

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 10 January 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Bayswater	
<b>Subject of Report</b>	<b>53A Hereford Road, London, W2 5BB,</b>		
<b>Proposal</b>	Erection of a single storey rear extension at lower ground floor level.		
<b>Agent</b>	Frank Sansom		
<b>On behalf of</b>	Frank Sansom		
<b>Registered Number</b>	16/06581/FULL 16/08930/LBC	<b>Date amended/ completed</b>	20 October 2016
<b>Date Application Received</b>	16 September 2016		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	Westbourne		

## 1. RECOMMENDATION

1. Grant conditional planning permission and listed building consent.
2. Agree the reasons for granting conditional listed building consent as set out in the draft decision notice.

## 2. SUMMARY

The application site is a lower ground and ground floor flat within a five storey mid terrace residential building, which has been divided into flats. It is Grade II listed and located within the Westbourne Conservation Area.

Permission is sought for a single storey glazed infill at lower ground floor level and associated reconfiguration of the steps leading to the rear garden. It should be noted that the applicants' drawings originally showed a proposed garden room in the rear garden. This does not form part of the application and amended plans have been received to reflect this. Objections have been received to the proposed development from 10 neighbouring residents on a range of land use, design and amenity grounds, although it appears that many of these have been received primarily in relation to the garden room proposals.

The key issues in this case are:

- The impact of the proposed development on the character and appearance of the listed building and the Westbourne Conservation Area.
- The impact of the proposed development on the amenity of neighbouring occupiers.

The proposals are considered to be acceptable in land use, amenity, conservation, design and listed building terms and comply with the policies set out in the Unitary Development Plan (UDP) and



4. PHOTOGRAPHS

Rear Elevation  
& rear entrance  
Doors to lower  
Ground floor.



## 5. CONSULTATIONS

### BAYSWATER WARD COUNCILLORS

No response received.

### NOTTING HILL EAST NEIGHBOURHOOD FORUM

Stated that the application form was invalid as the correct certificate had not been signed, should not have been up to the amenity society to pick this up. No objection to glazed infill but appears to employ a large amount of decking and tiling. Does not show whether Astroturf is to be used instead of grass, would prefer grass.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 39

Total No. of replies: 10

No. of objections: 10

Objections have been received on the following grounds:

#### DESIGN:

- Building has already been extended to the rear.
- Would result in the loss of original features and proportions.
- Incremental changes impact on the quality of the Conservation Area.
- Green spaces should be protected in the Conservation Area.

#### AMENITY:

- Would reduce privacy.
- Would block light to neighbouring properties.
- Will increase the sense of enclosure to neighbouring occupiers.

#### OTHER:

- Green spaces should be protected in the Conservation Area.
- Loss of views.
- The proposals would set a precedent to others.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site is a five storey residential building, currently is use as flats. The application pertains to Flat A which is located on the lower ground and ground floors. The building is Grade II listed and is located in the Westbourne Conservation Area.

### 6.2 Recent Relevant History

No recent applications have been granted, although there are several previously withdrawn applications relating to the property. This includes 15/08241/FULL and 15/09657/LBC for the erection of single storey garden room, installation of trellis to rear garden walls and door in rear boundary to Bridstow Place and 15/10731/FULL and 15/11465/LBC for the erection of rear infill extension. The applications were withdrawn as these applications hadn't assessed the arboricultural impacts of the development.

## **7. THE PROPOSAL**

Planning permission and listed building consent are sought for the erection of an infill extension at lower ground floor level. The proposed extension is to be a lightweight contemporary structure, single storey in height and set between the existing closet wing projection of the application site and the neighbouring property.

As advised, the plans were amended during the course of the application to omit a rear garden room and the reinsertion of a door to the rear wall of the property which the applicant confirms were not intended to form part of this current application. The neighbours were advised of this amendment in writing.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The proposal will increase the size of the existing dwelling and is considered to be acceptable in land use terms. It accords with H3 of the Unitary Development Plan (UDP) and S14 of the City Plan. While several objectors stated that the rear of the building has already been extended, as the proposed infill will sit between two existing closet wings, will not result in over development of the site and accords with land use policies this is not considered a reason for withholding planning permission.

### **8.2 Townscape and Design**

There are gaps between each of the closet wings to this section of Hereford Road, and the closet wing to the application site appears to have been previously altered and extended. The site of the proposed infill is a narrow space between two closet wings that appears to have been altered and partly infilled at some point in the past, as evidenced by the decking rising up from the rear garden onto this area, and also by the design of the window which appears clearly to have been truncated from its much more likely original vertical sash window form.

The proposed glazed infill is set into the gap as a single storey extension above the existing garden level, and it sits appreciably below the level of the original sash window which remains to the floor above. Seen buttressed between two brick closet wing extensions and given that the rear elevation of the proposed extension is set slightly back from the line of the closet wing it will have a subservient visual impact upon the character and appearance of the building and the opening in the side wall of the rear closet wing will not involve the loss of significant historic fabric. Whilst the building has been extended previously, each application is to be assessed on its merits and is not a sustainable reason for refusal in this instance.

The extension is a simply detailed glazed structure with minimal black coloured framing which will sit comfortably with the black colour to the framing of the sash windows, and there are a number of glazed infills of varying designs to surrounding buildings. As such, the extension is considered acceptable in design and listed building terms. The new window to the rear of the closet wing is modern in appearance, though given that it replaces a large pair of modern doors of relatively poor design quality this new window is considered acceptable.

One objection argues that incremental changes impact on the quality of the Conservation Area. It is considered that the changes proposed would contribute to the character and appearance of this part of the Westbourne Conservation Area and are therefore acceptable in design and listed building terms and this is not sustained as a reason for refusing the applications.

The alterations to the steps are uncontentious in listed building and design terms.

The proposed extension and reconfigured steps is considered to comply with DES5, DES9 and DES10 and S25 and S28 of the City Plan.

### **8.3 Residential Amenity**

Policy ENV13 of the UDP states that new development should enhance the residential environment of surrounding properties and should not result in a significant increase in the sense of enclosure or overlooking, or cause unacceptable overshadowing to neighbouring properties.

Several neighbours have objected to the proposal on amenity grounds stating the proposal would result in a loss of privacy, a loss of light, cause a sense of enclosure to neighbouring properties and block views from neighbouring properties. As already addressed, it appears that the majority of the objections relate to the garden room proposal that does not form part of this application.

The proposed infill extension is single storey and set wholly between the existing closet wing projections of the application site and the neighbouring property, No. 55. It is therefore considered that the proposals will have no impact upon the neighbours in terms of loss of light, overshadowing or sense of enclosure. Whilst the rear elevation is fully glazed, the main outlook from this extension will be into the garden of the application site, given the extension is at lower ground floor and the existing boundary wall rises above ground floor level.

The proposal is considered to accord with ENV 13 of the UDP and S29 of the City Plan and the objections stated above are not considered to be valid reasons for refusing the planning application.

### **8.4 Transportation/Parking**

There are no transportation/parking considerations with this scheme.

### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

## **8.6 Access**

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

### **Trees**

Several objectors raised concerns about the potential of the proposal to damage trees, and in particular a mature plane tree in the garden of neighbouring no. 51. However it is considered that these objections are based on the misunderstanding that the current proposal includes the erection of a garden room to the rear of the host building, and the creation of a door in the rear wall of the property. The City Council's arboricultural officer has reviewed the plans and considers that while the erection of a rear infill extension will have an impact on the tree's root protection area, this is not likely to be significant enough to warrant refusal of the application. Conditions have been recommended to protect the trees on site.

An objection stated that the green spaces within the Conservation Area should be protected; however the proposed infill is to be located in an area that has already been heavily modified and would not result in a loss of green space. Therefore this is not upheld as a valid objection.

## **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**

Not applicable for development of this scale.

## **8.12 Other Issues**

Objections were received that stated the proposal would set a precedent. Each planning application is considered on its own merits, and given that there are a number of infill extensions to the rear of this terrace it considered that the proposal would not set a precedent.

A further objection has been received on the grounds of loss of views. Loss of views is not considered a material planning consideration.

## 9. BACKGROUND PAPERS

1. Application form
2. Response from Westbourne Neighbourhood Association, dated 25 October 2016
3. Memorandum from Arboricultural officer dated 29 November 2016
4. Letters from occupiers of 49 Hereford Road, London, dated 14 November 2016
5. Letter from occupier of 56 Hereford Rd, London, dated 14 November 2016
6. Letter from occupier of 10A Chepstow Rd, London, dated 14 November 2016
7. Letter from occupier of 83 Hereford Road, London, dated 15 November 2016
8. Letter from occupier of 10 Hereford mansions, Hereford Road, dated 15 November 2016
9. Letter from occupier of 51 B Hereford Road, London, dated 20 November 2016
10. Letter from occupier of 60 Hereford Road, Greater London, dated 23 November 2016
11. Letter from occupier of 73 Hereford Road, London, dated 24 November 2016
12. Letter from occupier of 1 Hereford Mansions, Hereford Road, dated 25 November 2016

### **Selected relevant drawings**

Existing and Proposed Elevations, Sections and Plans.

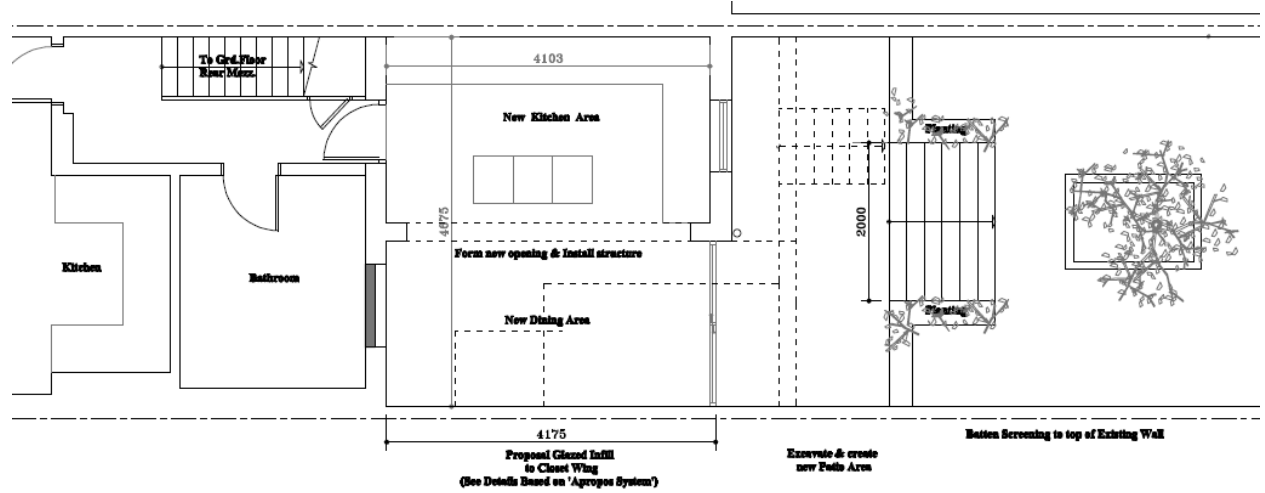
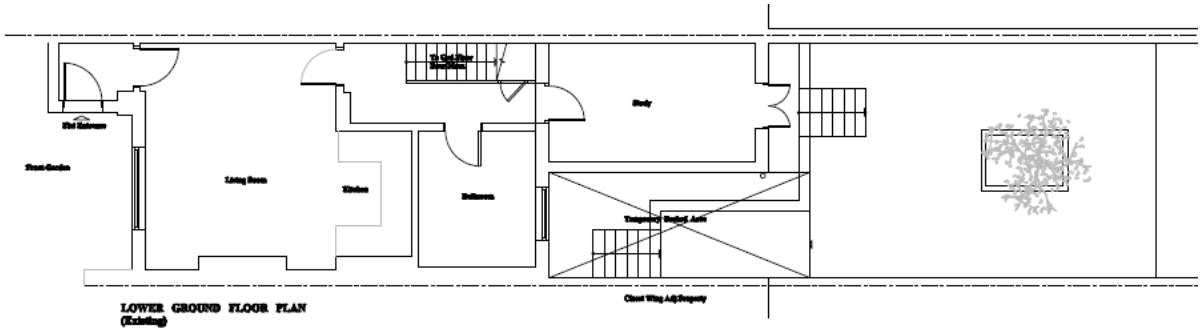
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT [kdavies1@westminster.gov.uk](mailto:kdavies1@westminster.gov.uk).

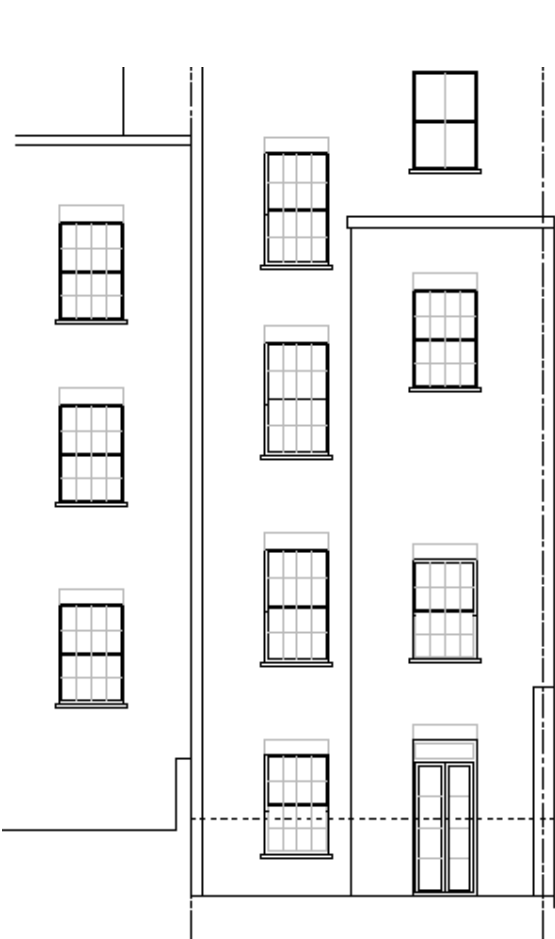


**10. KEY DRAWINGS**

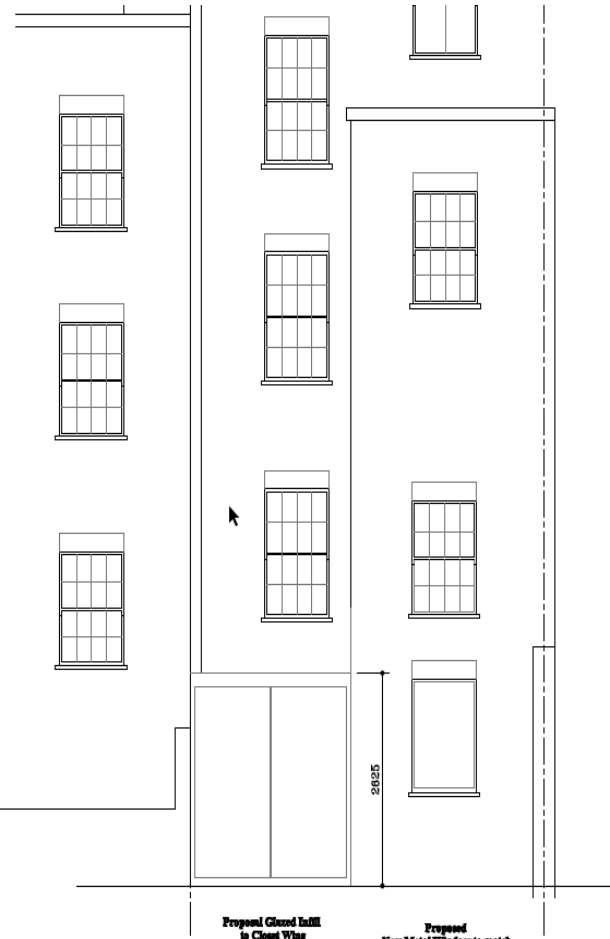
Existing and Proposed lower ground floor plan



Existing and Proposed Rear Elevation



**REAR ELEVATION  
(Existing)**

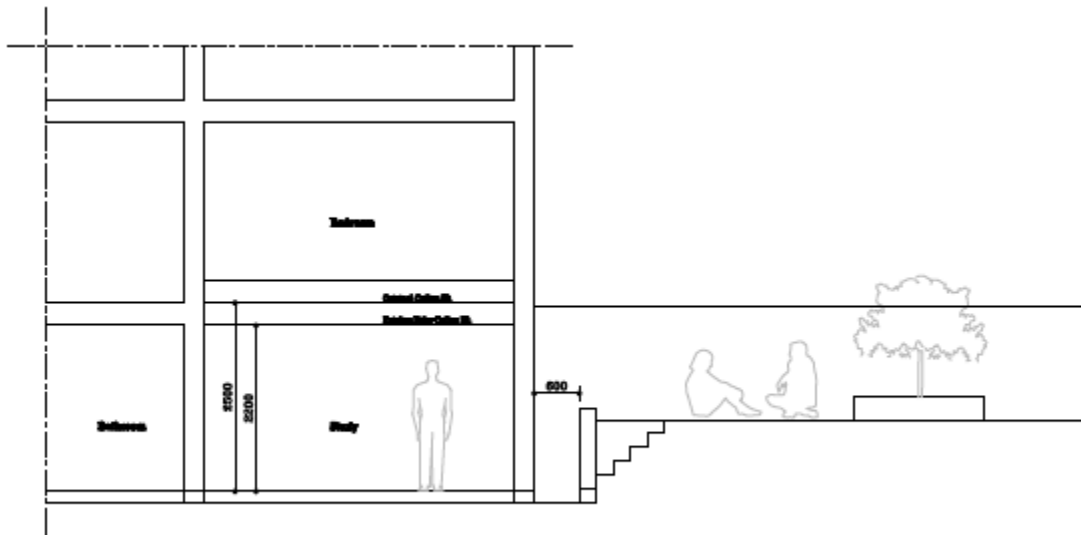


Proposed Glazed Infill  
to Close Wing

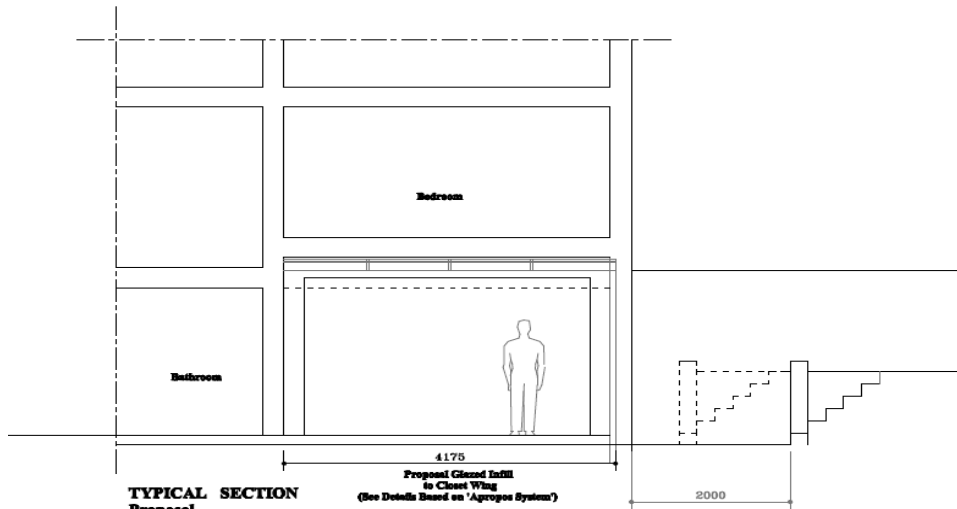
Proposed  
New Metal Window to match  
New Infill System

**REAR ELEVATION  
Proposal**

Existing and Proposed sections.



**TYPICAL SECTION  
(Existing)**



**TYPICAL SECTION  
Proposal**

**DRAFT DECISION LETTER**

**Address:** 53A Hereford Road, London, W2 5BB,  
**Proposal:** Erection of a single storey rear extension at ground floor level.  
**Reference:** 16/06581/FULL  
**Plan Nos:** 15/HR/200, 15/HR/201 Rev.A, 15/HR/201, 15/HR/210, Design and Access Statement., For information only: Arboricultural Report, Arboricultural Impact Assessment and Method Statement dated 23rd February 2016, TPP-01 Rev. A

**Case Officer:** Heather Lai

**Direct Tel. No.** 020 7641 6519

**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 (November 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 Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 new window to the existing brick rear extension shall be formed in glazing and black painted timber framing.

## 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 Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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)

- 5 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

## Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

**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 (November 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 Condition 5 requires you to submit a method statement for works to a tree(s). The method statement must be prepared by an arboricultural consultant (tree and shrub) who is registered with the Arboricultural Association, or who has the level of qualifications or experience (or both) needed to be registered. It must include details of:
- \* the order of work on the site, including demolition, site clearance and building work;
  - \* who will be responsible for protecting the trees on the site;

- \* plans for inspecting and supervising the tree protection, and how you will report and solve problems;
  - \* how you will deal with accidents and emergencies involving trees;
  - \* planned tree surgery;
  - \* how you will protect trees, including where the protective fencing and temporary ground protection will be, and how you will maintain that fencing and protection throughout the development;
  - \* how you will remove existing surfacing, and how any soil stripping will be carried out;
  - \* how any temporary surfaces will be laid and removed;
  - \* the surfacing of any temporary access for construction traffic;
  - \* the position and depth of any trenches for services, pipelines or drains, and how they will be dug;
  - \* site facilities, and storage areas for materials, structures, machinery, equipment or piles of soil and where cement or concrete will be mixed;
  - \* how machinery and equipment (such as excavators, cranes and their loads, concrete pumps and piling rigs) will enter, move on, work on and leave the site;
  - \* the place for any bonfires (if necessary);
  - \* any planned raising or lowering of existing ground levels; and
  - \* how any roots cut during the work will be treated.
- 3 Some of the trees on the site are protected by a Tree Preservation Order. You must get our permission before you do anything to them. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I30AA)
- 4 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)

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.

**DRAFT DECISION LETTER**

**Address:** 53A Hereford Road, London, W2 5BB,

**Proposal:** Erection of a single storey rear extension at lower ground floor level.

**Reference:** 16/08930/LBC

**Plan Nos:** 15/HR/200, 15/HR/201 Rev.A, 15/HR/201, 15/HR/210, Design and Access Statement., For information only: Arboricultural Report, Arboricultural Impact Assessment and Method Statement dated 23rd February 2016, TPP-01 Rev. A

**Case Officer:** Heather Lai

**Direct Tel. No.** 020 7641 6519

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

- 1 The works 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 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 Westbourne Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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)

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**Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest.

In reaching this decision the following were of particular relevance:

S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

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