

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 13 September 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Hyde Park	
<b>Subject of Report</b>	33 Westbourne Terrace, London, W2 3UR,		
<b>Proposal</b>	Internal works to the building including the installation of a new lift associated with the reconfiguration of the existing residential accommodation to provide six residential dwellings. External works to include the replacement of windows, new windows, secondary glazing, works at roof level, provision of cycle and car parking spaces and associated refuse areas.		
<b>Agent</b>	DP9		
<b>On behalf of</b>	West Two Properties		
<b>Registered Number</b>	16/03029/FULL and 16/03030/LBC	<b>Date amended/ completed</b>	12 May 2016
<b>Date Application Received</b>	5 April 2016		
<b>Historic Building Grade</b>	Grade II listed		
<b>Conservation Area</b>	Bayswater		

## 1. RECOMMENDATION

1. Refuse permission – land use and harm to conservation area and listed building; and
2. Refuse listed building consent.

## 2. SUMMARY

The application site contains a five storey, plus basement level grade II listed building located within the Bayswater Conservation Area. It is located on the north eastern corner of the junction of Westbourne Terrace and Craven Road. The lawful use of the application site is a House in Multiple Occupation (HMO) (Sui Generis Use Class).

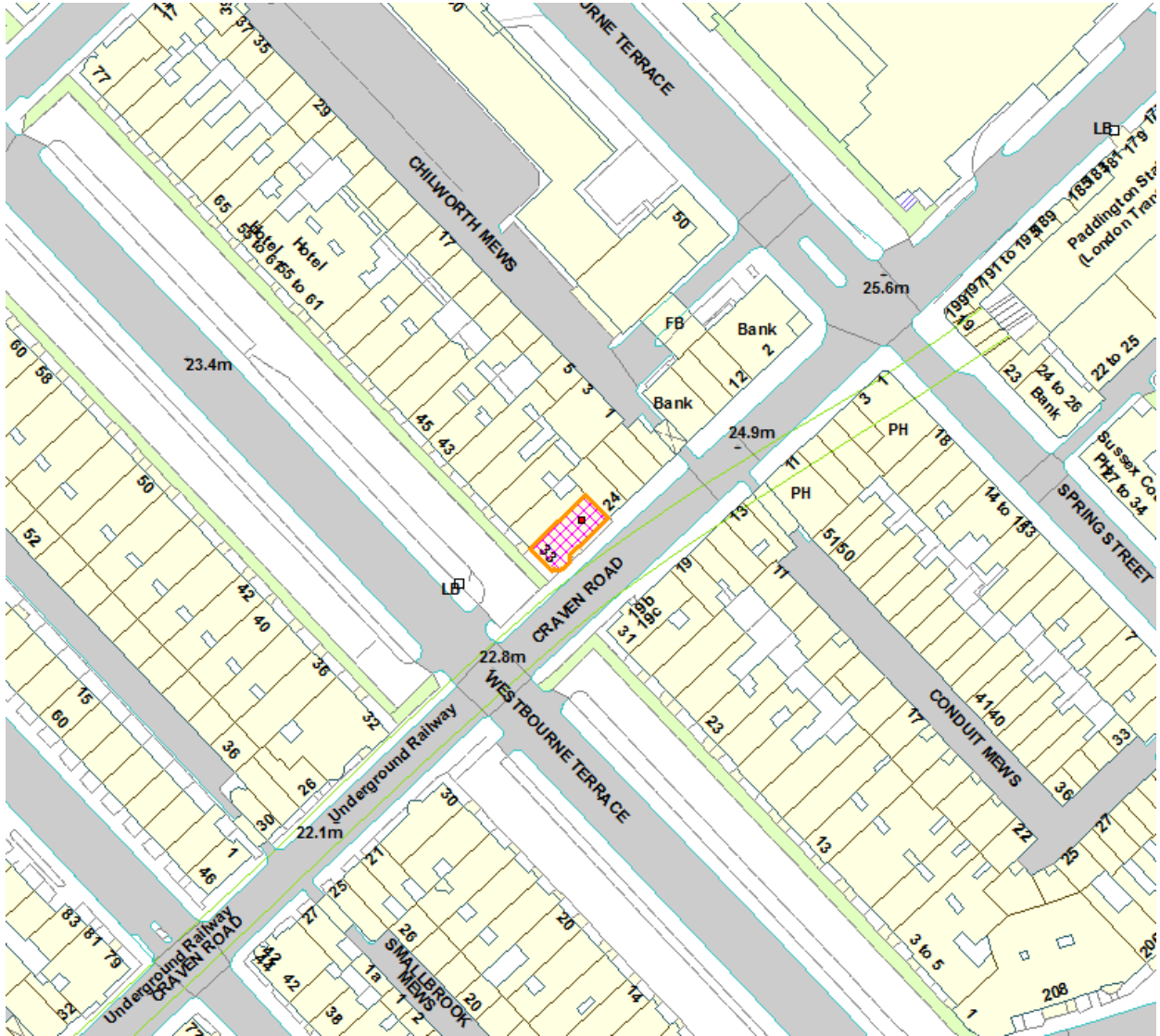
The applicant seeks planning permission and listed building consent for conversion of this building into six flats. External alterations, including enlargement of the existing dormer windows and installation or replacement of existing windows are proposed. Internal alterations, including installation of a lift, new stairs between ground and lower ground floor levels and alterations to existing internal partitions are also proposed.

The key issues for consideration are:

- Loss of the existing House in Multiple Occupation use.
- Impact on the special architectural interest of this Grade II listed building and the character and appearance of the Bayswater Conservation Area.

Loss of the HMO use would be contrary to development plan policy. The proposed alterations, particularly the insertion of a lift, insertion of new staircases, alterations to fenestration and the addition of a glass balustrade at main roof level would harm the special architectural and historic interest of this listed building and the character and appearance of the conservation area. Accordingly, these applications for planning permission and listed building consent are recommended for refusal.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



View of building from Westbourne Terrace.

## 5. CONSULTATIONS

### HISTORIC ENGLAND

Authorise the City Council to determine application.

### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Objection. If the applicant is correct and this is not an HMO, the proposed reduction from 18 to 6 units would result in an unacceptable loss of self-contained units. One third of the units proposed are not 'family-sized' and therefore do not meet Council policy. One of the two bed units is also very large and could be turned into a three bedroom unit. The proposed lift may harm the structural integrity of the original staircase and result in loss of original fabric although it is recognised that lifts are expected of flats these days. SEBRA doubt that it is in the power of the applicants to control use of the claimed four parking spaces, for use by residents of this property. Query whether there is provision for refuse storage. Subject to approval of the detail, reinstatement of windows in their original form is welcomed. No objection to secondary glazing, subject to its effect on the interior appearance of rooms.

### HIGHWAYS PLANNING MANAGER

No objection. The residents of the existing units would have been eligible to purchase an on-street residential car parking permit, which would increase the demand for on-street car parking in the area. As there is a decrease in the number of residential units, the development is consistent with policy TRANS23 of the UDP.

Three car parking spaces are indicated on the submitted drawings. For six residential units, this level of car parking, where there has been a decrease in the number of residential units, would be consistent with policies TRANS21 and TRANS23 of the UDP.

Conditions recommended requiring cycle parking, waste storage and maintaining access to car parking.

### CLEANSING MANAGER

Recommend condition requiring provision of refuse and recycling storage.

### ENVIRONMENTAL HEALTH OFFICER

No objection, subject to conditions requiring the submission of further ventilation and sound insulation details.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 25.

Total No. of replies: 1.

No. of objections: 1.

No. in support: 0.

One email of objection received raising objection on the following ground:

- Construction of the proposed development will inconvenience existing residents within the building.

PRESS ADVERTISEMENT/ SITE NOTICE: Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site contains a five storey, plus basement level grade II listed building located within the Bayswater Conservation Area. It is located on the north eastern corner of the junction of Westbourne Terrace and Craven Road. The lawful use of the application site is a House in Multiple Occupation (HMO) (Sui Generis Use Class).

### 6.2 Recent Relevant History

2 October 1997 – Planning permission and listed building consent for internal alterations and installation of a passenger lift in connection with use as self-contained flats and bedsits was refused (97/06452/FULL and 97/06453/LBC).

## 7. THE PROPOSAL

The applicant seeks planning permission and listed building consent for conversion of this building into six flats. External alterations, including enlargement of the existing dormer windows and installation or replacement of existing windows are proposed. Internal alterations, including installation of a lift, new stairs between ground and lower ground floor levels and alterations to existing internal partitions are also proposed.

The composition of the new units in terms of their size and number of bedrooms would be as follows:

LEVEL	FLAT TYPE		FLAT SIZE (M2)	
Lower Ground	3b (duplex)	2b (duplex)	113	70
Ground				
1	2b		103	
2	2b		65	
3	2b		61.5	
4	2b		61.5	

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

#### HMO Status

Policy S15 of the City Plan (adopted July 2016) (“the City Plan”) specifies, inter alia, that HMO floorspace will be protected. The supporting text to policy S15 notes that existing HMO’s are protected as they provide a type of affordable accommodation within the City.

Policy H7 of the Unitary Development Plan (adopted 2007) (“the UDP”) specifies that applications involving the loss of HMO/bedsit accommodation will not normally be granted where the existing accommodation complies with or is capable of complying with, the requirements of the relevant Housing and Environmental Health legislation. The supporting text to policy H7 notes that HMO’s provide a source of less expensive market

housing within the City. The supporting text to policy H7 also notes that where a listed building is in use as an HMO, alterations to upgrade the HMO may have an impact on the fabric of the listed building. Where such alterations are detrimental to the listed building the City Council will consider an appropriate reduction or configuration of units to allow for some self-contained units to protect the listed building.

The applicant contends that the existing property is not an HMO as the City Council's Environmental Health Section have ceased licensing it and because it meets the 1991 Building Regulations and is therefore not an HMO for the purposes of the Housing Act 2004 (as amended). However, the Environmental Health Officer has confirmed that the existing property would still be classified as an HMO pursuant to Section 257 of the Housing Act 2004 (as amended) and that HMO's pursuant to that provision do not need to be licensed. It is also noted that at the time of the 1997 applications (see ref: 97/06452/FULL and 97/06453/LBC above) this property was classified as an HMO. Since that time, it appears that self-containment of the units has taken place without planning permission or listed building consent, culminating in the self-containment of a ground floor unit through the addition of a bathroom last year. Accordingly, the present state of the building is unlawful and in the absence of evidence to the contrary its lawful use is as a Sui Generis HMO.

The proposed change of use would result in the loss of this 18 unit HMO. Accordingly, the proposed change of use would result in the loss of a source of affordable accommodation, which would be contrary to policy S15 of the City Plan and policy H7 of the UDP. As set out below, the proposed change of use is also not justified by remedying harm to this listed building.

The applicant refers to approval of planning and listed building consent applications at 3 Lupus Street (ref: 15/04280/FULL & 15/04281/LBC) as precedent for the works proposed under these applications. The development at 3 Lupus Street involved the loss of 10 HMO units to create a single dwellinghouse.

Each application must be considered on its merits, having regard to the application site, the nature of the proposal and the relevant policy context at the time the application was decided. In the case of 3 Lupus Street, the Committee considered that the poor standard of accommodation, as indicated by the serving of "Suspended Prohibition Orders" and "Hazard Awareness Notices", justified the change of use and the consequential loss of the HMO use. In contrast, no such concern has been raised by the Environmental Health Officer and recent inspections by officers indicate that this HMO provides an acceptable standard of accommodation. Accordingly, the permission at 3 Lupus Street does not justify approval in this instance.

The applicant also contends that the proposed conversion would improve this listed building although, as set out later in the report, officers disagree. Notwithstanding, this is a different consideration to the test under Policy H7. Policy H7 allows self-containment where upgrading the HMO would be harmful to the listed building, not where any development would improve the listed building. No evidence has been provided to demonstrate that this HMO needs to be upgraded or that that upgrade would be harmful to this listed building.

### Residential Units

Policies H3 of the UDP and S14 of the City Plan seek to encourage the creation of new residential units. Accordingly, and were the loss of the HMO otherwise acceptable, the provision of residential flats on this site is supported in principle.

### Residential Mix

Policy H5 of the UDP requires 'one third' of the units to be family sized units (i.e. with 3 bedrooms or more), as specified in policy H5 of the UDP. In this instance, approximately only 17 % of the proposed units would be family sized. However, and as noted in paragraph 3.74 of the supporting text to this policy, this requirement will be applied with some flexibility. For example, a lower level of family sized accommodation may be appropriate in very busy, noisy environments. The application site is located in just such an environment, being located on the corner of Craven Road and Westbourne Terrace. Accordingly, the proposed mix would be consistent with policy H5 of the UDP in this instance.

### Standard of Residential Accommodation

The proposed flats all exceed the relevant space standards for flats set out in the Nationally Described Space Standard (March 2015). The three bedroom duplex at ground and lower ground floors and the two bedroom flat on the first floor also exceed the relevant standard by a significant margin (i.e. over 20m<sup>2</sup>). Accordingly, the proposed flats would provide an appropriate standard of accommodation, consistent with Policy 3.5 of the London Plan (FALP 2015).

The Environmental Health Officer has noted that this site is subject to high noise levels by reason of its location on adjacent to two busy roads. Accordingly, they have recommended imposition of conditions requiring further details of noise insulation and ventilation. Were the development otherwise acceptable, conditions to this effect would be attached to the permission. Subject to this condition, the proposed flats would be consistent with policy ENV 6 of the UDP.

## **8.2 Townscape and Design**

### Lift Insertion and Associated Plan Form Alterations

The application proposes to insert a new lift rising from ground to fourth floor levels, with a lift pit structure beneath lower ground floor. To ground floor level, this area of the building appears likely to have been open to the hallway, though this has since been enclosed by a later enclosure. At first to second floor levels this area appears to have been originally designed to provide a well-lit lobby style area off the staircase in a manner not uncommon for mid-Victorian properties. To third floor level a small bathroom area has been created in what may be an alteration of the original open lobby, and to fourth floor level this area remains within a room at the rear of the building.

To lower ground floor level, given the significant alterations to this part of the building, the works are not considered harmful in themselves. However, above this level the works would be harmful to the character of the building. The installation of a lift structure set directly into the ground floor level hallway, with modern lift car doors opening out onto this



area would be a retrograde step from the existing situation. To first and second floor levels the panelled reveals to the openings would be removed with consequent loss of original fabric and an attractive feature of the interior. To first floor level, the lift structure would step out into and partly enclose the space within the reveal. At second floor level, the lift would step out beyond the line of the infill and cuts directly through the rising steps of the staircase and at third floor level it would cut directly through the landing. To fourth floor level the lift would cut into the rear of a room. The impact upon the staircase through the encroachment onto these areas would be harmful due to the narrowing of what was originally intended to be an open and generous space and through removal of original fabric in the form of original stone steps and landing structures and panelled reveals to several of the openings.

No clear information has also been given of the structural implications of the works with regards to the staircase landing structures at first, second and third floor levels although there is a suggestion in the engineering statement that significant internal steelwork could be used. The lift cuts through a number of areas which would typically be formed by a single stone landing or step structure and the truncation of it could put the staircase at extreme risk of collapse, cause harmful cracking of stone or require provision of further supporting structures to mitigate the loss of its attachment to the rear elevation. This would harm the originally intended and still remaining slenderness of steps/landing which are a key feature of its appearance and grandeur.

Provision of the lift would also require additional partitioning at first, second, third and fourth floor levels. This new arrangement would truncate the still discernible original internal layout of the building, partly converting a number of rooms into circulation spaces. This would harm the character of the interior by the creation of new corridors through important internal spaces and would fundamentally alter the appreciation of the building as one with a single staircase circulation route to one where a new and entirely separate modern lift and corridor route would be created. This would wholly alter the original floor plan harming the character of the interior.

Given the above, the lift and associated alterations to the internal plan form would be harmful to the character of the building and are considered unacceptable.

#### Staircases to Ground Floor Rooms

Two new staircases are proposed to descend down from rooms at ground floor level into lower ground floor, one to the western room facing onto Westbourne Terrace and one from the eastern room which faces onto Craven Road.

The applicants have submitted evidence that the western room to ground floor level had a staircase in this location down to lower ground floor level installed in 1923 and that it remained in place until the 1970's. There would therefore be no loss of fabric associated with this change. In addition, the later subdivisions to the room are largely removed, with only a small bathroom remaining as an intervention into the space. Whilst the installation of this staircase is regrettable a refusal on this basis would not be sustainable in these circumstances.

With regards to the new staircase in the eastern room, this room would have been one of the grandest in the house when originally constructed and would have been one of the

largest. The Heritage Report submitted states that it appears to have late Victorian skirting in place, but otherwise modern finishes, and it also appears to retain a framed niche to the north wall which is likely to be original. This room largely retains a clear sense of its original volume and proportions without any permanent intervention breaking into the clarity of the space. There is no evidence of any staircase having been present in this room as is the case with the western room to this floor level. Accordingly, the staircase would be a wholly inappropriate intervention into the space, removing historic fabric in the form of the floor structure to be cut away, creating a circulation route from one of the grandest rooms within this mid-19th century property directly to lower ground floor level in a manner wholly out of character with the clear separation between such grand rooms and service spaces in such houses, and converting a section of a grand reception room into circulation space. The void would also provide a notable break in the appreciation of the volume of the room. This work would be harmful to the character of the building and is considered unacceptable.

The alterations to the plan form associated with these works at lower ground floor level are not considered as reasons for refusal given the greater alterations to the building at this level and therefore the lesser sensitivity.

#### Extension of Staircase from Third to Fourth Floor Level

The application seeks to remove the existing secondary staircase which rises from third to fourth floor levels and to replace it with a new timber staircase rising from third to fourth floor levels as a continuation of the existing main grand staircase rising from ground floor. This building was originally designed with a grand staircase rising from ground to third floor levels and there was also originally a much simpler secondary staircase rising from third floor level to fourth floor level as a distinct and separate structure from the main staircase.

It is noted that the secondary staircase from third to fourth floor levels is clearly a more modern staircase. However, for a grand Victorian town house such as this it appears highly unlikely that what would have been servants accommodation to fourth floor level would have been accessed by a continuation of the grand staircase, nor by any form of 'differently designed' staircase as a continuation of the grand staircase. There is a clear pattern in Victorian townhouses throughout this part of Bayswater of secondary staircases being clearly distinct and separate structures, reflecting the social distinction between the owners of the building and their servants.

The treads are shown to a much thicker depth than the than the stone steps to the existing main staircase, and appear inelegantly thick in section. The balustrading to the staircase would be mounted off the ends of each of the treads which is a constructional approach and detailing which is characteristic of stone staircases but is not traditional for timber staircases to such terraced properties. The new staircase would not appear as a seamless addition to the main staircase, but instead as a visually jarring addition above.

The secondary staircase proposed would therefore harm the special architectural and historic interest of this listed building.

#### Replacement Windows to Lower Ground and Ground Floor Levels

There are currently a series of windows to ground floor level on the Craven Road and Westbourne Terrace elevation, none of which are likely to be wholly original to the building. Most are in a one over one arrangement and appear later replacements. One window on the Craven Road frontage has a three over one arrangement and the top sash (subdivided into three glazing bars) is almost certainly original as it matches others to such locations in the street and would have originally had a matching lower sash subdivided into three panes of glass. The applicant seeks removal of two of the windows to ground floor to each street elevation and their replacement with new three over one sash windows. This arrangement is without precedent for such mid Victorian buildings and it takes an unfortunate change to one Craven Road window and repeats it across much of the ground floor. Having a top sash subdivided into three with a single pane of glass below gives an unbalanced arrangement which is wholly inappropriate for this building, is at odds with the arrangement of glazing bars elsewhere in the building and terrace generally and would be unacceptable.

#### Replacement Windows to Lower Ground Floor on Westbourne Terrace

To lower ground floor level on the Westbourne Terrace elevation, the two six over six sash windows are likely to be original to the building. The applicant proposes removing these windows and replacing them with doors. Removal of these windows would result in loss historically appropriate and possibly original windows from the building. The new doors would not be an appropriate feature set into the front elevation to lower ground floor level and the consequent enlargement of the opening to accommodate them unbalances the proportioning of the composition. Accordingly, removal of these windows and their replacement with doors would harm the special architectural and historic interest of this listed building.

#### Glass Balustrading to Roof Level

There is currently metal balustrading to roof level at present which extends along at parapet level to the Westbourne Terrace and Craven Road elevations. This takes the form of a relatively open arrangement of railings with horizontal bars and a regular rhythm of vertical bars mounted off the parapet. There is no planning history apparent for this structure and in the absence of any evidence to the contrary it would appear to be unauthorised. Nonetheless, the relative openness of the railings reduces their potential to clutter the roofscape. They also appear as black metal railings to a building which has such historically appropriate features in numerous locations to ground, first and second floor levels.

The glass balustrading proposed to these locations on the Westbourne Terrace and Craven Road parapets is designed as large sheets of glazing which would be highly prominent to roof level, and wholly out of character with this traditional, classically inspired building. The glazing would catch the sun in a reflective manner ensuring that it stood out markedly to roof level in views from both street level and surrounding buildings and in these views would be highly prominent to roof level. Access to roof level is possible through a staircase and narrow window, but nonetheless the glazing would not be anticipated to be cleaned on a regular basis to this narrow roof level area. Adjacent to these busy roads and with numerous trees in the surrounding area, it is likely that these glass balustrades would become dirty and more prominent over time. The impression of large prominent glass panels projecting from a parapet, which was originally designed to

be seen against the sky without structure above or behind, would break an important part of the classical character of the building. Accordingly, the proposed balustrades would be particularly harmful to the character and appearance of this listed building and the surrounding conservation area.

#### Dormers to Roof Level

The building currently has five dormers to roof level, three to the Craven Road elevation, one to the rear elevation and one to the Westbourne Terrace elevation. These are later additions to the building, though of uncertain age. The three dormers to the Craven Road elevation remain unchanged as part of this application. The dormer on the rear elevation is to be extended up to the inside edge of the parapet and the dormer facing Westbourne Terrace is proposed to be extended onto the front parapet and both widened and repositioned to the north.

The extension of the dormer closer to the rear parapet is undesirable. However, it would be discreetly located and positioned on the more austere rear elevation where the grand classical detailing has stopped. Accordingly, a reason for refusal on this basis would not be sustainable.

However, the front dormer would be unacceptable. The building occupies a prominent corner site on Westbourne Terrace which is one of the principal routes through Bayswater. The terraces to Westbourne Terrace were originally designed with, and still retain, a clear impression of being seen as palace fronted compositions with the end bays and central bays having sheer elevations to their top floor level, with visually subservient mansard top floors between these principal central and end bays. To a street junction such as this, each of the four terraces terminating at the junction has its end bays rising to a sheer top and giving a distinct grandeur to the townscape, with their roof structures deliberately kept very low in profile so as not to break the strong, sheer classical composition of the buildings and terrace as a whole to ensure they read clearly as the end blocks to each palace fronted composition. There is some limited variety now to the designs of these top floors on the junction, but the original design conception is still clearly apparent.

The existing front dormer is visible from the west side of the street and from further west down Craven Road though it is relatively low profile to the roof. The extension of the dormer forward onto the front parapet and its increase in width would significantly increase its visual impact on the building. This would harm the character and appearance of this building, the architectural conception of this terrace as having end bays and the classical character of the building. When seen above this composition, the enlarged and more prominent dormer would have a wholly inappropriate and cluttering impression, harmful to the character and appearance of the building, terrace and conservation area as a whole.

The front dormer is also relocated adjacent to the north party wall, which also serves as an inappropriate alteration. In this position it would be markedly set off line with the windows below, further serving to highlight its inappropriateness and lack of integration with the special architectural and historic interest of this listed building and the character and appearance of the area.

#### Other Works

The other works proposed are acceptable in townscape and design terms. The works to the doorway between the ground floor hallway and the main central room and the main western room to this floor level are of particular note. These doorways are currently balanced either side of the hallway and may have original doors and/or door surrounds. It would be acceptable in principle to move the door openings given the altered nature of the rooms behind without unacceptable harm to the building provided any original fabric was retained and re-used. As such an informative is attached advising that provided the fabric was reused this work would be considered acceptable.

The other works that have been considered, are more minor in scope, and are not considered as reasons for refusal as part of these applications.

Overall, the proposed development would harm the special architectural and historic interest of this listed building and the wider Bayswater Conservation Area. Accordingly the proposed development would be contrary to policies S25 and S28 of the City Plan and policies DES 1, DES 5, DES 6, DES 9 and DES 10 of the UDP.

### **8.3 Residential Amenity**

Aside from the dormer extensions proposed, no other extensions are proposed that would be capable of causing loss of light or sense of enclosure. The dormer extensions are also located at main roof level and are not of such a scale to result in unacceptable loss of light or sense of enclosure.

The fenestration alterations proposed, by virtue of its modest scale and location on the Craven Road and Westbourne Terrace elevations, would not result in unacceptable loss of privacy through overlooking.

No mechanical plant is proposed as part of this application. Accordingly, the proposed development would not give rise to unacceptable noise disturbance for the occupiers of neighbouring properties.

The proposed flats would result in less people living on the site. As the proposal would result in less intensive use of the site, it would result in less potential noise and disturbance for the occupiers of neighbouring properties from the occupants of the development.

Given the above, the proposed development would be consistent with policy S29 of the City Plan and policies ENV 7 and ENV 13 of the UDP.

### **8.4 Transportation/Parking**

#### Parking

The Highways Planning Manager has reviewed the application. The residents of the existing HMO would have been eligible to purchase an on-street residential car parking permit, which would increase the demand for on-street car parking in the area. As there would be a decrease in the number of residents, the proposed development would decrease on-street parking demand.

The applicant also has three parking spaces available. Given the decrease in parking demand, these three spaces would be acceptable for the six units proposed, in accordance with policies TRANS21 and TRANS23 of the UDP.

#### Cycle Parking

Policy 6.9 of the London Plan (FALP 2015) requires provision of a minimum of 12 cycle parking spaces for the new residential units. However, the submitted drawings only indicate 6 cycle parking spaces, resulting in a shortfall of 6 spaces. There appears to be no reason why these spaces could not be provided on-site. Were the development otherwise acceptable, a condition would be imposed requiring the provision of these spaces on-site. Subject to this condition, the proposal would be consistent with policy 6.9 of the London Plan.

#### Waste

The Cleansing Manager notes that sufficient refuse and recycling storage would be provided on-site. Were the development otherwise acceptable, a condition would be imposed requiring the ongoing provision and maintenance of this storage.

### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size.

### **8.6 Access**

The proposal would include a lift, which would improve disabled access to this building. However, the provision of this lift would not be a public benefit that would outweigh the harm to this heritage asset, as identified above.

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

None.

### **8.8 London Plan**

This application raises no strategic issues.

### **8.9 National Policy/Guidance Considerations**

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

### **8.10 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

The estimated CIL payment would be zero.

### **8.11 Environmental Impact Assessment**

The EIA regulations are not applicable to development of this scale.

## 8.12 Other Issues

### Construction Impact

Objections have been raised to the construction impact of the proposed development. However, it is a longstanding principle that planning permission cannot be refused due to the construction impact of development. This is because of the short term nature of these impacts and the ability to control them via condition. Were the development otherwise acceptable, a condition would be imposed to limit construction hours.

## 9. BACKGROUND PAPERS

1. Application form.
2. Response from South East Bayswater Residents Association dated 6 June 2016.
3. Email from Historic England dated 16 May 2016.
4. Memo from the Cleansing Manager dated 20 May 2016.
5. Memo from the Highways Planning Manager dated 26 May 2016.
6. Emails from the Response from EH Consultation dated 2 June 2016 and 27 July 2016.
7. Letter from occupier of 33 Westbourne Terrace dated 22 May 2016.

Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT [ogibson@westminster.gov.uk](mailto:ogibson@westminster.gov.uk).

# 10. KEY DRAWINGS

## Existing South Elevation



## Proposed South Elevation

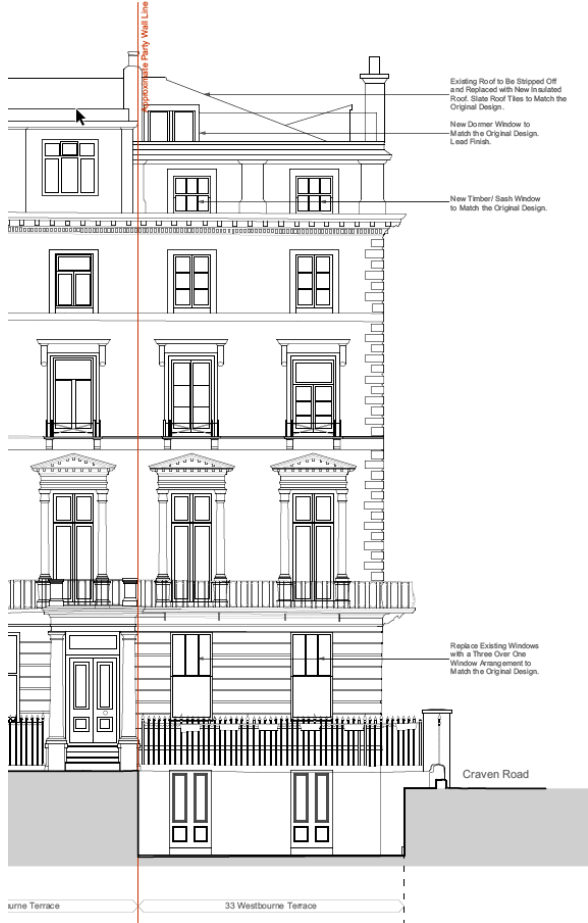




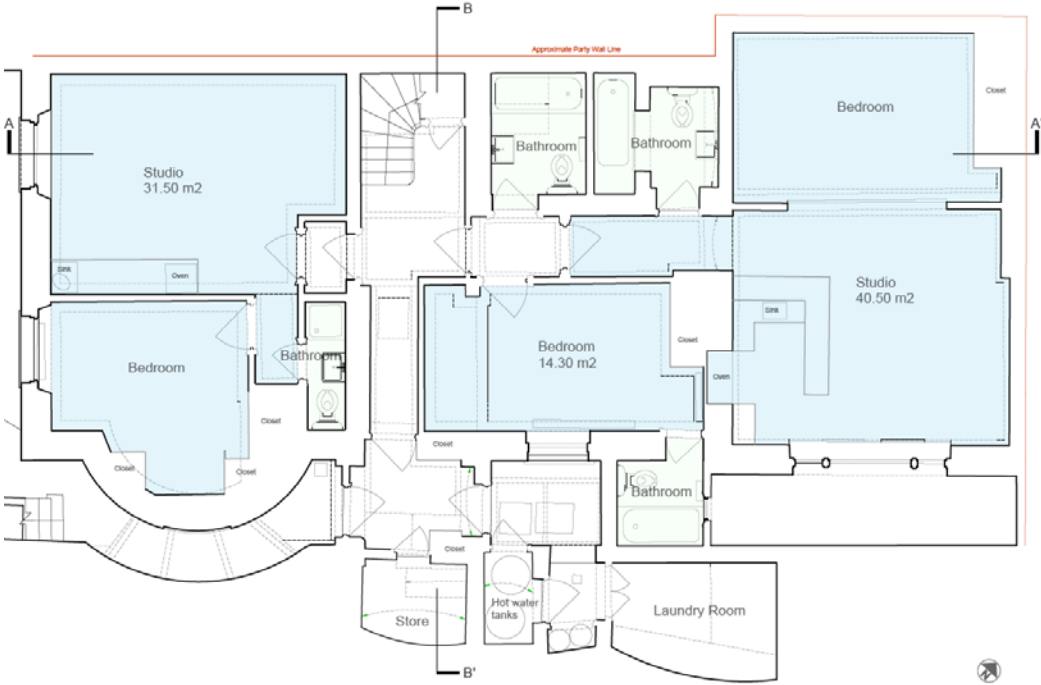
**Existing South Elevation**



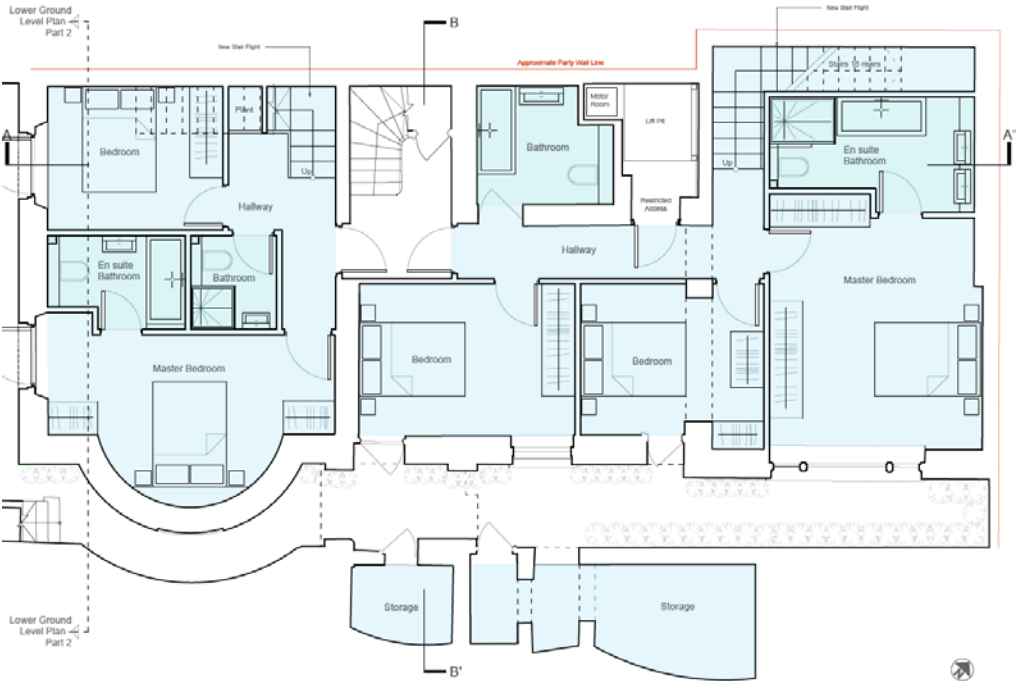
**Proposed South Elevation**



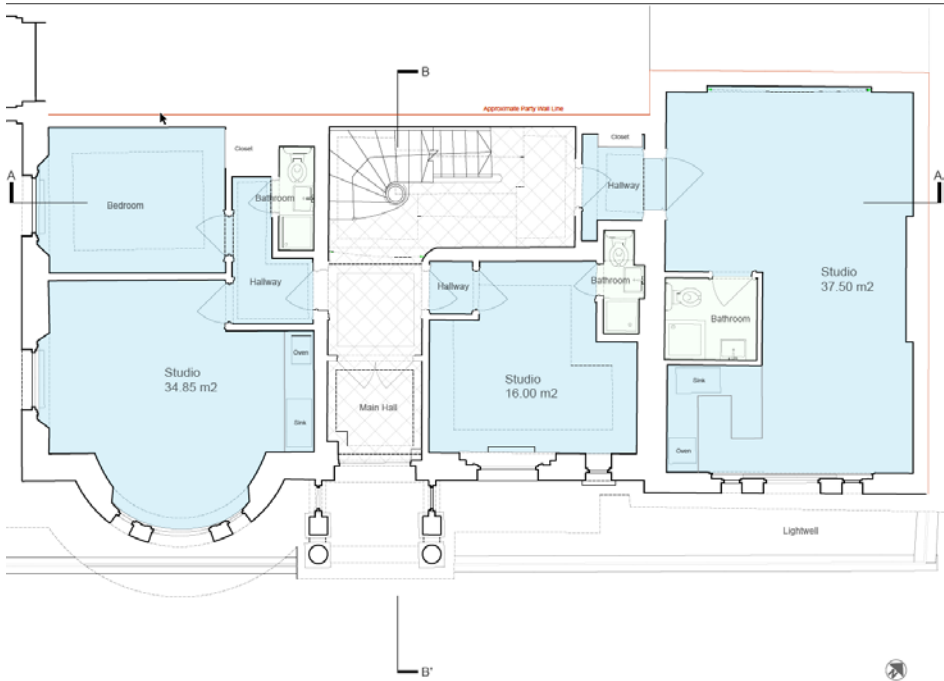
Existing Lower Ground Floor



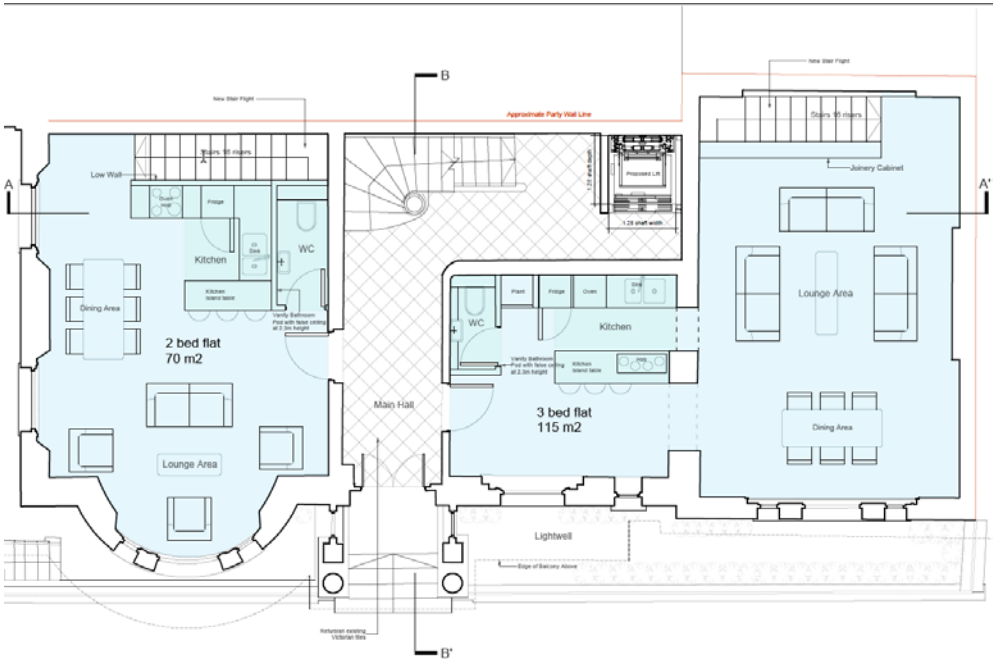
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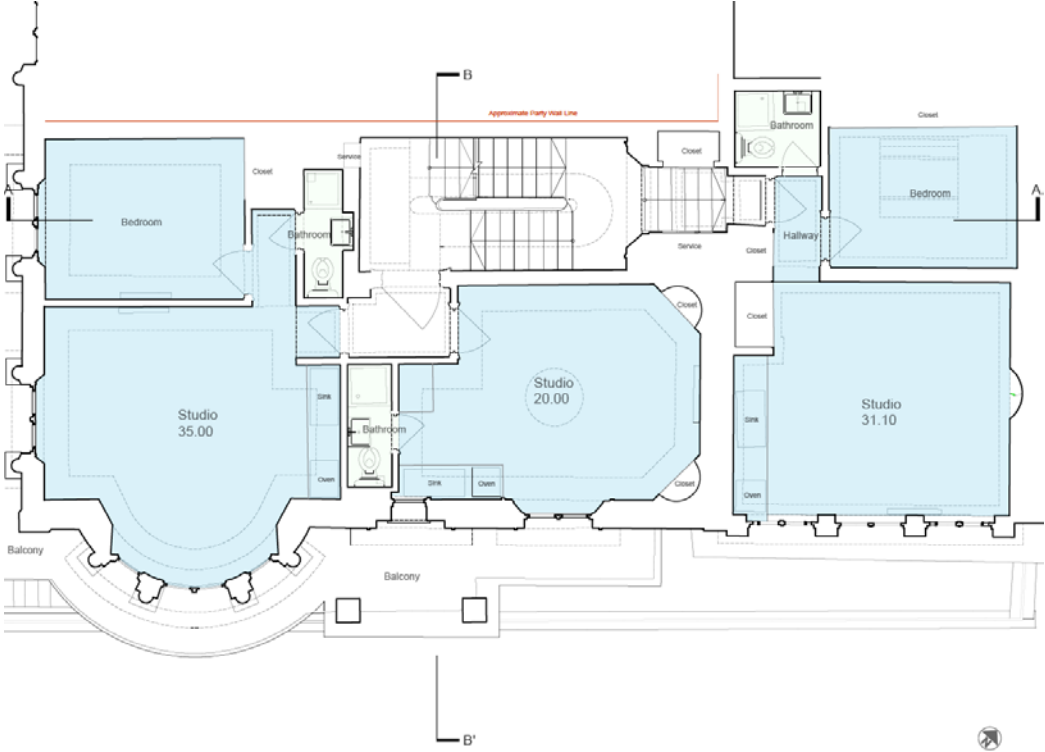
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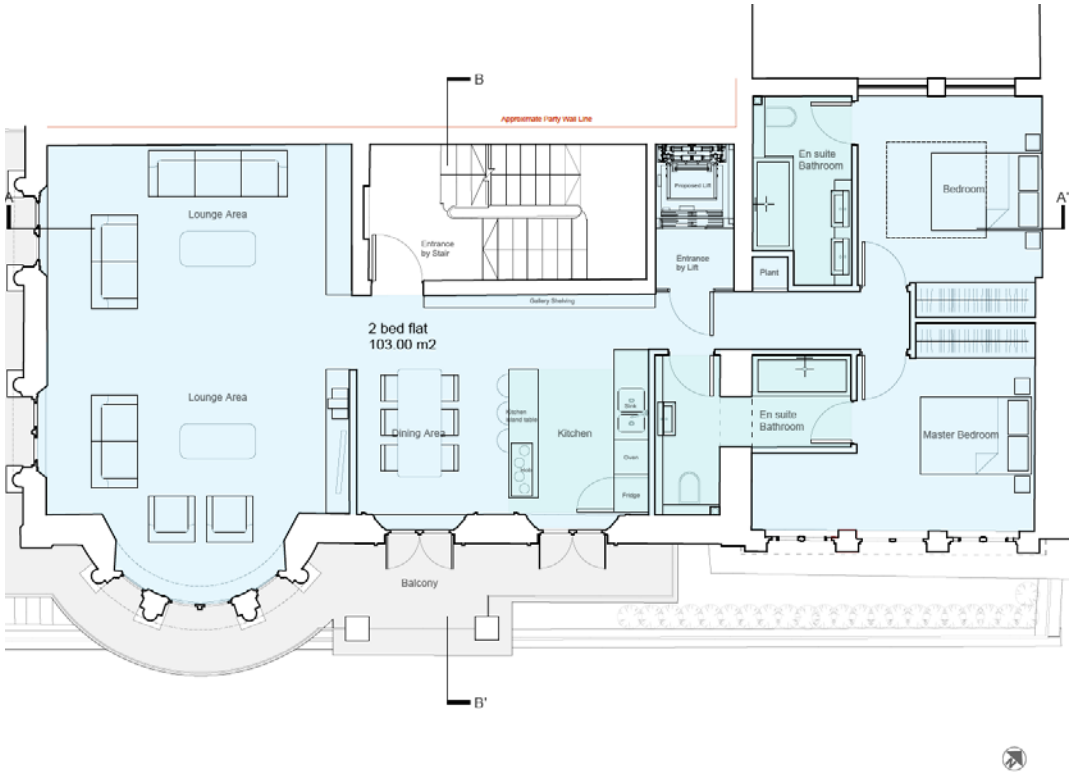
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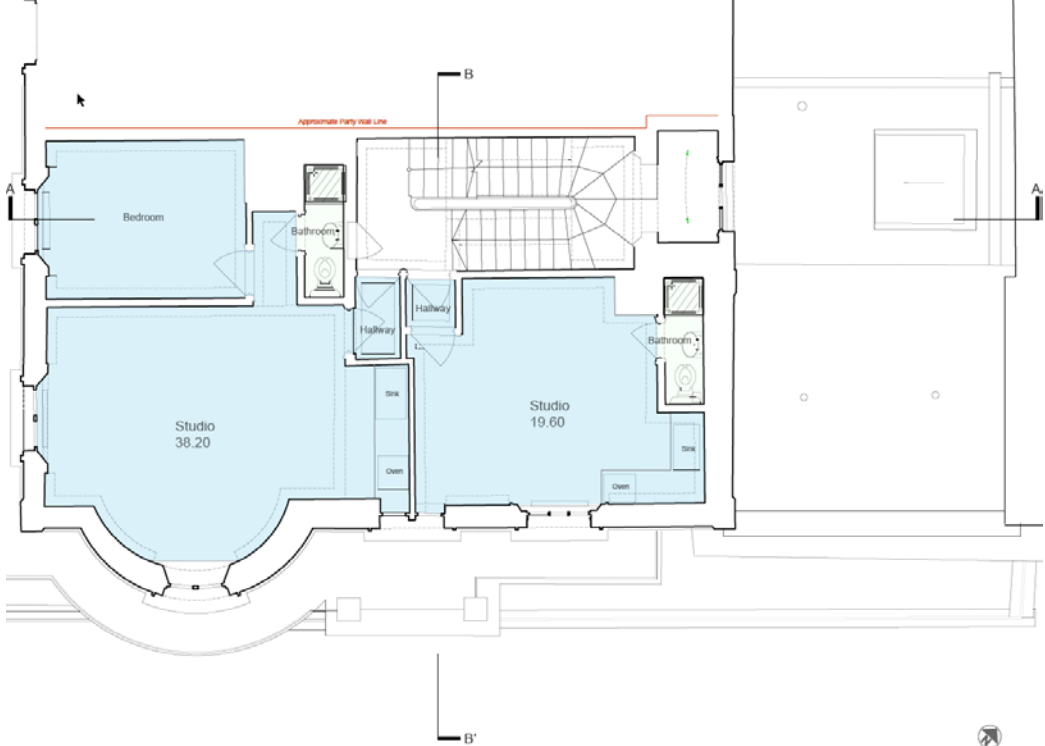
Existing First Floor



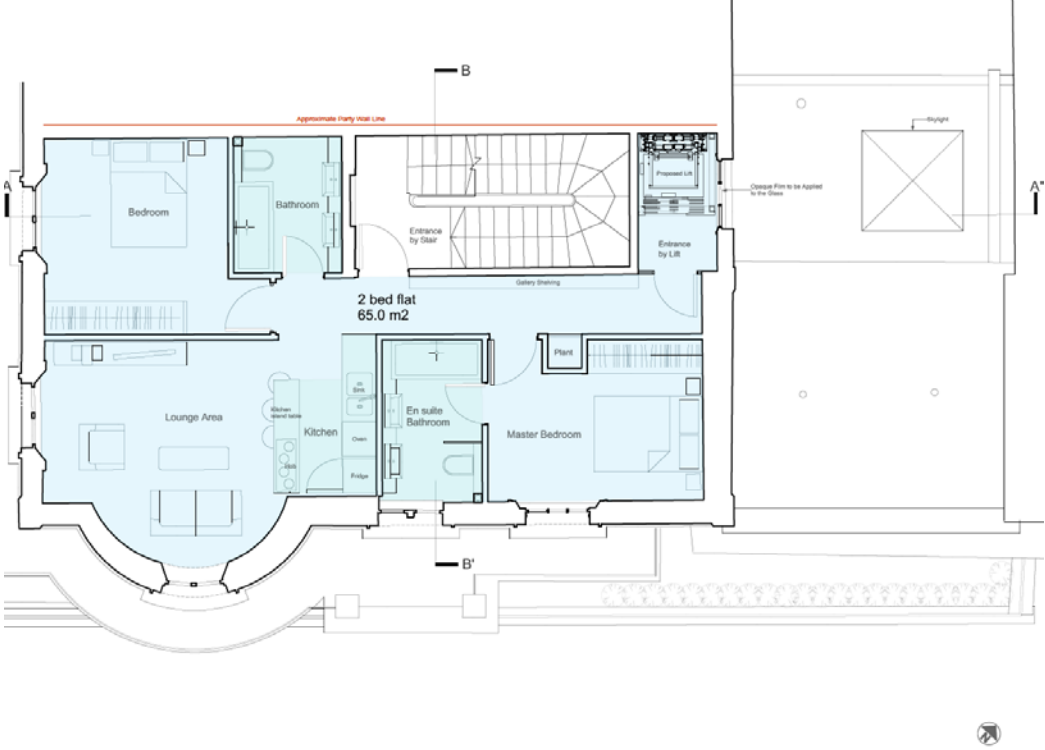
Proposed First Floor



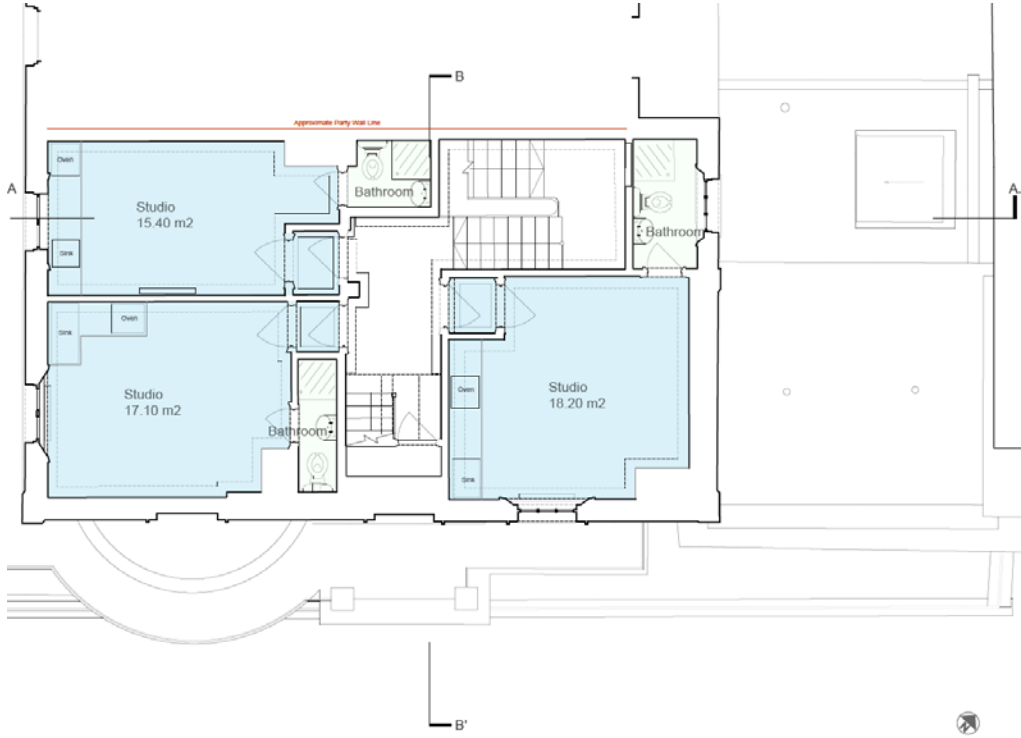
Existing Second Floor



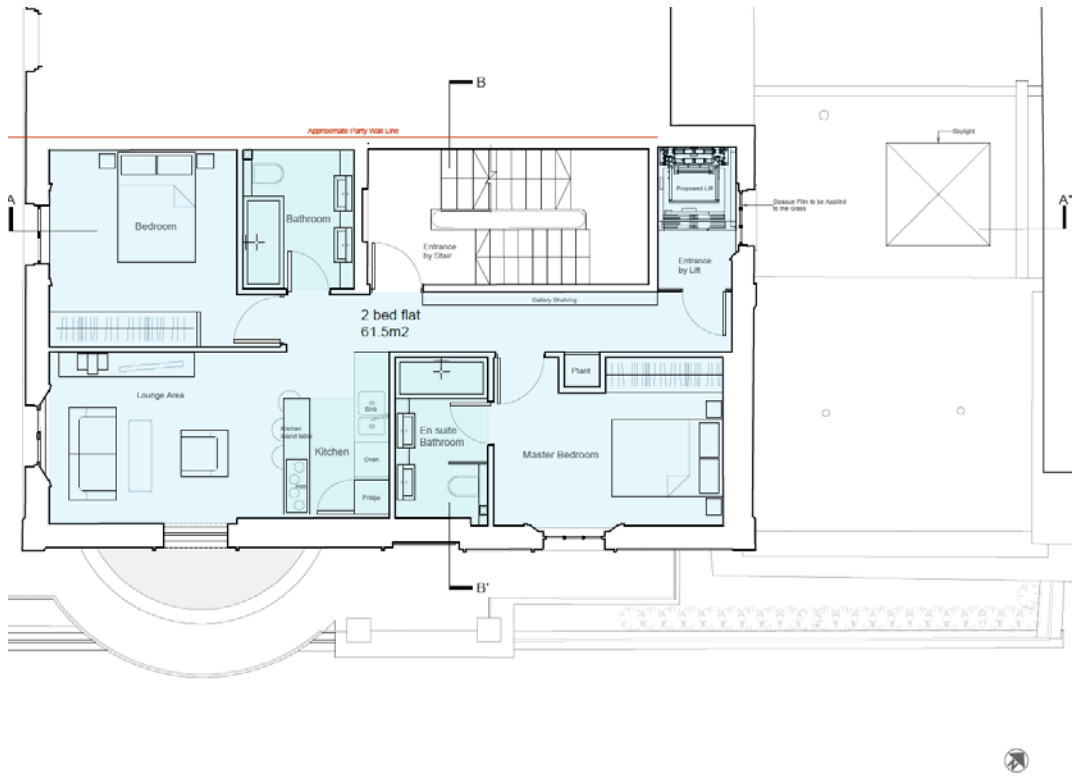
Proposed Second Floor



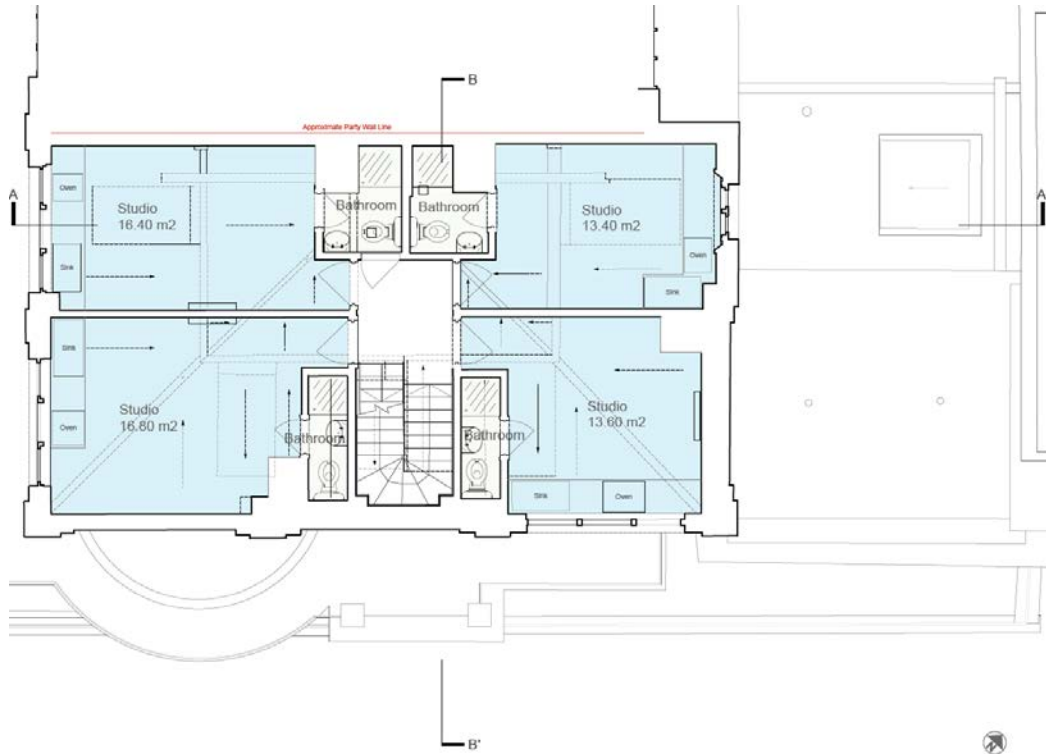
**Existing Third Floor**



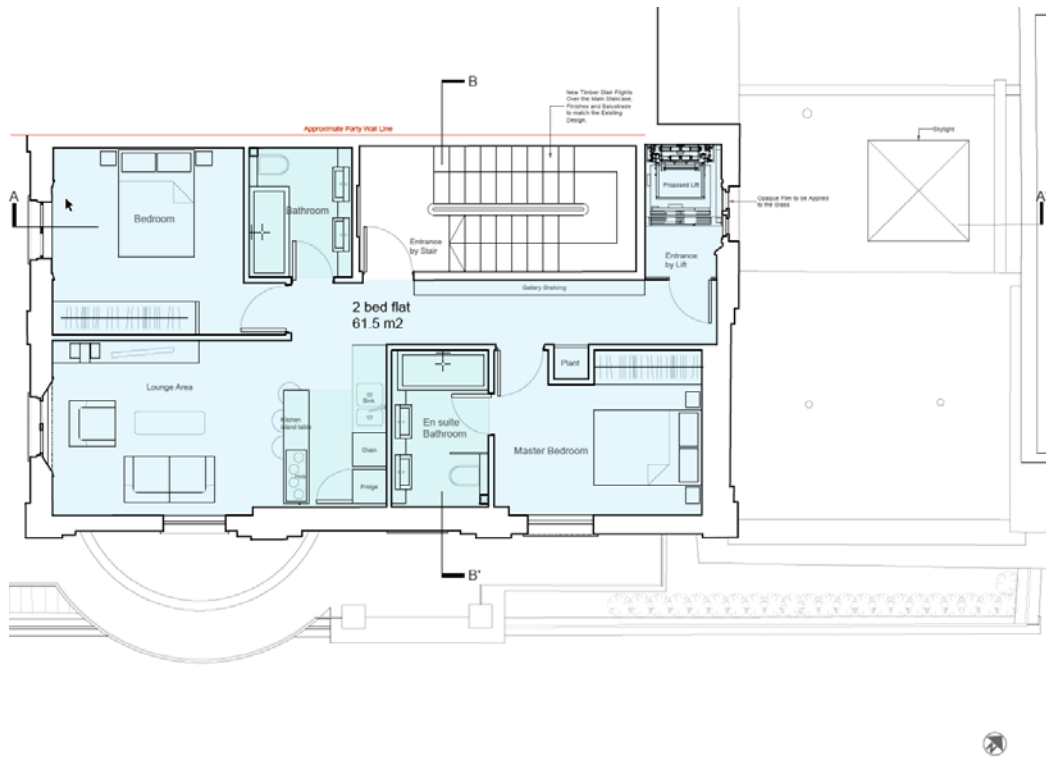
**Proposed Third Floor**



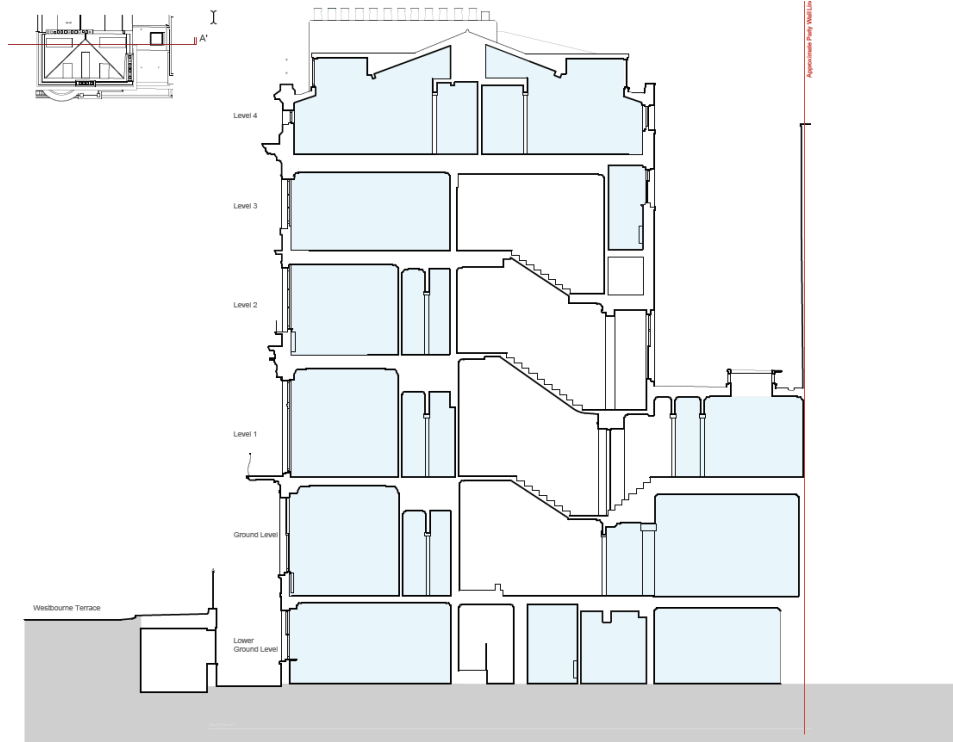
**Existing Fourth Floor**



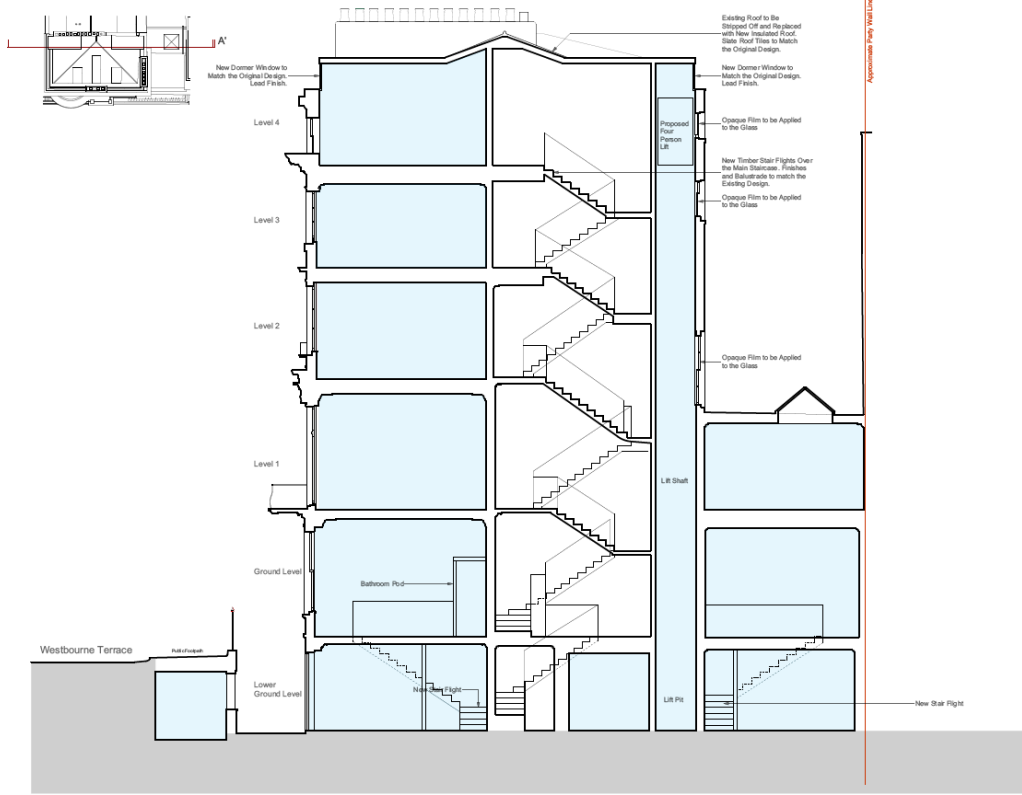
**Proposed Fourth Floor**



**Existing Section**



**Proposed Section**





**DRAFT DECISION LETTER**

- Address:** 33 Westbourne Terrace, London, W2 3UR,
- Proposal:** Internal works to the building including the installation of a new lift associated with the reconfiguration of the existing residential accommodation to provide six residential dwellings. External works to include the replacement of windows, new windows, secondary glazing, works at roof level, provision of cycle and car parking spaces and associated refuse areas.
- Reference:** 16/03029/FULL
- Plan Nos:** A0001 Rev F, A0001b Rev F, A1000b Rev F, A0003 Rev F, A0003b Rev F, A1000 Rev F, A1001 Rev F, A1001b Rev F, A1002 Rev F, A1002b Rev F, A1003 Rev F, A1004 Rev F, A1005 Rev F, A1006 Rev F, A1007 Rev F, A1101 Rev F, A1101b Rev F, A1102 Rev F, A1103 Rev F, A1104 Rev F, A1105 Rev F, A1106 Rev F, A1107 Rev F, A1200 Rev F, A1201 Rev F, A1202 Rev F, A1210 Rev F, A1211 Rev F, A1212 Rev F, A1300 Rev F, A1300 Rev F, A1311 Rev F, A2101 Rev F, A2101b Rev F, A2102 Rev F, A2102b Rev F, A2103 Rev F, A2104 Rev F, A2105 Rev F, A2106 Rev F, A2107 Rev F, A3000 Rev F, A3001 Rev F, A3002 Rev F, A3100 Rev F, A3101 Rev F, A5000 Rev F, A0001d Rev F, A3201 Rev F, A3202 Rev F, A3203 Rev F, A3204 Rev F, A3205 Rev F, A3206 Rev F; Design and Access Statement by Stephan Reinke Architects Limited; Heritage Statement by Donald Insall Associates, Structural Survey by Structa; Planning Statement by DP9; Transport Assessment by JMP Consultants Limited.

**Case Officer:** Nathan Barrett

**Direct Tel. No.** 020 7641 5943

**Recommended Condition(s) and Reason(s):**

- Reason:
- 1 The proposal would result in the loss of a House in Multiple Occupation which would not meet Policy S15 of Westminster's City Plan (July 2016) and Policy H7 of our Unitary Development Plan that we adopted in January 2007.
- Reason:
- 2 Because of its height, location and materials, the glass balustrade would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 6, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)
- Reason:
- 3 Because of their design/arrangement of glazing bars, the new windows to the Craven Road and Westbourne Terrace elevations at ground floor level would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 5, DES 9, DES 10 (A) and paras

10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)

Reason:

- 4 Because of the loss of the existing windows and the design of the doors, the removal of windows and replacement of doors to lower ground floor level on the Westbourne Terrace elevation would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 5, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)

Reason:

- 5 Because of its size, design and location, the enlarged dormer window to the Westbourne Terrace elevation would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1, DES 6, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)

**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 (July 2016), 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.
- 2 You are advised that, had the applications been considered acceptable, further details and/or a condition would be imposed requiring the new windows to be single glazed

**DRAFT DECISION LETTER**

- Address:** 33 Westbourne Terrace, London, W2 3UR,
- Proposal:** Internal works to the building including the installation of a new lift associated with the reconfiguration of the existing residential accommodation to provide six new residential dwellings. External works to include the replacement of windows, new windows, secondary glazing, works at roof level, provision of cycle and car parking spaces and associated refuse areas.
- Reference:** 16/03030/LBC
- Plan Nos:** A0001 Rev F, A0001b Rev F, A1000b Rev F, A0003 Rev F, A0003b Rev F, A1000 Rev F, A1001 Rev F, A1001b Rev F, A1002 Rev F, A1002b Rev F, A1003 Rev F, A1004 Rev F, A1005 Rev F, A1006 Rev F, A1007 Rev F, A1101 Rev F, A1101b Rev F, A1102 Rev F, A1103 Rev F, A1104 Rev F, A1105 Rev F, A1106 Rev F, A1107 Rev F, A1200 Rev F, A1201 Rev F, A1202 Rev F, A1210 Rev F, A1211 Rev F, A1212 Rev F, A1300 Rev F, A1300 Rev F, A1311 Rev F, A2101 Rev F, A2101b Rev F, A2102 Rev F, A2102b Rev F, A2103 Rev F, A2104 Rev F, A2105 Rev F, A2106 Rev F, A2107 Rev F, A3000 Rev F, A3001 Rev F, A3002 Rev F, A3100 Rev F, A3101 Rev F, A5000 Rev F, A0001d Rev F, A3201 Rev F, A3202 Rev F, A3203 Rev F, A3204 Rev F, A3205 Rev F, A3206 Rev F; Design and Access Statement by Stephan Reinke Architects Limited; Heritage Statement by Donald Insall Associates, Structural Survey by Structa; Planning Statement by DP9

**Case Officer:** Nathan Barrett

**Direct Tel. No.** 020 7641 5943

**Recommended Condition(s) and Reason(s):**

- Reason:
- 1 Because of its height, location and materials, the glass balustrade would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17CB)
- Reason:
- 2 Because of their design/arrangement of glazing bars, the new windows to the Craven Road and Westbourne Terrace elevations at ground floor level would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17CB)
- Reason:
- 3 Because of the loss of the existing windows and the design of the doors, the removal of windows

and replacement of doors to lower ground floor level on the Westbourne Terrace elevation would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17CB)

Reason:

- 4 Because of its size, design and location, the enlarged dormer window to the Westbourne Terrace elevation would harm the character and appearance of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Bayswater Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17CB)

Reason:

- 5 Because of the loss of historic fabric, the harm to the character of the staircase space, the impact upon the layout and circulation space to the building and the lack of structural justification, the insertion of a lift between ground and fourth floor levels and corridor partitions associated with the creation of the circulation routes for the lift would harm the character of this grade 2 listed building. This would be against the advice set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in paragraphs 6.18, 6.19, 6.20, 6.23, 6.27, 6.33 and 6.34 of our 'Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings'. (X18AB)

Reason:

- 6 Because of the loss of historic plan form and impact on the character of the existing ground to third floor level staircase, the creation of a new timber staircase from third to fourth floor levels would harm the character and appearance of this grade 2 listed building. This would be against the advice set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in paragraphs 6.18, 6.19 and 6.23 of our 'Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings'. (X18AB)

Reason:

- 7 Because of the impact upon the ground floor eastern room including its plan form and volume/character, the new staircase from the ground floor eastern room into lower ground floor level would harm the character of this grade 2 listed building. This would be against the advice set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in paragraphs 6.18, 6.19, 6.20 and 6.23 of our 'Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings'. (X18AB)

**Informative(s):**

- 1 You are advised that, had the applications been considered acceptable, further details and/or a condition would be imposed requiring the new windows to be single glazed. You are further advised that, had the applications been considered acceptable further clarification would have been sought on whether or not the fabric to the doorways between the ground floor hallway and both the main central room and the main western room to ground floor level were original or of historic interest, and if so any approval of listed building consent would have been conditioned to be re-used to the new doors and door surrounds to the new openings.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.