

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 25 October 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	9 Burton Mews, London, SW1W 9EP		
Proposal	Erection of side extension at first floor level with mansard roof, demolition of flank wall, formation of roof lights and alterations to fenestration on front and rear elevations.		
Agent	Mr Andrew Marshall		
On behalf of	Mr Kumar and Gautam Patel		
Registered Number	16/05457/FULL	Date amended/ completed	10 June 2016
Date Application Received	10 June 2016		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

9 Burton Mews is an unlisted building within the Belgravia Conservation Area. The building is located at the southern end of Burton Mews, backing onto Ebury Street to the east and South Eaton Place to the south. It is a single family dwellinghouse comprising two storeys with a single-storey side extension.

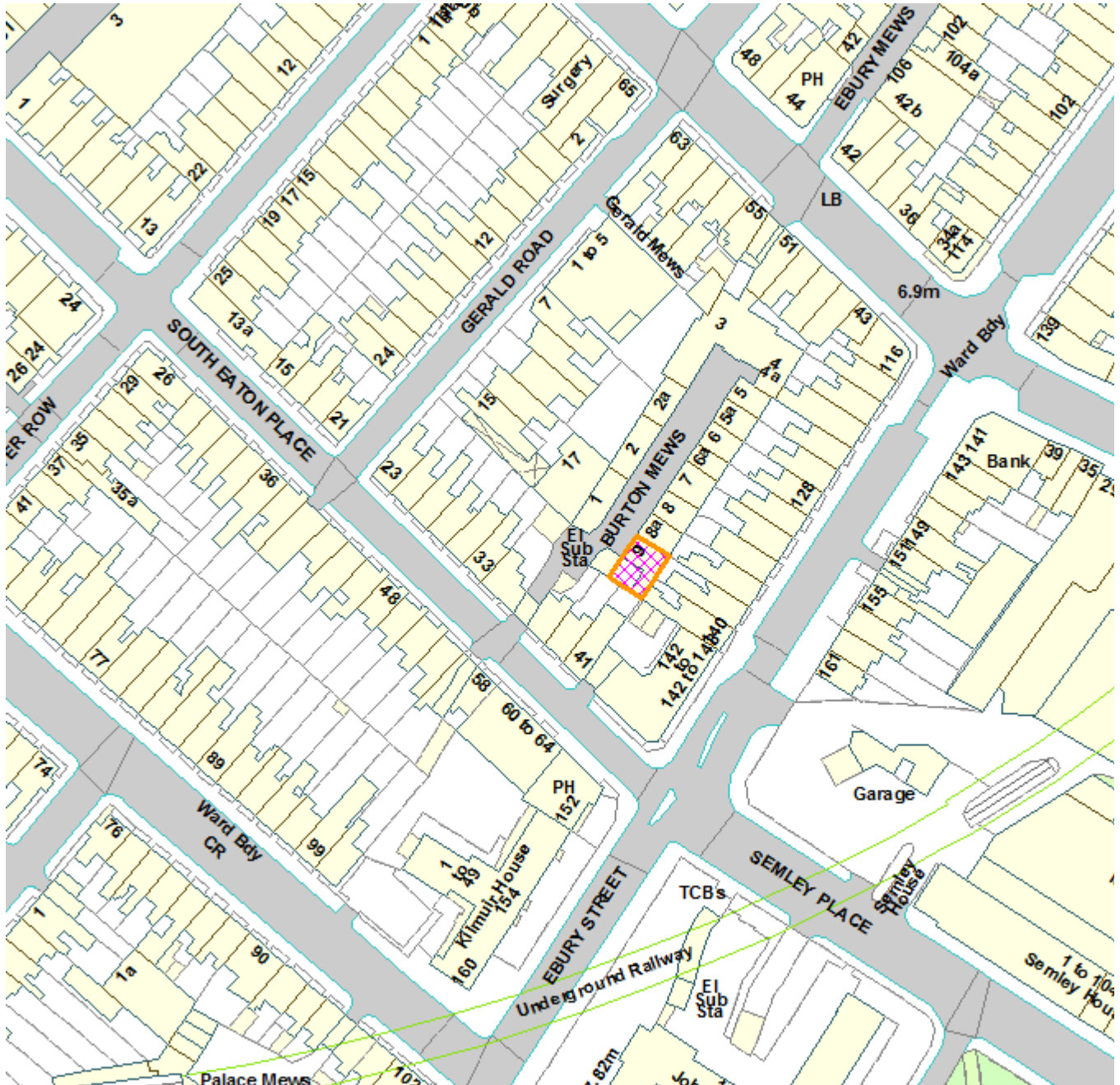
Permission is sought for the erection of side extension at first floor level with mansard roof, demolition of flank wall, formation of roof lights and alterations to fenestration on front and rear elevations.

The key issues are:

- *Impact upon the appearance of the building
- *Impact upon the character and appearance of the Belgravia Conservation Area
- *Impact on neighbouring amenity

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). As such, it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

BELGRAVIA NEIGHBOURHOOD FORUM

No comment.

BELGRAVIA RESIDENTS ASSOCIATION

No comment.

BELGRAVIA SOCIETY

Loss of residential amenity to the neighbours and particularly 138 Ebury Street and adjoining properties on Ebury Street. Loss of courtyard and the building over it will cause overshadowing, household noise and loss of privacy.

Seems most likely that the provision of flat roofs to both front and rear part of the mews house will ultimately result in a further application to use that space as an external terrace.

Overdevelopment of the site involving loss of the external courtyard open space.

There will be an adverse visual impact on the neighbours at the rear and a sense of increase in bulking and loss of light, given the dark nature of the materials for roof covering.

It appears that some of the drawings suggest using a party wall for support. Our understanding is that the neighbours have not given consent for this and it would be a trespass.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 25; Total No. of replies: 4; No. of objections: 3; No. in support: 0

No. neutral: 1

Objections received from neighbouring residential occupiers on some or all of the following grounds;

Design:

- The proposed dormers are not in keeping with any of the other windows in the mews.
- Replacement of any of the casement windows must be by windows of the same size, aspect and character to be in keeping with the casements in adjacent houses.

Amenity:

- Proposed roof extension would block light and sunlight into rear ground floor rooms, basement rooms, courtyard and rear terrace at 140 Ebury Street.
- Proposed roof extension would cause a sense of enclosure to users of roof terrace at 140 Ebury Street.
- Request that the entirety of the bathroom window on the rear elevation be obscure glazing to protect privacy.

Other

- Potential loss of parking and restriction of access to the private mews during construction
- Objection to building on party walls
- The proposals will create difficulties when maintaining the party walls.
- There is a mature tree in the mews courtyard, which is not shown in the drawings and will be removed.
- Concerns about the discovery of asbestos.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

9 Burton Mews is an unlisted building within the Belgravia Conservation Area. The building is located at the southern end of Burton Mews, backing onto Ebury Street to east and South Eaton Place to the south. It is a single family dwellinghouse comprising two storeys with single-storey side extension.

6.2 Recent Relevant History

None Relevant.

7. THE PROPOSAL

Erection of side extension at first floor level with mansard roof, demolition of flank wall, formation of roof lights and alterations to fenestration on front and rear elevations. The scheme has been revised to ensure the mansard roof complies with our SPG on Roof Extensions.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The extension would enlarge the existing dwellinghouse, creating an additional bedroom within the side extension. In land use terms the creation of a larger single family dwelling house is considered to be acceptable in accordance with Policy H3 of the UDP and Policy S14 of the City Plan.

8.2 Townscape and Design

The property forms part of a wider terrace of comparable mews properties which collectively positively contribute to the character and appearance of the Belgravia Conservation Area.

Proposals also include the reconstruction of the single-storey side extension, which is of limited architectural or aesthetic quality, and a mansard. The additional storey will remain subservient to the main mews property, will be scarcely visible from street views and given its traditional design, would not appear at odds with its surroundings. In design terms the roof extension is not opposed.

In relation to the ground floor extension to the side wing, the additional volume will be barely discernible and the reserved contemporary elevation treatment appropriate for what is clearly a later extension.

Fenestration changes to the rear of the mews are of a minor nature and will not diminish the appearance of the building. The replacement of the existing windows with double glazed units is Permitted development.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Sunlight and Daylight

Objections have been received from the adjoining residential occupiers at 140 Ebury Street and the Belgravia Society on the grounds that the proposals would result in a loss of daylight and sunlight to the adjoining properties (particularly 138 Ebury Street). Accordingly, the applicant has carried out an assessment on surrounding properties based on the various numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice" by P J Littlefair 2011.

The BRE guidelines suggest that a 27% Vertical Sky Component (VSC) is indicative of a 'good level' of daylight. The BRE guidelines state that daylight levels may be adversely affected if the VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. Should windows achieve sufficient levels of VSC they are seen as compliant in terms of daylight. All the windows tested, at 1 Burton Mews, 37 to 41 South Eaton Place and 138 and 140 Ebury Street, are fully compliant with BRE guidance.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. All windows which face within 90 degrees of due south have been tested (138 and 140 Ebury Street) and found to be fully compliant with BRE guidance.

Sense of Enclosure

The adjoining residential occupiers at 140 Ebury Street have also objected on the grounds that the increase in height of the side extension would cause a sense of enclosure when viewed from their roof terrace at first floor level. However, as the proposed mansard extension would only project 0.7m above the parapet of the roof terrace, it is considered that this would not cause an unacceptable loss of amenity and it would not be sustainable to withhold planning permission for this reason.

Privacy

The adjoining residential occupiers at Flat 2 138 Ebury Street have requested that, in the interest of their privacy, the entirety of the rear bathroom window at first floor level of the main house be obscure glazed. The applicant has amended the proposals accordingly and this will be secured by condition. The dormer windows, on the proposed mansard, would be at an oblique angle to 139 South Eaton Place and are not considered to cause overlooking or a material loss of privacy to any of the adjacent properties

8.4 Transportation/Parking

The dwelling has no off street car parking spaces. It is not considered that the creation of a larger house would not have a material impact on traffic generation or on-street parking pressure in this area.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The application does not propose any alteration to the existing means of access to this private residential dwelling.

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

The proposals involve the loss of a fig tree, which is regrettable as there will not be any space to replace it with the curtilage of the property. But the tree is a vigorous specimen, of below average form, and dominates what is already a small courtyard garden. It would not be reasonable to refuse planning permission on the basis of the loss of this specimen.

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.

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a scheme of this size.

8.12 Other Issues

Construction impact

Objections have been made in relation to the potential loss of parking and access to the private mews during construction. It is a requirement of the Town and Country Planning Act 1990 (as amended) and the NPPF that applications are determined in accordance with the development plan. Disturbance during construction is an unwelcome and well understood consequence of allowing new development. In a densely developed urban environment, it must be accepted that such disturbance will inevitably occur as a result of building works. The City Council cannot refuse permission to develop on the grounds that building work will be disruptive. The extent of works are not significant enough to warrant a condition requiring a construction management plan, however the contractors are encouraged to become a member of the Considerate Constructors Scheme.

Party Walls

A number of objections were received relating to the party walls, however party wall matters are subject to separate legislation are not a material planning consideration.

Flat Roof

The Belgravia Society has objected to the possible use of the flat roof of the mews being used as an external terrace. A condition has been added to prevent the roof being used for sitting out or for any other purpose.

9. BACKGROUND PAPERS

1. Application form
2. Response from Belgravia Society dated 28 July 2016
3. Letter from occupier of Flat 2, 138 Ebury Street, dated 1 August 2016
4. Letter from occupier of 140 Ebury Street, London, dated 13 July 2016
5. Letter from occupier of 39 South Eaton Place, Belgravia, dated 1 July 2016
6. Letter from occupier of 8a Burton Mews, London, dated 2 August 2016

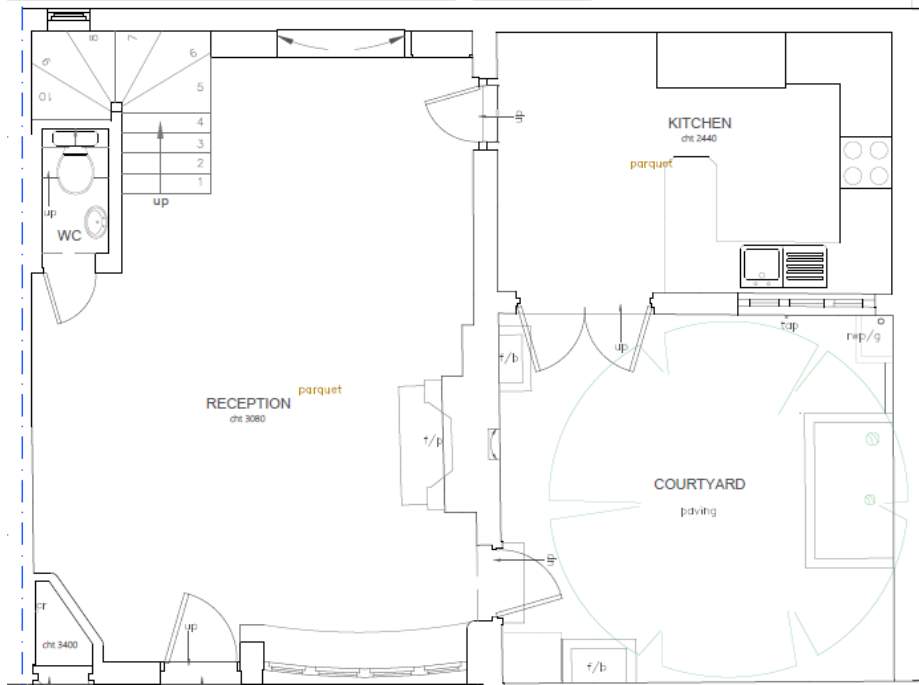
Selected relevant drawings

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

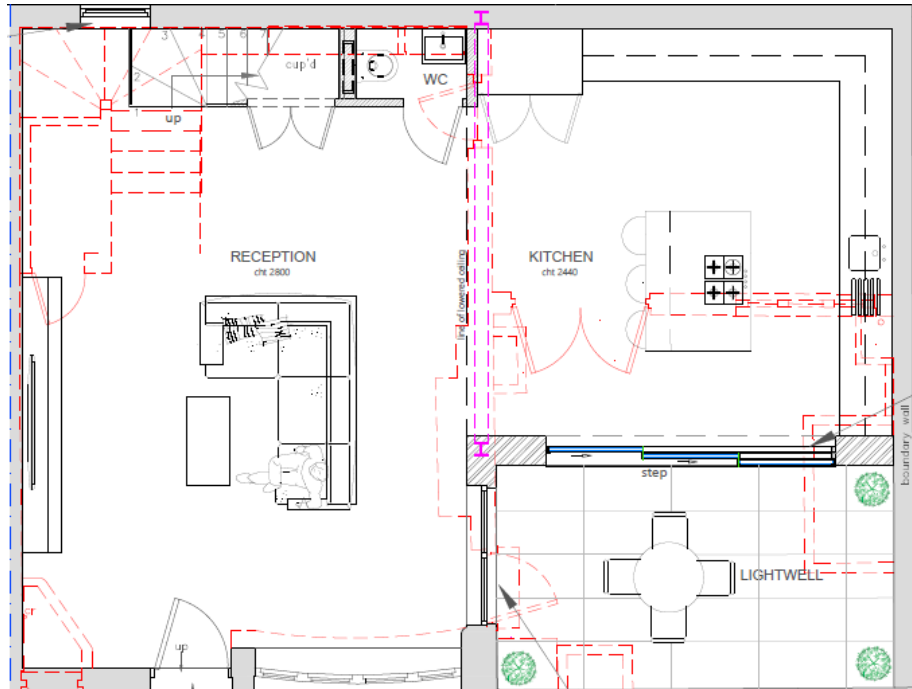
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT MMASON@WESTMINSTER.GOV.UK

10. KEY DRAWINGS

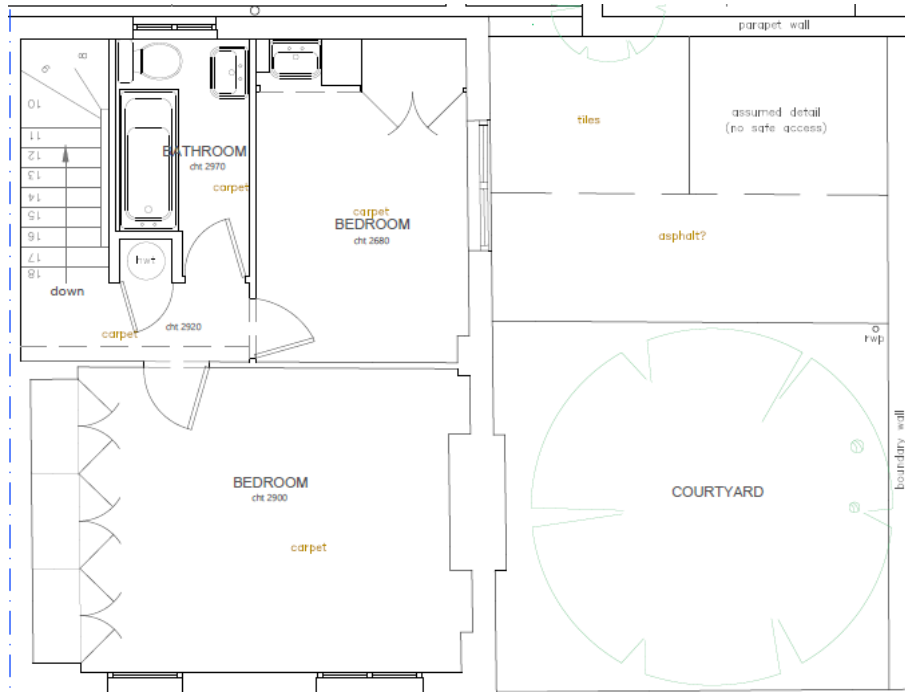
Existing Ground Floor Plan



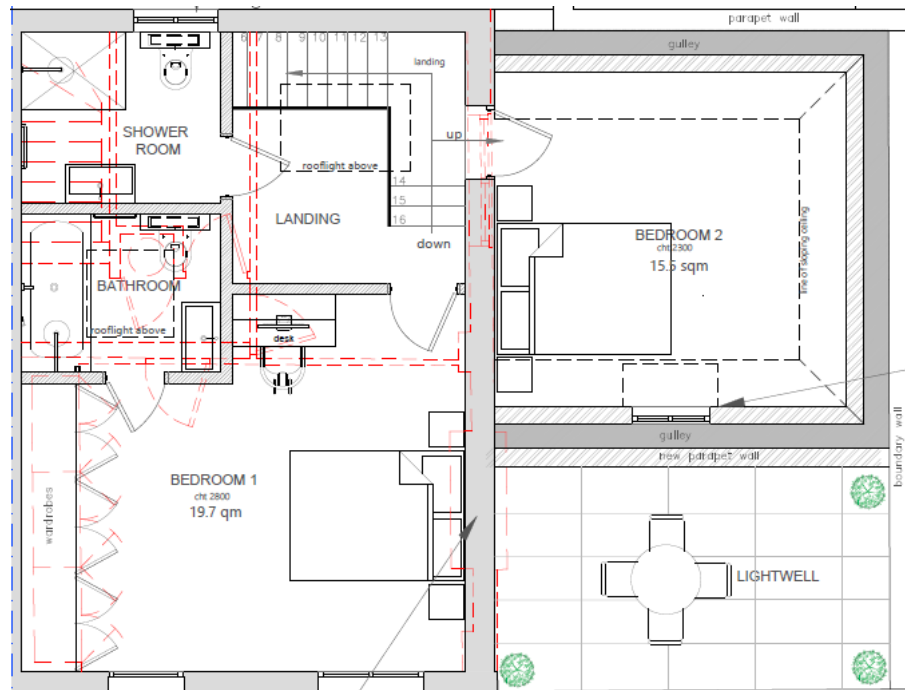
Proposed Ground Floor Plan



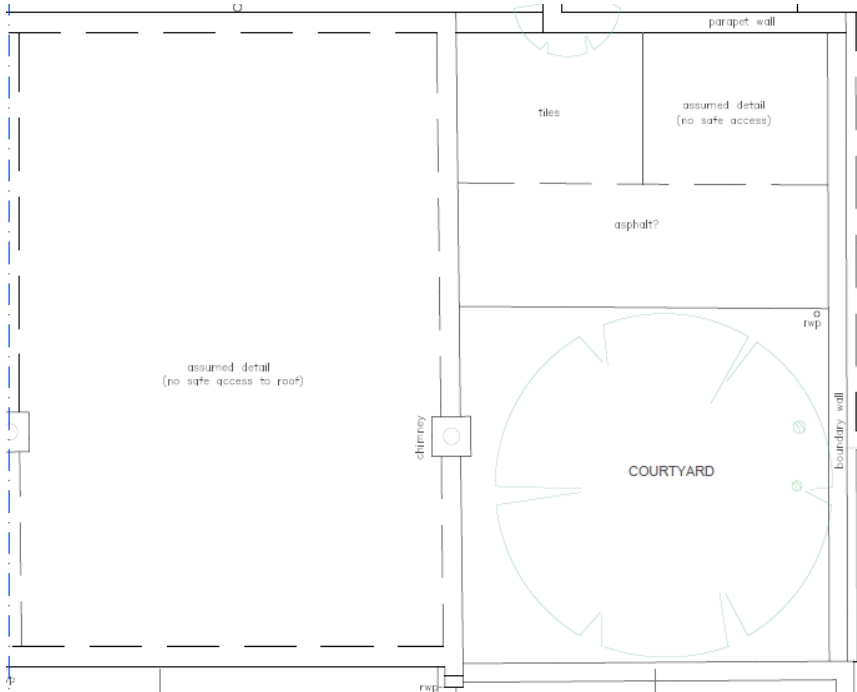
Existing First Floor Plan



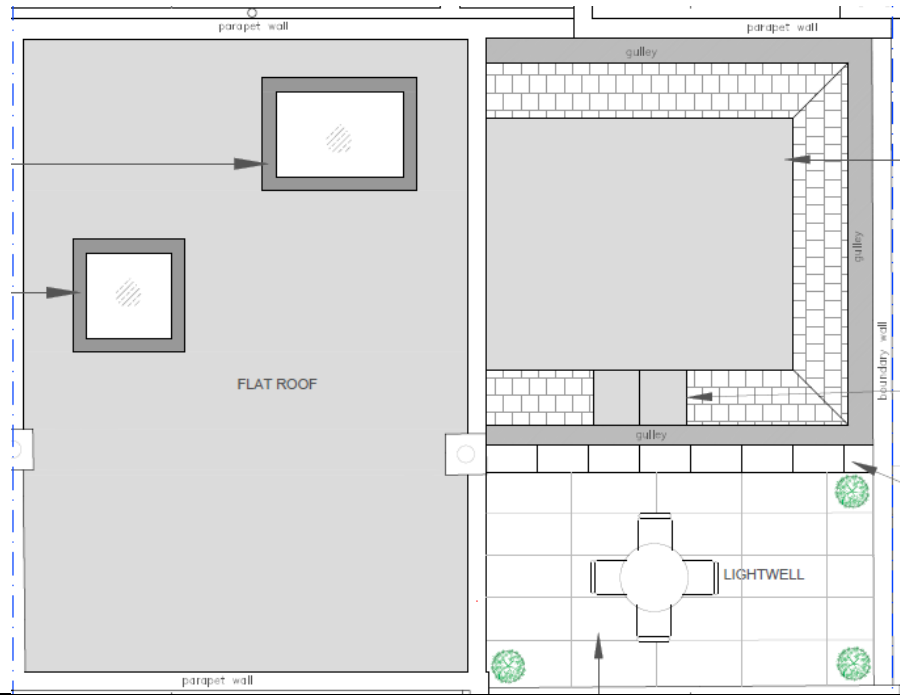
Proposed First Floor Plan



Existing Roof Plan



Proposed Roof Plan



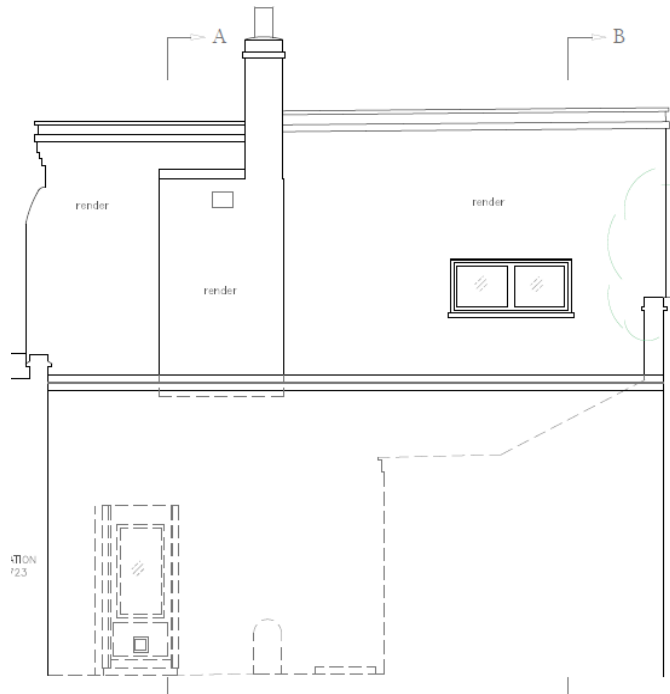
Existing Front Elevation



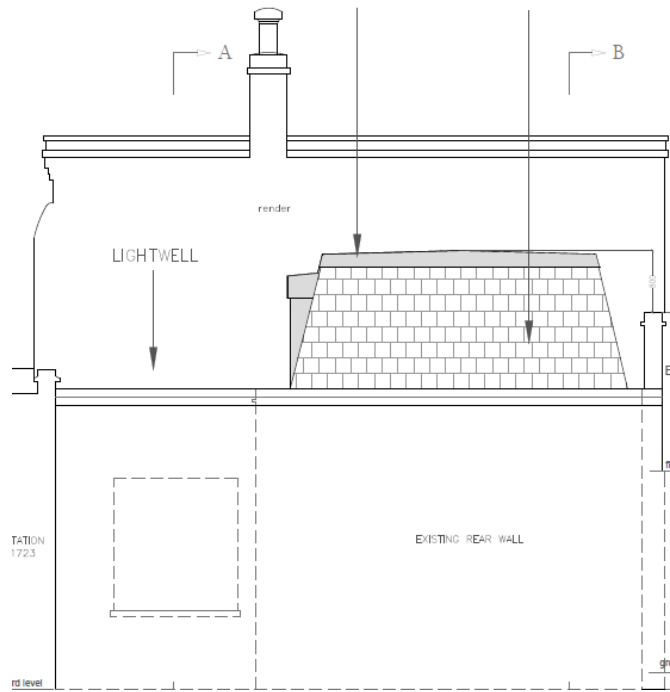
Proposed Front Elevation



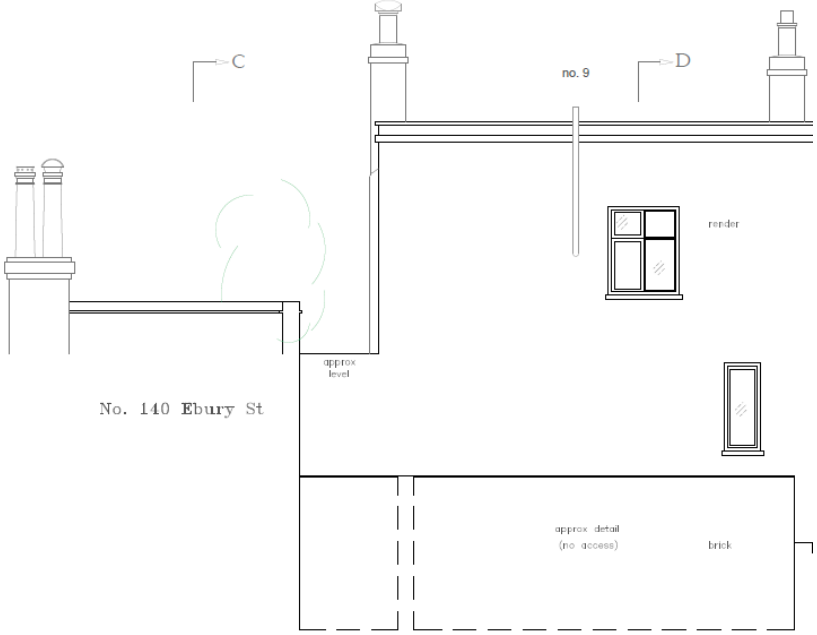
Existing Flank Elevation



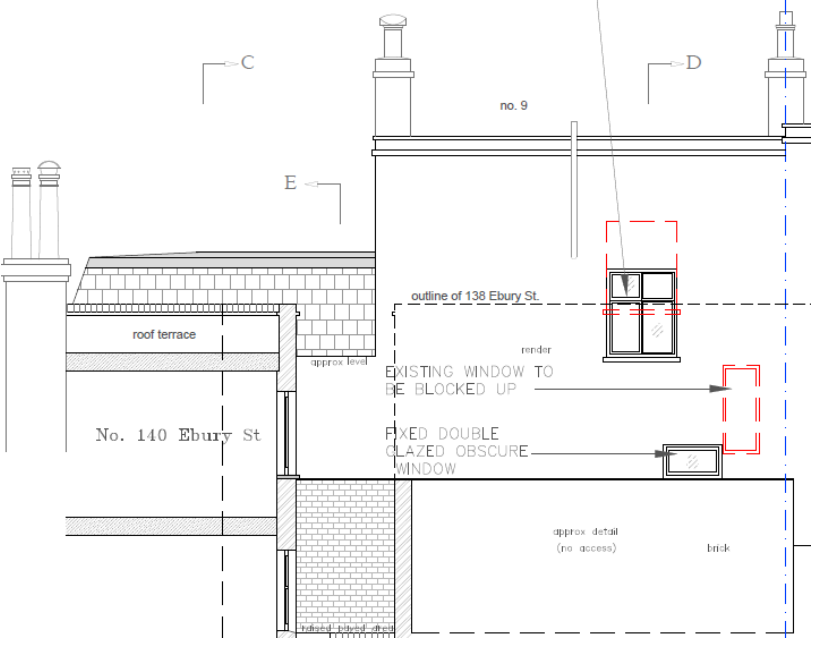
Proposed Flank Elevation



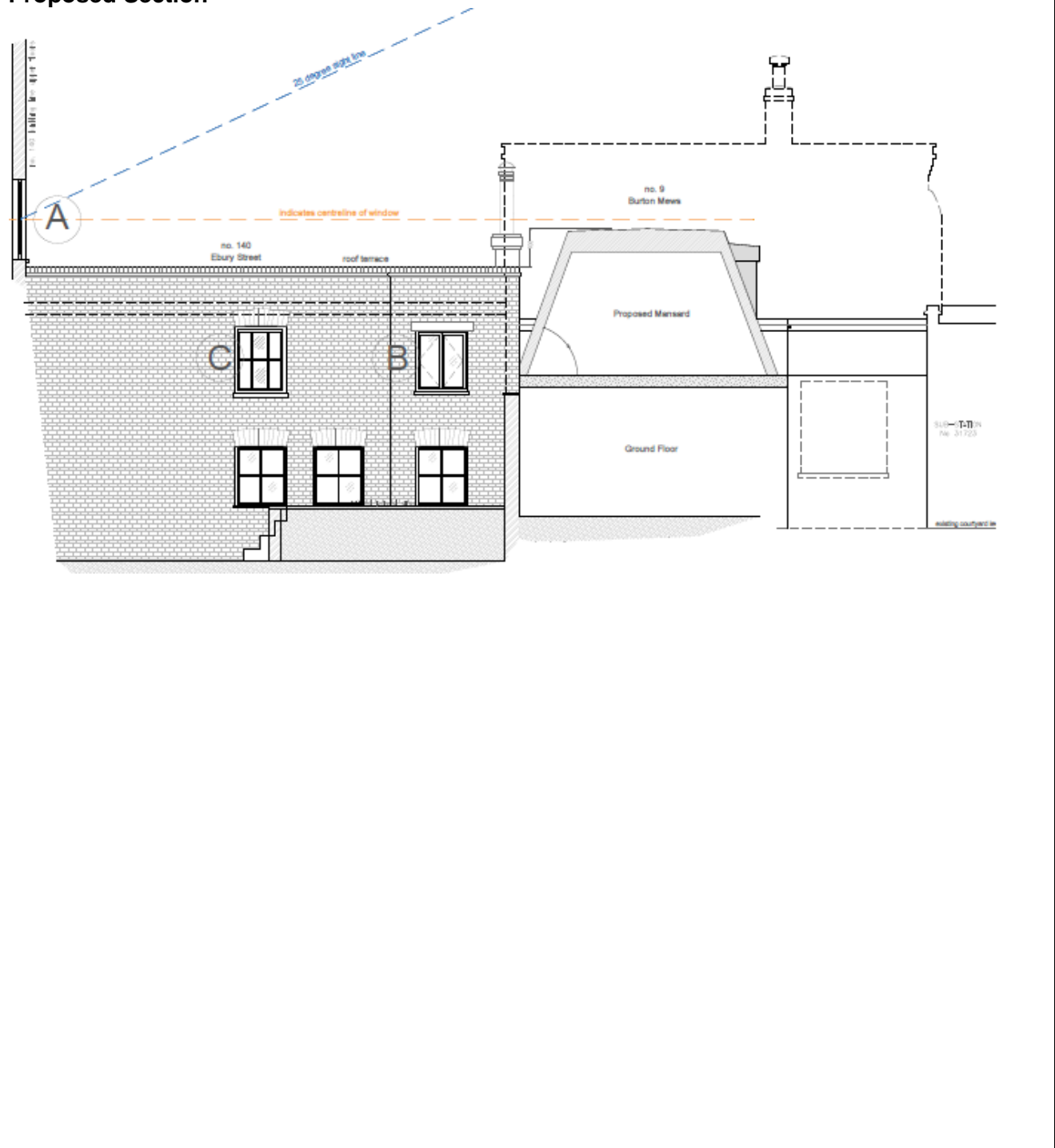
Existing Rear Elevation



Proposed Rear Elevation



Proposed Section



DRAFT DECISION LETTER

Address: 9 Burton Mews, London, SW1W 9EP

Proposal: Erection of side extension at first floor level with mansard roof, demolition of flank wall, formation of roof lights and alterations to fenestration on front and rear elevations

Reference: 16/05457/FULL

Plan Nos: 15684/101 Rev.C; 15684/102 Rev.C; 15684/103 Rev.C; 15684/104 Rev.A;
15684/105 Rev.A

For information purposes:

Daylight and Sunlight Study dated 15 September 2016; Planning, Design and Access Statement, Ref. DS/15684-1 dated June 2016.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) 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 this part of the Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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)

- 4 The glass that you put in the windows on the rear elevation of the main mews property must not be clear glass, and you must fix them permanently shut. 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 parts of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 5 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

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 (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, 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 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)

- 3 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM's). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM's, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)

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.