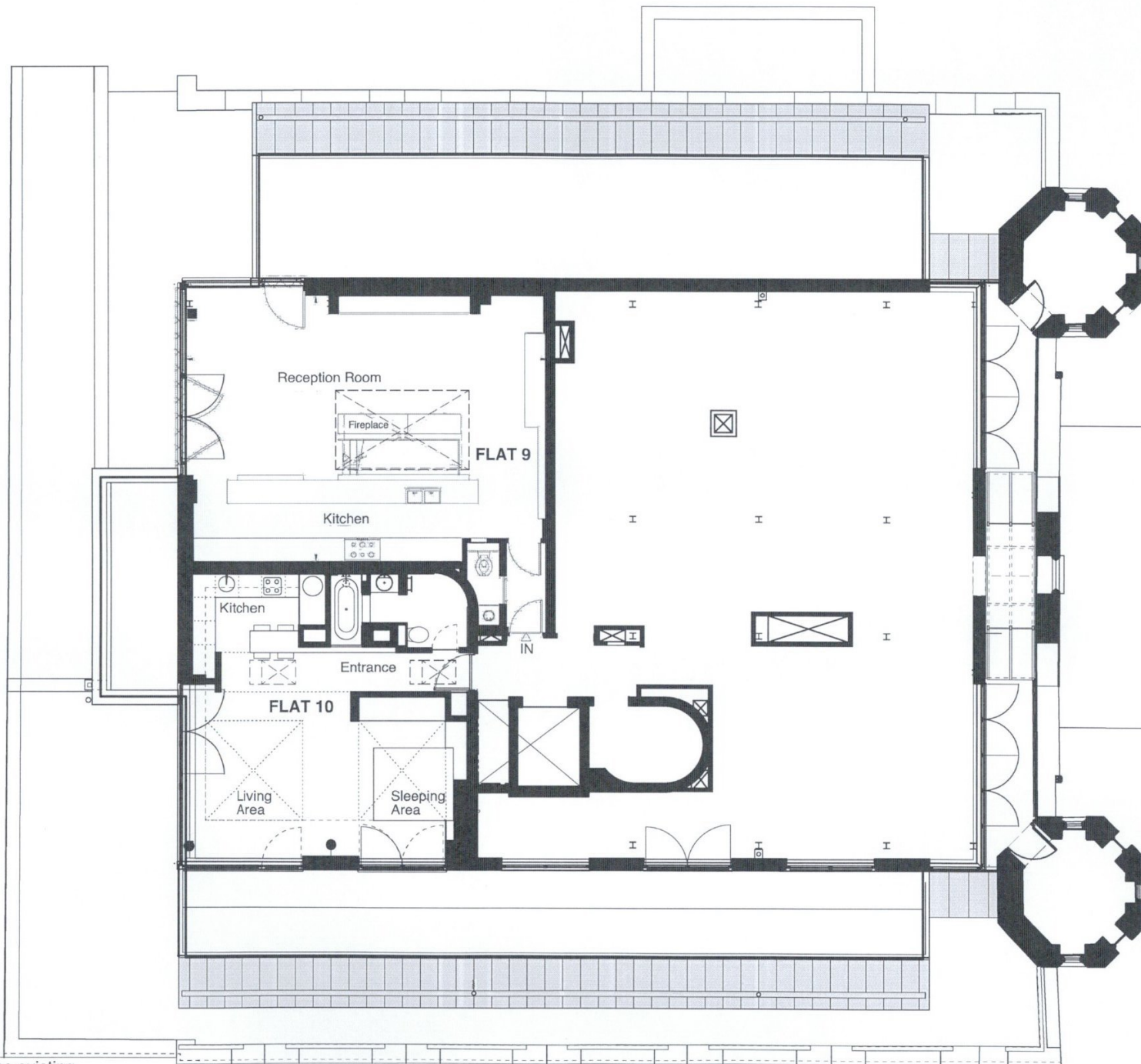
- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's 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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.







NOTES:



Apartment 10 - Fifth Floor Plan as existing



DATE: REV: AMENDMENT:

PLANNING

**JONATHAN CLARK ARCHITECTS**

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PROJECT  
WESTBOURNE CHURCH CENTRE  
APTS. 7/10, LONDON W11

DRAWING  
EXISTING FIFTH FLOOR PLAN

SHEET  
171-PL006

REVISION  
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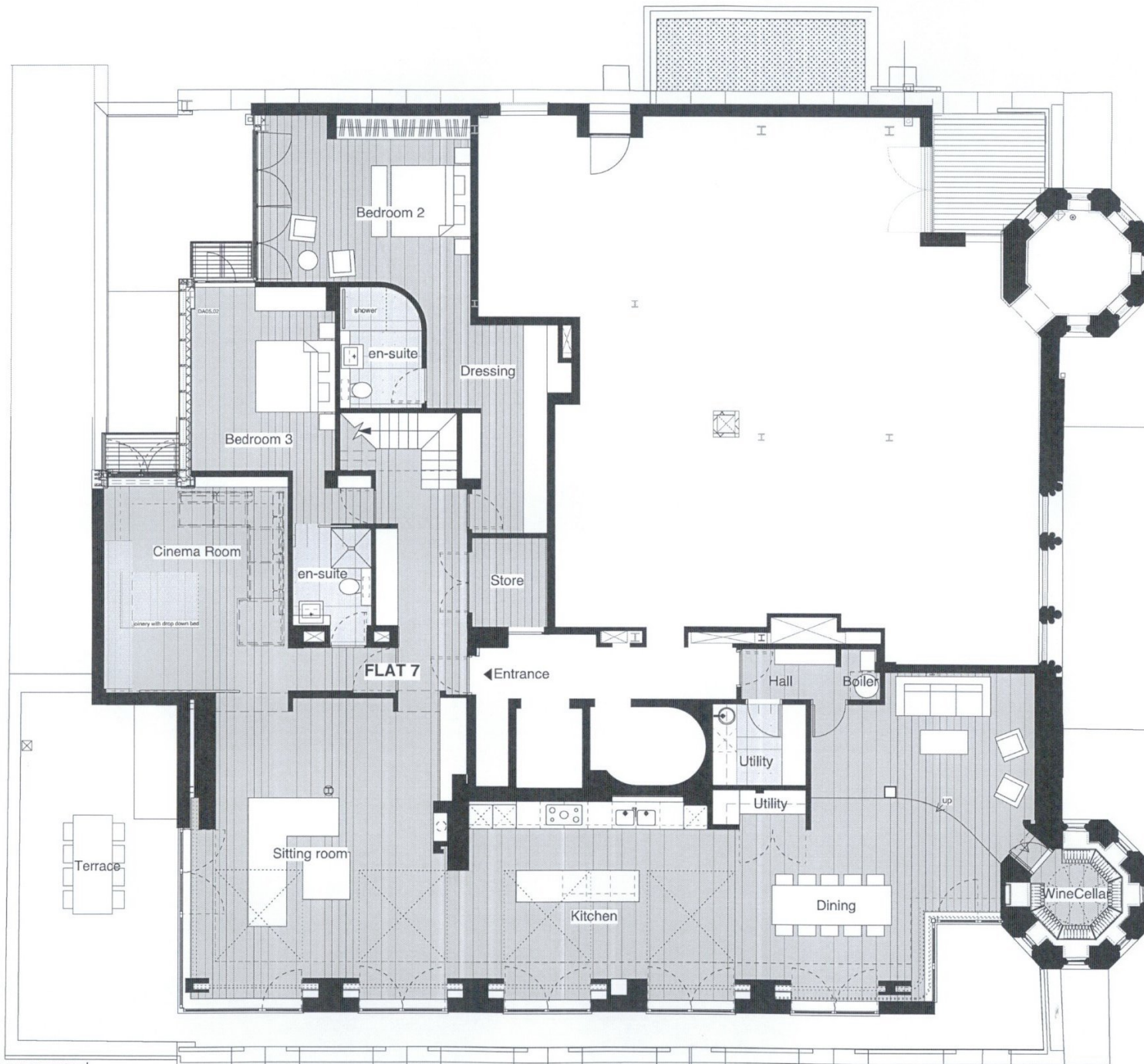
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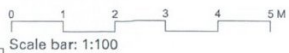
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NOTES:



Apartment 7 - Fourth Floor Plan as proposed



DATE REV AMENDMENTS

PLANNING

**JONATHAN CLARK ARCHITECTS**

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 Oxford Street at 40 Circus 3 Street  
 London W1D 7BT  
 Phone 020 7038 1111  
 Email jon@jonclark.co.uk  
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PROJECT  
 WESTBOURNE CHURCH CENTRE  
 APTS. 7/10, LONDON W11

DRAWING  
 PROPOSED FOURTH FLOOR PLAN

SHEET 171-PL010 REVISION -

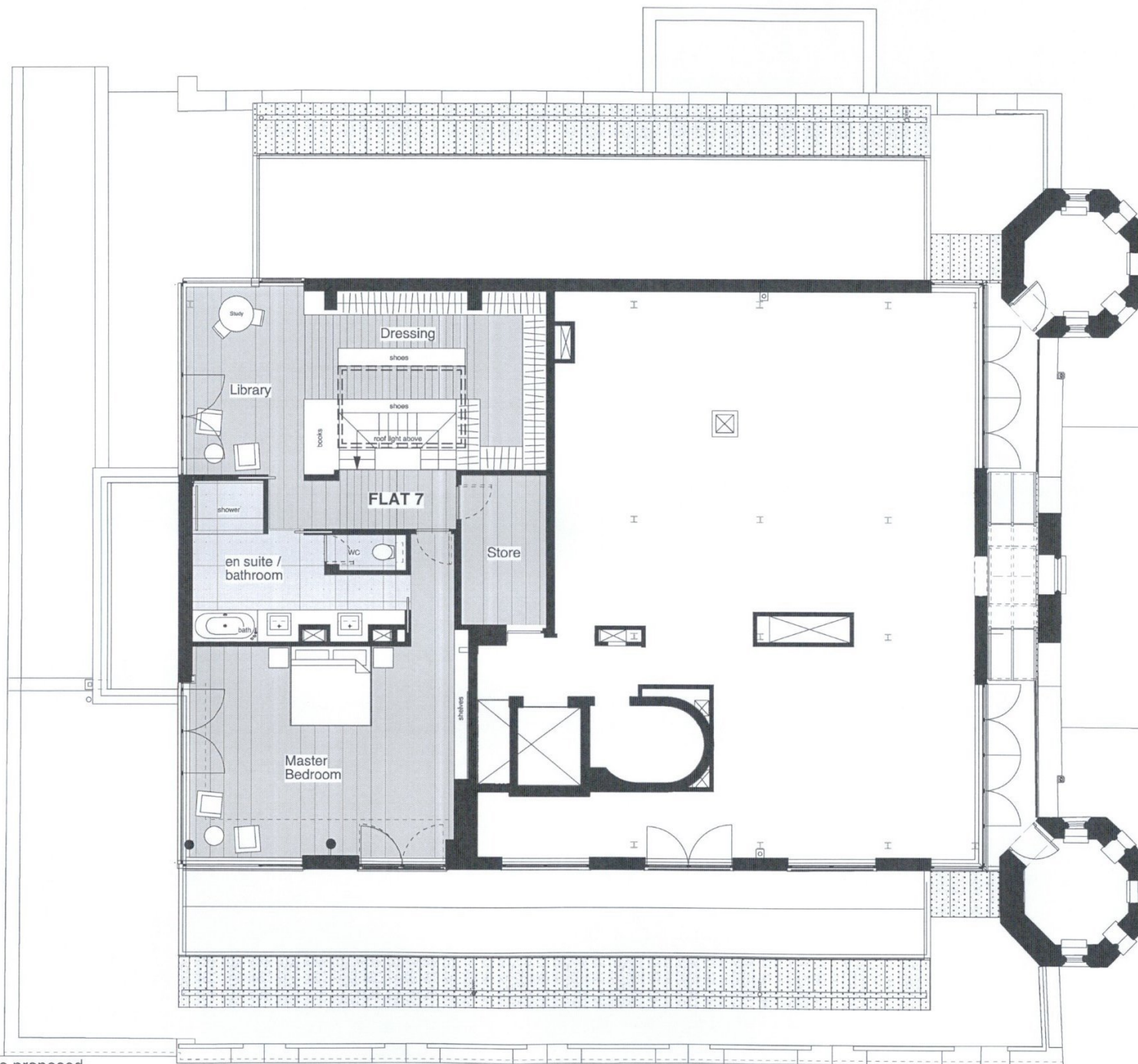
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Apartment 10 - Fifth Floor Plan as proposed



DATE REV. REVISIONS

PLANNING

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PROJECT  
 WESTBOURNE CHURCH CENTRE  
 APTS. 7/10, LONDON W11

DRAWING  
 PROPOSED FIFTH FLOOR PLAN

SHEET  
 171-PL011

REVISION

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