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| CITY OF WESTMINSTER | | | |
| PLANNING APPLICATIONS SUB COMMITTEE | Date 27 June 2017 | Classification For General Release | |
| Report of Director of Planning | | Ward(s) involved Vincent Square | |
| Subject of Report | 11 Chapter Street, London, SW1P 4NY | | |
| Proposal | Use of ground floor for Class A2 (financial and professional services) purposes and use of upper floors as 2 residential flats. Erection of rear extensions at ground, second and roof levels; alterations to the shopfront. | | |
| Agent | Alan Power Architects Ltd | | |
| On behalf of | Mr Shahram Sabbaghi | | |
| Registered Number | 17/02130/FULL | Date amended/ completed | 9 March 2017 |
| Date Application Received | 9 March 2017 | | |
| Historic Building Grade | Unlisted | | |
| Conservation Area | Regency Street | | |

1. RECOMMENDATION

Agree that, had an appeal against non determination not been lodged, permission would have been refused on design grounds.

2. SUMMARY

This report relates to an application for planning permission, which is now the subject of an appeal against the failure of the City Council to give notice of its decision within the eight week period.

11 Chapter Street is an unlisted building of merit located within the Regency Street Conservation Area. The building is the centre piece of a terrace of three neo-Georgian style buildings (Nos.9 – 13). No.11 comprises of three storeys, plus attic level. The building is now vacant but was formerly in use as a Café (Class A3) on the ground floor, and a residential maisonette (Class C3) on the upper floors.

The application seeks permission for the use of the ground floor for Class A2 (financial and professional services) purposes and the use of the upper floors as 2 residential flats, together with the erection of rear extensions at ground, second and roof levels; and alterations to the shopfront.

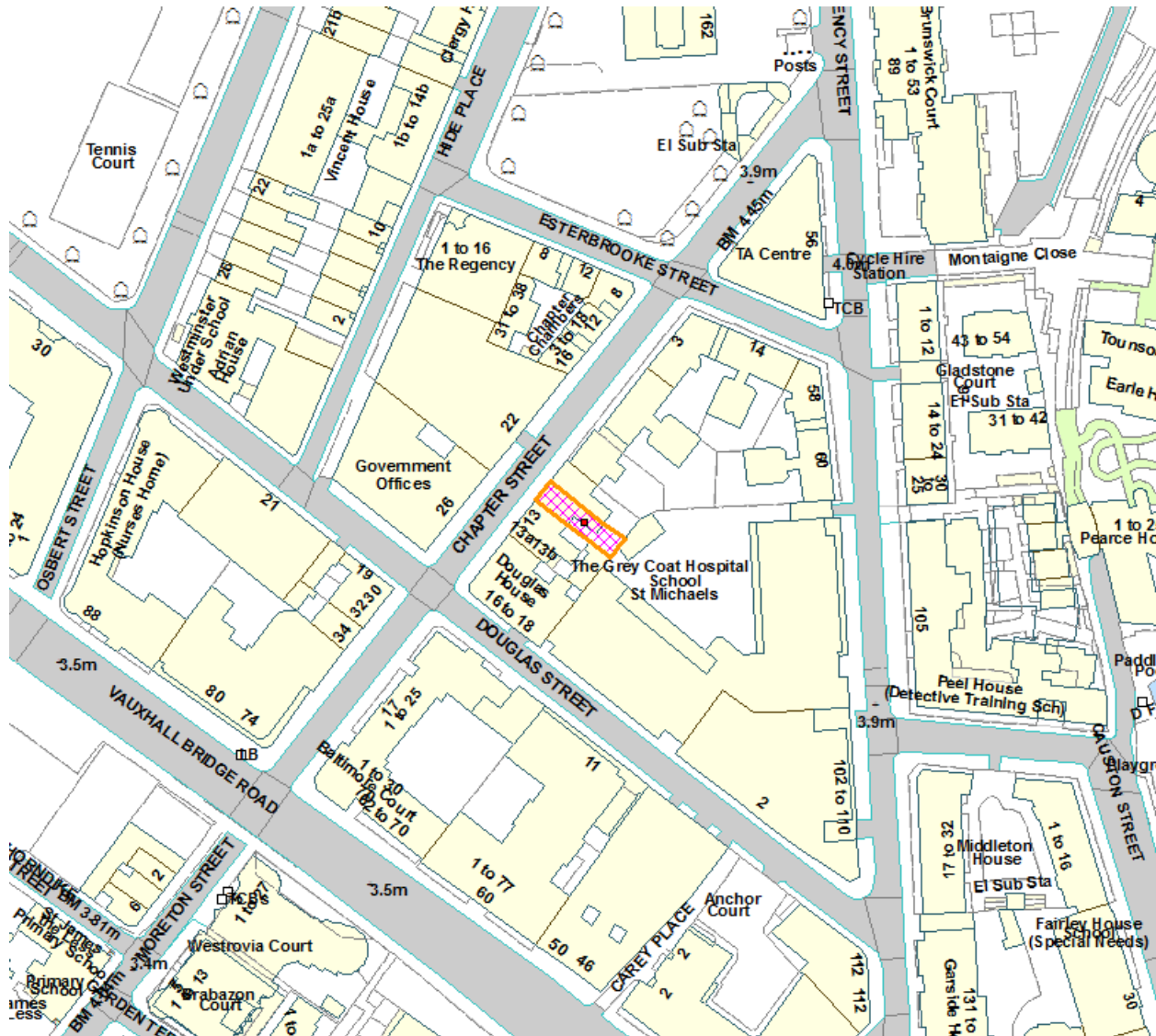
The key issues with this application are:

* The acceptability of the proposals in land use terms;

- * The impact upon the appearance of the building and its contribution to the character and appearance of the Regency Street Conservation Area; and
- * The impact of the proposals upon the amenity of neighbouring residents.

The rear extensions and alterations at second and roof floor levels are unacceptable in design and conservation terms, and would fail to accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, had appeals not been lodged, planning permission would have been refused for the reasons set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



11 Chapter Street

5. CONSULTATIONS

WESTMINSTER SOCIETY:

No objection.

HIGHWAYS PLANNING MANAGER:

Recommends condition to secure cycle parking.

CLEANSING MANAGER:

Recommends condition to secure details of waste and recyclable storage.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 5

Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

11 Chapter Street is an unlisted building of merit located within the Regency Street Conservation Area. The building is the centre piece of a terrace of three neo-Georgian style buildings (Nos.9 – 13), which comprise of commercial units on the ground floor and residential above. No.11 comprises of three storeys, plus attic level.

The building is now vacant but was formerly in use as a Café (Class A3) on the ground floor, and a residential maisonette (Class C3) on the upper floors. The site lies outside of the designated District and Local Centres, and outside of the Central Activities Zone.

6.2 Recent Relevant History

None relevant.

7. THE PROPOSAL

The application seeks permission for the use of the ground floor for Class A2 (financial and professional services) purposes and the use of the upper floors as 2 residential flats, together with the erection of rear extensions and alterations at ground, second and roof levels; and alterations to the shopfront.

8. DETAILED CONSIDERATIONS

8.1 Land Use

11 Chapter Street is now vacant but was formerly in use as a Café (Class A3) on the ground floor, and a residential maisonette (Class C3) on the upper floors.

The existing and proposed land uses can be summarised as follows:

| Use | Existing (sqm) | GIA | Proposed (sqm) | GIA | +/- |
|---|-------------------|------------|-------------------|------------|------------|
| Class A2 (Financial and Professional Services) | | 0 | | 99 | +99 |
| Class A3 (Cafe) | | 56 | | 0 | -56 |
| Residential (Class C3) | | 134 | | 150 | +16 |
| Total | | 190 | | 249 | +59 |

Class A2 (Financial and Professional Services)

The change of use of the ground floor from Class A3 (Café) to Class A2 (Financial and Professional Services) is permitted by virtue of The Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposals seek to infill the entire ground floor rear courtyard with a single storey flat roofed extension to provide an additional 43 sqm of Class A2 floorspace. Policy SS8 relates to shops and services outside of the designated District and Local Centres, and states that planning permission will not be given for proposals that would significantly harm residential amenity or local environmental quality as a result of smell, noise, increased late night activity and disturbance, or increased parking and traffic.

The creation of additional Class A2 commercial floorspace in this location is not considered to have an unacceptable impact on the amenity of neighbouring residents or the environment.

Residential use

The proposal involves the conversion of the existing 4 bed maisonette on the upper floors into 2 residential flats together with residential extensions at second and roof floor levels.

The proposed flats are laid out as follows:

- 1 x bed flat at first floor: 56 sqm
- 2 x bed flat at second floor: 82.5 sqm

In land use terms, the provision of an additional residential unit and residential floorspace (16 sqm GIA) accords with Policy H3 of the UDP and S14 of Westminster's City Plan. The size and layout of the flats is generally considered to be acceptable, and both flats meet the minimum size standards set out in The London Plan.

8.2 Townscape and Design

11 Chapter Street is an unlisted building of merit located within the Regency Street Conservation Area and the centre piece of this three-storey (plus attic), three bayed neo-Georgian style building (Nos. 9 – 13). At ground floor level nos. 9 and 11 exhibit shop fronts of varying quality, whilst no. 13 displays solid traditional carriage doors with a fixed glazed fan light above.

Infill development at ground floor level

The proposals seek to infill the entire rear courtyard with a single storey flat roofed extension. Extensions which seek to gain additional accommodation from developing external amenity space would generally be unfavourable and cumulatively the extensions proposed would serve to engulf the building, amounting to overdevelopment of the site. It is however apparent that comparable forms of development have occurred along the terrace, also due to the commercial nature of the premises, the area affected has limited amenity value. On balance the proposals are considered difficult to resist on design grounds.

Second floor extension to rear wing

The rear of the building includes a half width, two-storey wing with mono pitched roof, which mirrors the extension at no. 9. The proposals include a vertical extension at second floor level, which would be set back from the storey below to allow for a terrace area.

Policy DES5 of the UDP resists the erection of rear extensions which exceed the penultimate storey of the building, also extensions should seek to respond to the established rear building pattern and form. In this instance the proposals would exceed the penultimate storey, and due to its height and bulk would greatly diminish what is currently a balanced and subservient arrangement the wing exhibits with its neighbour no.9. The extension is therefore contrary to policy and unacceptable on design grounds.

Alterations to the rear dormer

The property retains an overly large front and rear dormer, which is in terms of scale and appearance out of keeping with the building. The proposals seek to alter the rear of the dormer by dropping its cill, incorporating fully glazed sliding doors, and cutting into the roof to allow for a modest terrace with structural glass balustrade.

It is acknowledged that approval was granted in 2010 for similar proposals at no. 13, which saw its rear dormer being enlarged to accommodate doors and a terrace bound by a glass balustrade (ref: 10/10806/FULL).

However the dormer at no. 11 is at least twice as wide as the dormer at no. 13. Improvements to the existing dormer at no. 13 would be welcome, even breaking up the dormers mass into two dormers may lessen its bulk; however the proposals only serve to increase the dormers prominence making it more conspicuous and visually harmful. There are also concerns with regards to the creation of a large terrace with glass balustrading at roof level.

The roof level alterations are contrary to policies DES1, DES6, and DES9 of the UDP, and would be visually harmful to the roofscape of the building, as such the alterations are recommended for refusal on design grounds.

Front elevation alterations

Alterations sought to the front of the building are isolated to replacement of the shop front. Built of hard wood and retaining existing traditional components such as the fascia board and pilasters, and stall riser, the shop front raises no design concerns.

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, overlooking and encourage development which enhances the residential environment of surrounding properties.

The proposed extensions including terrace areas are not considered to give rise to any adverse amenity impacts in terms of daylight, sense of enclosure or overlooking. A privacy screen is proposed on the new second floor terrace to screen the occupants from no.13.

8.4 Transportation/Parking

Car parking

The development creates an extra residential unit without car parking. UDP Policy TRANS 23 requires sufficient off-street parking to be provided in new residential schemes to ensure that parking pressure in surrounding streets is not increased to 'stress levels'. The site is well served by public transport and given that only one flat would be created, it is not considered that a refusal on parking grounds could be justified.

Cycle parking

No cycle parking provision is shown. The Highways Planning Manager advises that three cycle parking spaces should be provided for the residential flats (1 space per residential unit of 1 bedroom or fewer and 2 spaces per unit of 2 bedrooms or more). Had the proposals been considered acceptable, a condition would have been recommended to secure adequate cycle parking provision.

8.5 Economic Considerations

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

8.6 Access

The shopfront alterations would enable the creation of level deck access into the property from the street. A level floor would be created throughout the whole of the ground floor area, making the enlarged commercial premises suitable for wheelchair users.

8.7 Other UDP/Westminster Policy Considerations

Waste

Had the proposals been considered acceptable, a condition would have been recommended to secure details of adequate waste and recycling provision.

Plant

There is an existing duct running up the rear elevation which would have been removed as part of the proposals.

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

Had the proposals been considered acceptable, the scheme would have been required to make payments to both the Westminster CIL and the Mayoral CIL payment.

8.11 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

None.

9. BACKGROUND PAPERS

1. Application form
2. Response from Westminster Society dated 21 March 2017
3. Response from Cleansing Manager dated 21 March 2017
4. Response from Highways Planning Manager dated 08 May 2017

(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: DAVID DORWARD BY EMAIL AT DAVIDDORWARD@WESTMINSTER.GOV.UK

10. KEY DRAWINGS



Existing floor plans

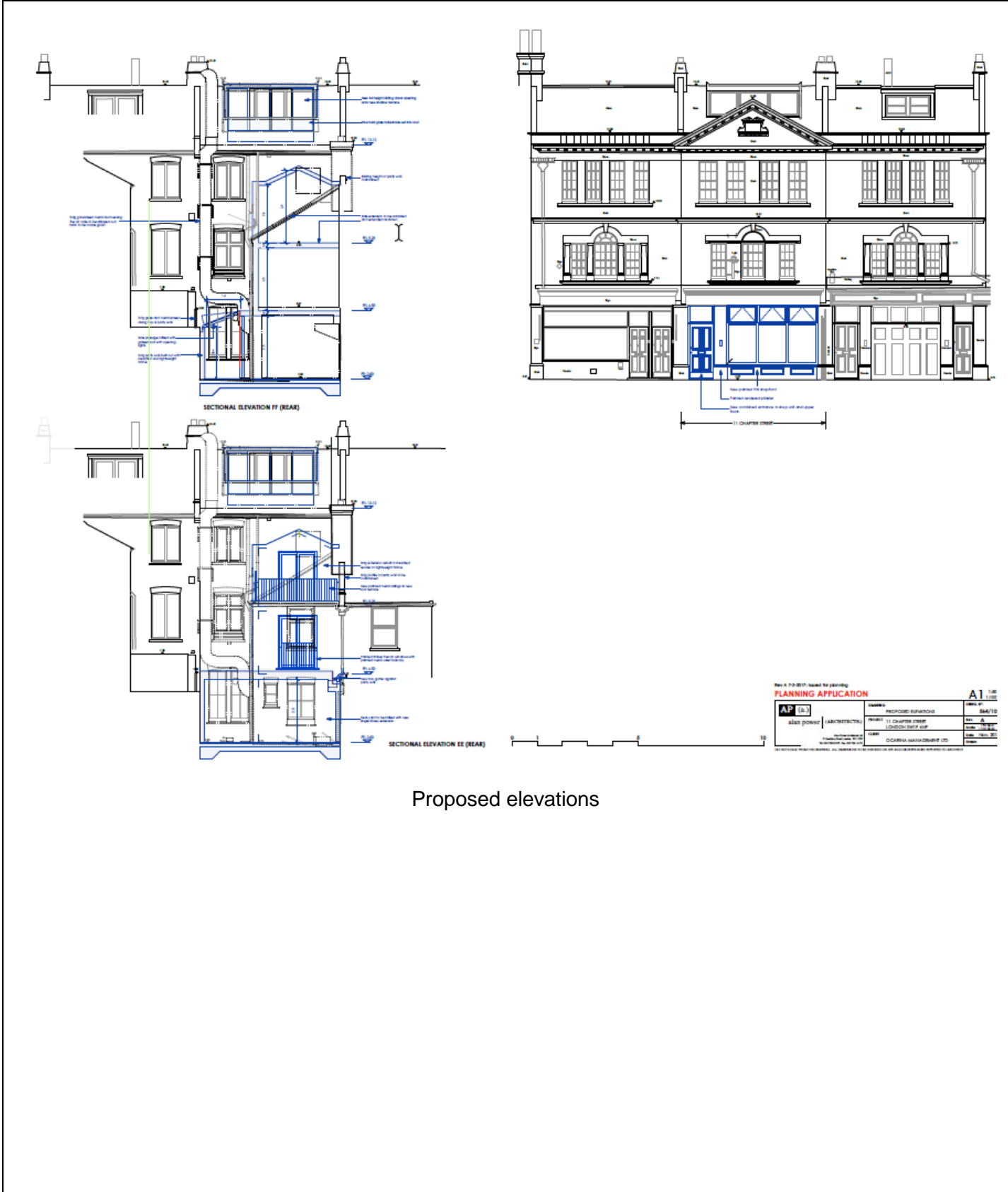


Proposed floor plans



Existing elevations

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| AP <small>ARCHITECTS</small> <small>max power</small> | PROJECT RUSTED SECTION & SURROUND |
| | CLIENT 11 CHAPTER STREET LONDON SW1P 4BP |
| DATE <small>10/01/2024</small> | SCALE 1:50 |
| <small>11, Abchurch Lane, London EC4N 3DF</small> | <small>020 7424 1234</small> CGRUMA MANAGEMENT LTD |



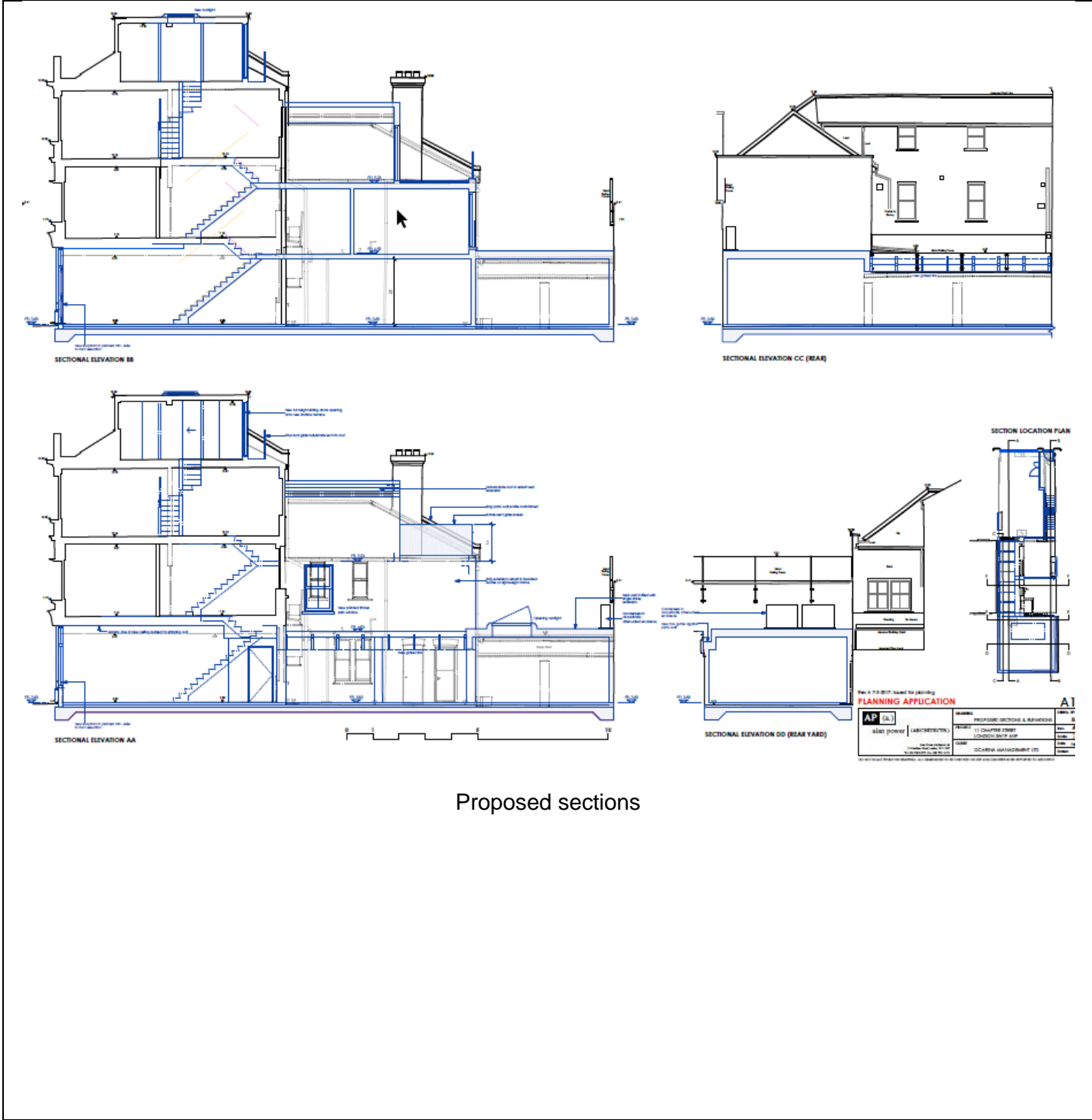
Rev. 0 15/05/2017 issued for planning

PLANNING APPLICATION

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| AP (s.7) alan power (ARCHITECTS) 11 CHURCH STREET LONDON, SE1 8AP 020 7463 4444 www.ap-architects.co.uk | PROPOSED SURFACES 11 CHURCH STREET LONDON, SE1 8AP | A1 (s.6) SHEET NO. 864/10 DATE 15/05/2017 DRAWN ALAN P |
| | PROJECT NO. 11 CHURCH STREET LONDON, SE1 8AP | CLIENT CLARENCE HAYDON CONSULTING LTD |

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Proposed elevations



Proposed sections

DRAFT DECISION LETTER

Address: 11 Chapter Street, London, SW1P 4NY,

Proposal: Use of ground floor for Class A2 (financial and professional services) purposes and use of upper floors as 2 residential flats. Erection of rear extensions at ground, second and roof levels; alterations to the shopfront.

Reference: 17/02130/FULL

Plan Nos: 567/01, 564/03, 564/04, 564/100A, 564/101, 564/102A, Design & Access Statement dated March 2017.

Case Officer: David Dorward

Direct Tel. No. 020 7641 2408

Recommended Reason(s)

Reason:

Because of its height, bulk and detailed design the second floor rear extension would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Regency Street Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES1, DES5, DES9 of our Unitary Development Plan that we adopted in January 2007.

Reason:

Because of its bulk and detailed design the enlarged dormer and terrace would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Regency Street Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES1, DES6, DES9 of our Unitary Development Plan that we adopted in January 2007.

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 (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 the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered by the case officer to the applicant during the processing of the application to identify amendments to address those elements of the scheme considered unacceptable.

Required amendments:

- Removal of second floor rear extension;

- Improvement to the rear dormer would be welcome, e.g. even breaking up the dormers mass into two dormers may lessen its bulk.

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.