

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 24 October 2017	Classification For General Release	
Report of Director of Planning		Ward involved Knightsbridge And Belgravia	
Subject of Report	53 Eaton Mews West, London, SW1W 9ET		
Proposal	Demolition of the existing mews house and construction of new house of ground floor with integrated garage, first floor and mansard floor level, lowering of rear garden level to match adjoining properties and installation of plant machinery.		
Agent	Jones Lambell LLP		
On behalf of	Eaton Square Properties Ltd		
Registered Number	17/05136/FULL	Date amended/ completed	12 June 2017
Date Application Received	9 June 2017		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

53 Eaton Mews West is an unlisted building located within the Belgravia conservation area. Permission is sought for demolition of the existing mews property and construction of a new three storey mews with integrated garage. The works also include the installation of plant machinery and the lowering of the rear garden by approx. 1.3m to match adjoining properties.

This proposal follows the withdrawal of an application for similar works in August 2016 which included the excavation of a new basement level.

The existing building is of little quality and does not positively add to the appearance of the conservation area. It is believed to have been rebuilt in the 1960's and does not follow in the traditional style and appearance of the majority of the mews houses within the street. It is therefore considered that the principle of its demolition is acceptable in design terms.

Concern has been raised by one neighbouring resident about the appearance, bulk and height of the proposed development. It is considered that the proposed building is a well-designed, traditional style mews building, in line with policies DES 1, DES 4, DES 9 and supplementary planning guidance "Mews

- A Guide to Alterations". The proposals are considered to preserve and enhance the character and appearance of the Belgravia conservation area.

It is proposed that the rear windows at first and second floor level will be fitted with obscure glazing and this is to be secured by condition. The proposal would not result in a material loss of light, increased overshadowing, increased sense of enclosure or loss of privacy over the existing arrangement. Accordingly, the proposals are considered to accord with policies S29 and ENV13.

Three objections have been received from neighbouring residents on the grounds of construction impact, stating the proposals are too large in scale and will cause damage and excessive noise and disruption within the mews.

It is recognised that there would inevitably be an element of disturbance to residents during construction. Although basement excavation is not proposed, given the concerns raised by residents, the applicant has confirmed they are willing to adhere to the Council's Code of Construction Practice (CoCP). The CoCP and associated Environmental Inspectorate, who monitor compliance, has been developed to mitigate against construction and development impacts on large and complex development sites. A condition is recommended requiring the applicant to provide evidence of compliance with the CoCP before starting work.

The standard condition to control hours of building work is recommended which includes specific restrictions for basement excavation work which can only be carried out between 08:00 and 18:00 Monday to Friday and not at all on Saturdays, Sundays and bank holidays.

Concern has also been raised about the impact of the proposals to the foundation and structure of the Mews terrace as a whole. This is not a matter controlled through the planning system and will be dealt with separately through the Building Regulations and the Party Wall Act. It would not be reasonable to withhold permission on these grounds.

The applicant has submitted an acoustic report demonstrating that the proposals can meet the Council's standard noise and vibration policies can be complied with. Environmental Health have raised no objection subject to the strand conditions.

With regard to the works in the rear garden, two bay trees are proposed to be removed. A condition is recommended to ensure that the applicant must apply for approval of detailed drawings of a hard and soft landscaping scheme.

The proposals are considered to comply with the Council's policies in relation to land use as set out in the Unitary Development Plan and Westminster's City Plan: Strategic Policies and the application is recommended for approval.

4. PHOTOGRAPHS



Front Elevation of Application Site



View along Eaton Mews West from entrance on Elizabeth Street

5. CONSULTATIONS

BELGRAVIA NEIGHBOURHOOD FORUM
No comment.

BELGRAVIA RESIDENTS ASSOCIATION
No comment.

BELGRAVIA SOCIETY
No comment.

ENVIRONMENTAL HEALTH
No objection, subject to condition.

HIGHWAYS PLANNING MANAGER
No objection, subject to condition.

BUILDING CONTROL
No comment.

ARBORICULTURAL OFFICER
No objection, subject to condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 36; No. of objections: 3.

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

Design:

- Concerned about the appearance, bulk and height of the proposed development;
- Impact on heritage asset;

Construction Impact:

- Disruption to traffic, parking and servicing;
- Potential contamination of soil and water pipes, chemical and air pollution;
- Increase in vermin;
- Mews not appropriate for a large scale demolition project with lowering of the rear garden;
- Noise generated by plant and machinery;
- Damage to cobbled street and foundations of the mews.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

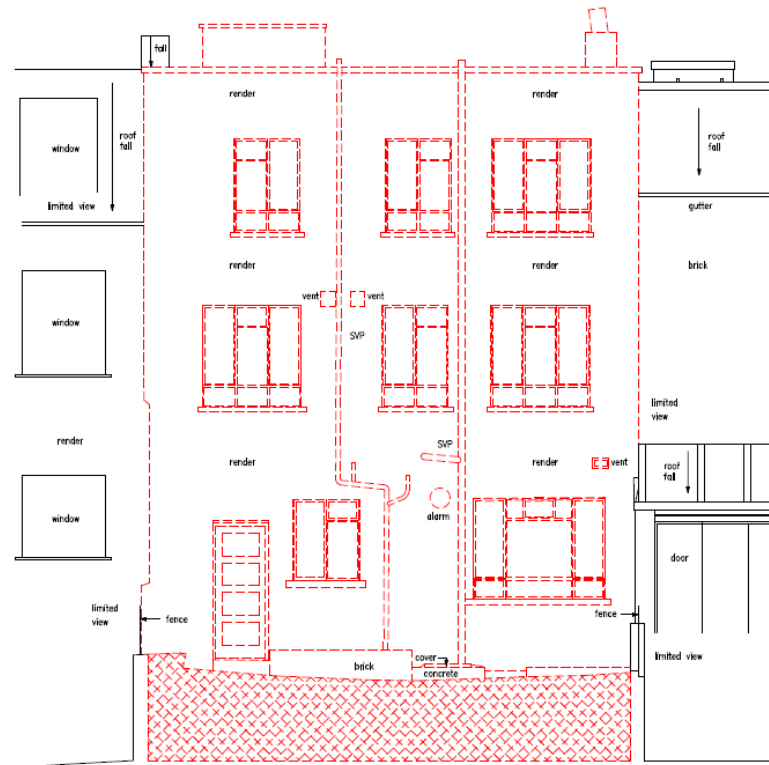
6. BACKGROUND PAPERS

1. Application form.
2. Response from Highways Planning Manager dated 22 June 2017.
3. Response from Arboricultural Section dated 3 August 2017.
4. Response from Environmental Health dated 27 September 2017.
5. Response from Building Control dated 29 September 2017.
6. Letter from occupier of 54 Eaton Mews West dated 25 June 2017.
7. Letter from occupier of 55 Eaton Mews West dated 27 June 2017.
8. Letter from occupier of 56 Eaton Mews West dated 7 July 2017.

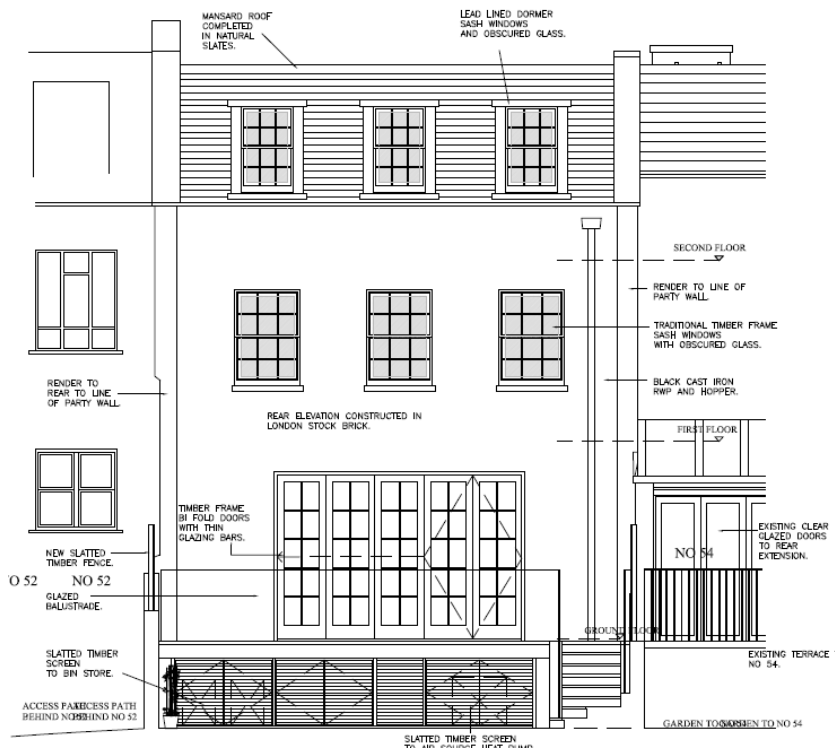
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

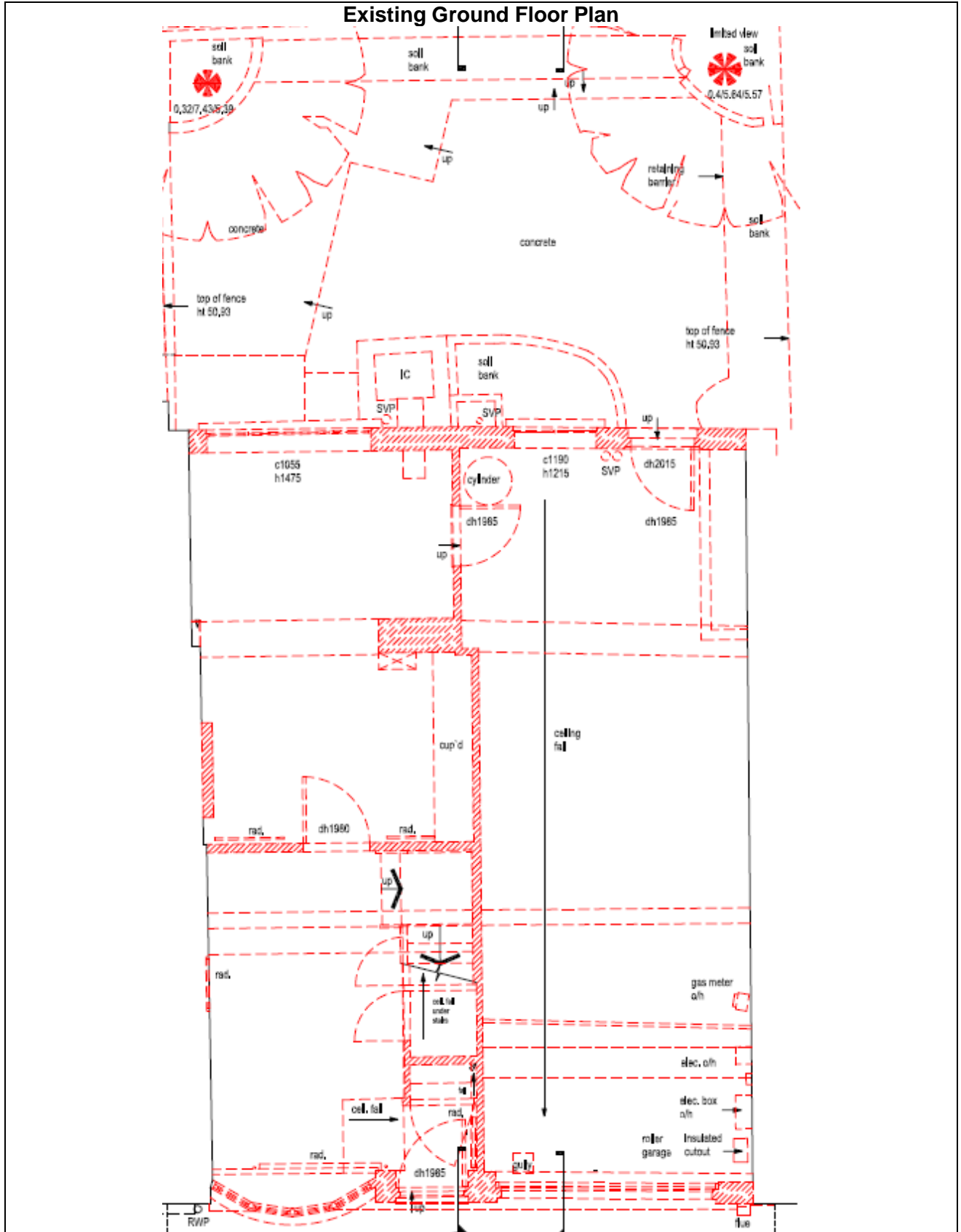
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk

Existing Rear Elevation

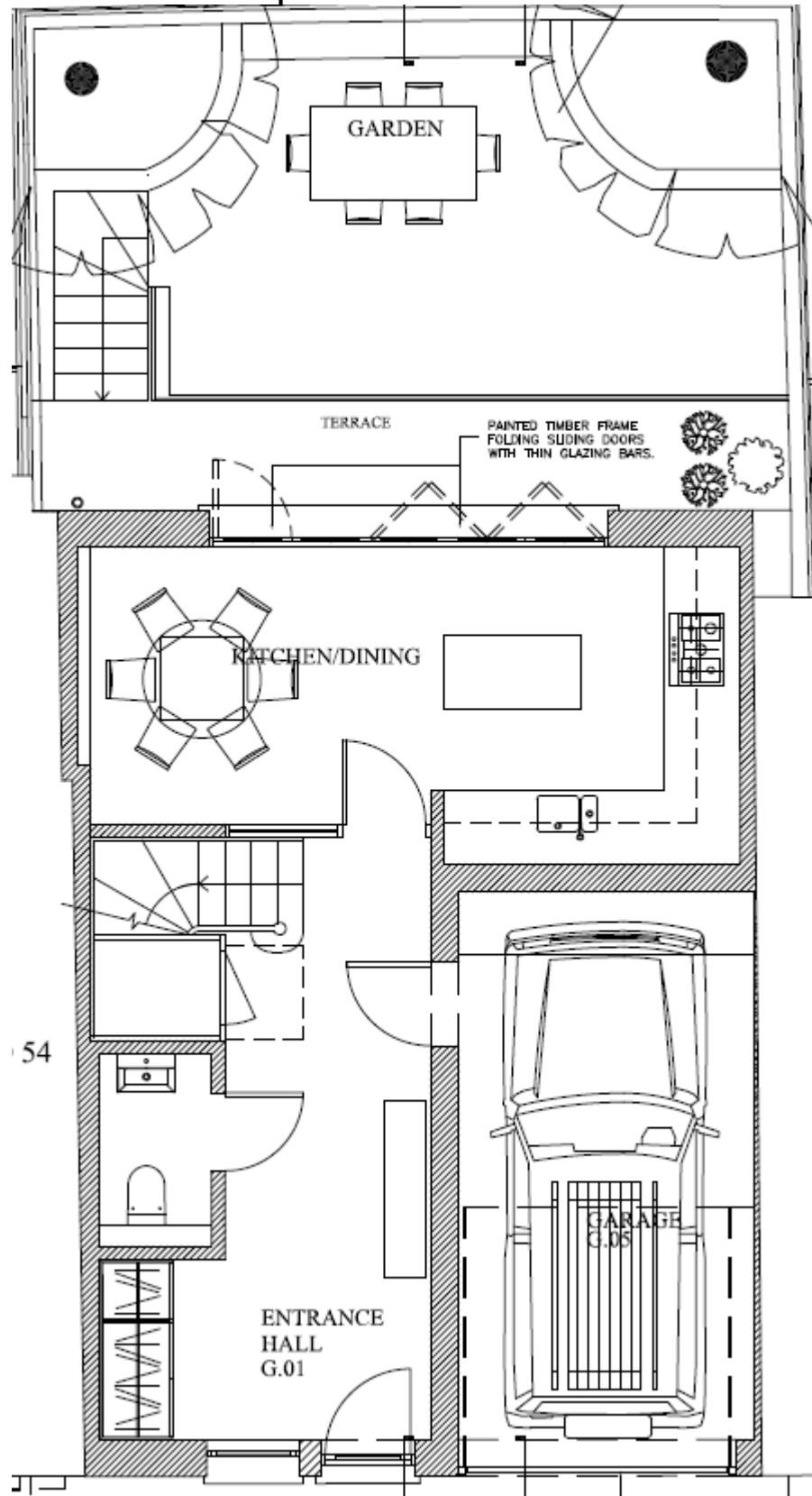


Proposed Rear Elevation

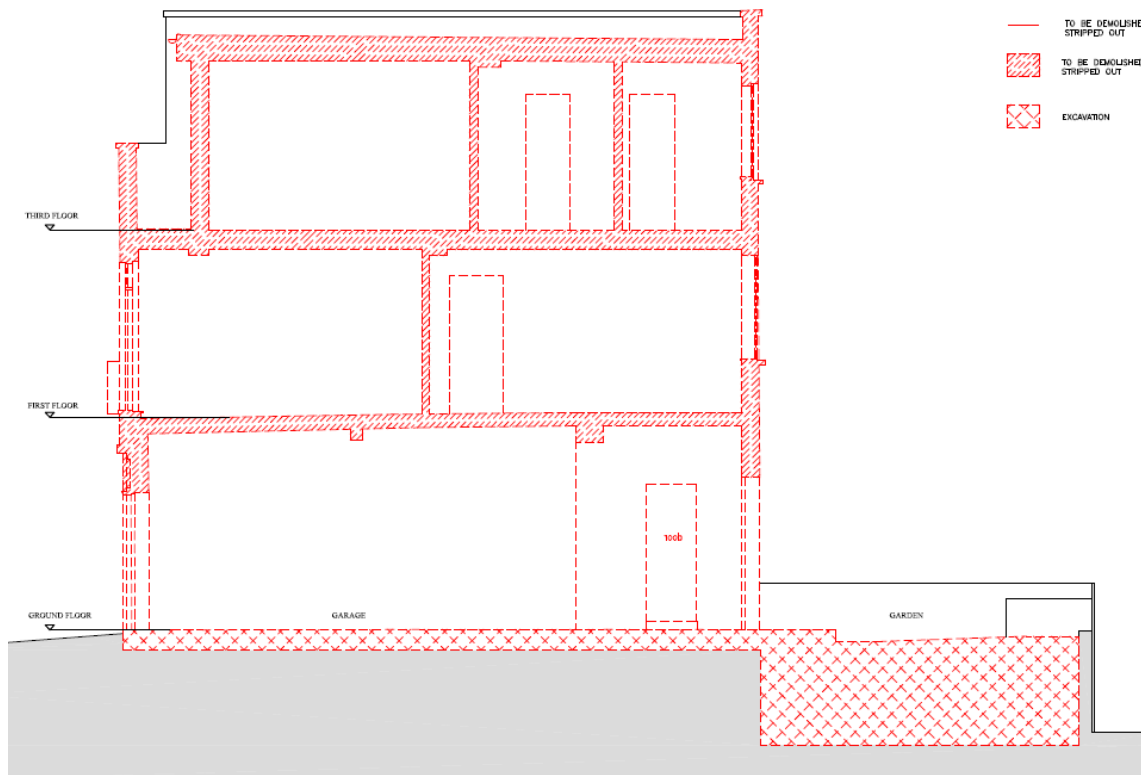




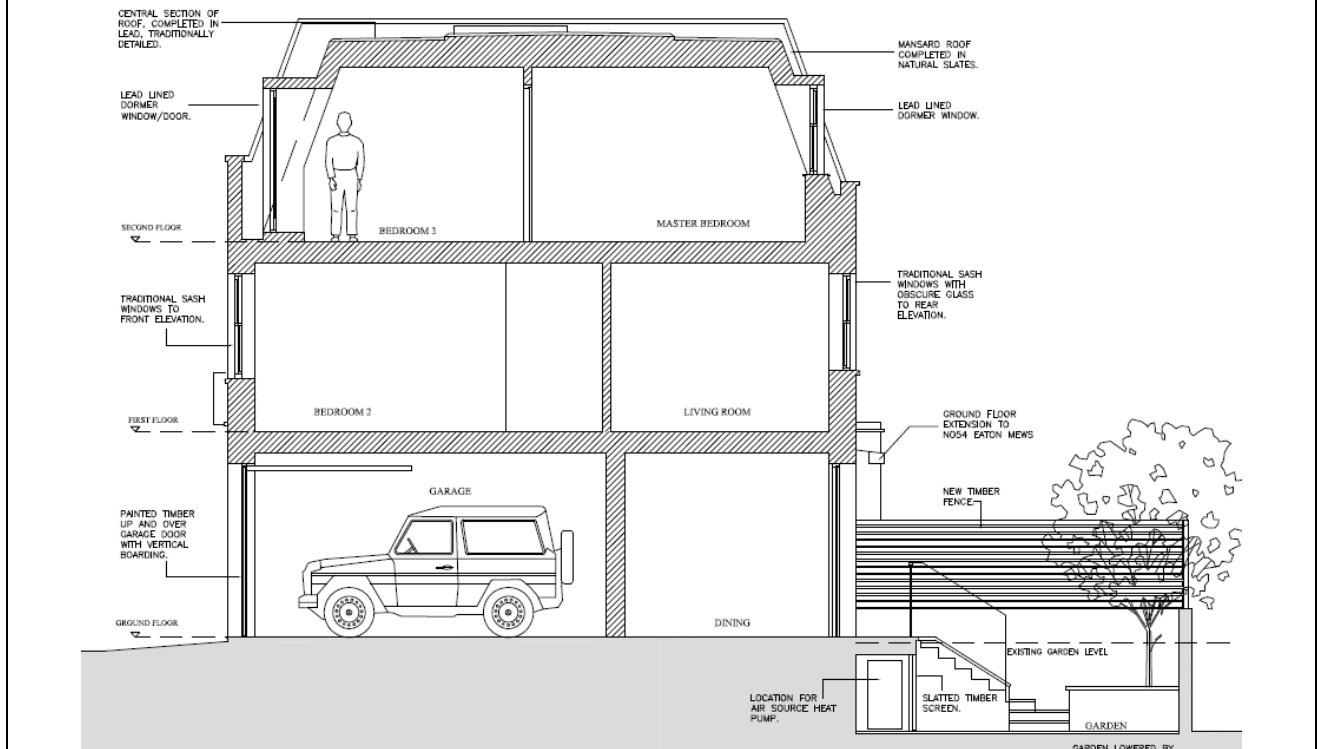
Proposed Ground Floor Plan



Existing Section BB



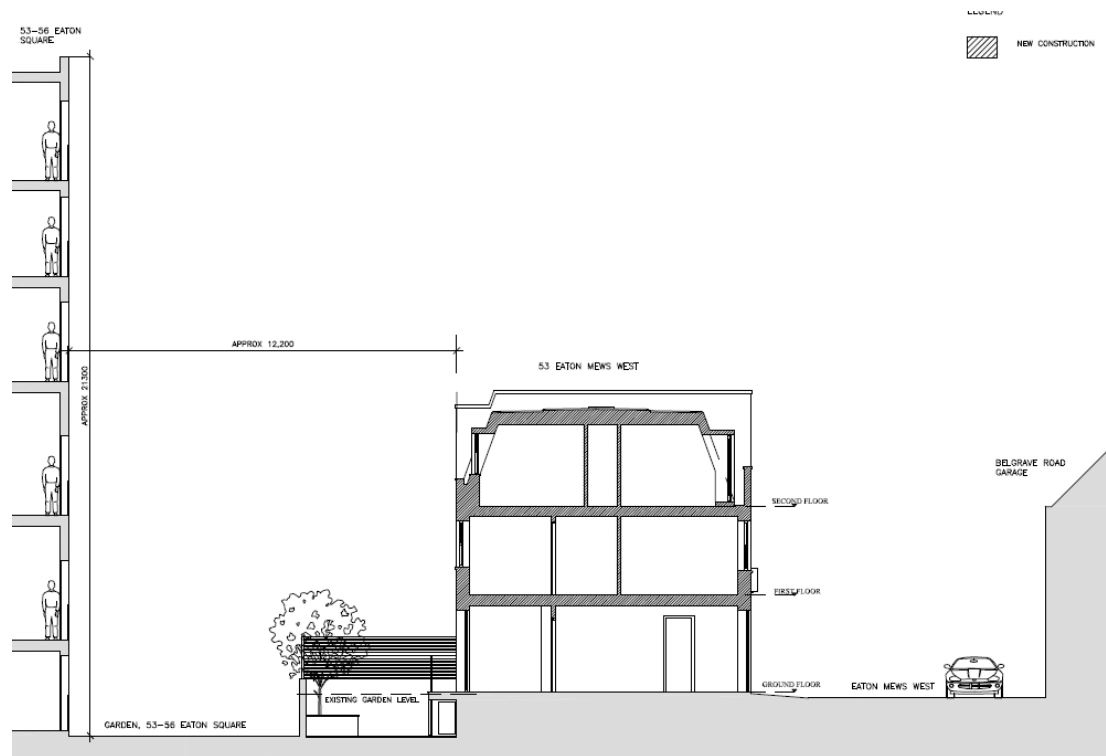
Proposed Section BB



Existing Section Through Eaton Square



Proposed Section Through Eaton Square



DRAFT DECISION LETTER

- Address:** 53 Eaton Mews West, London, SW1W 9ET
- Proposal:** Demolition of the existing mews house and construction of new house with ground floor, integrated garage, first floor and mansard roof, installation of plant machinery and rear garden to be lowered to match adjoining properties.
- Reference:** 17/05136/FULL
- Plan Nos:** Site Location Plan; 763-001 Rev. A; 763-002 Rev. A; 763-003 Rev. A; 763-008 Rev. A; 763-007 Rev. A; 763-009 Rev. A; 763-006 Rev. A; 763-004; 763-005 Rev. A; 763-101; 763-102; 763-103; 763-104; 763-105; 763-107; 763-108; 763-109 Rev. A; 763-110; 763-111; Acoustic Assessment Report dated May 2017.

For information: Construction Management Plan; Design and Access Statement.

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 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work using the approved materials. (C26BC)

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 Belgravia 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)

- 3 The front facade shall be faced in London stock bricks in Flemish bond, with flush pointing. The windows shall be white painted timber, vertically sliding, sashes.

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 Belgravia 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 You must not carry out demolition work unless it is part of the complete development of the site. You must carry out the demolition and development without interruption and according to the drawings we have approved. (C29BB)

Reason:

To maintain the character of the Belgravia Conservation Area as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 (B) of our Unitary Development Plan that we adopted in January 2007 and Section 74(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990. (R29AC)

- 5 You must not alter the sash windows, or form any windows or other openings (other than those shown on the plans) in the outside walls of the building, or alter any part of the roof, or alter or add any chimney, flue, or soil and vent pipe, or paint any part of the external walls without our permission. This is despite the provisions of Part 1 and Part 2 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it).

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 Belgravia 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)

- 6 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)

- 7 The glass that you put in the windows on the rear elevation property at first and second floor levels 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 (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 8 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 (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 9 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:

- (a) A schedule of all plant and equipment that formed part of this application;
- (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
- (c) Manufacturer specifications of sound emissions in octave or third octave detail;
- (d) The location of most affected noise sensitive receptor location and the most affected window of it;
- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background

noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

(g) The lowest existing L A90, 15 mins measurement recorded under (f) above;

(h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;

(i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 10 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

- 11 You must only use the garage for people living in this property to park their private motor vehicles. (C22EB)

Reason:

Any other use of the garage would harm the environment of residents and the area generally. This is as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R22DC)

- 12 You must hang all doors or gates so that they do not open over or across the road or pavement. (C24AA)

Reason:

In the interests of public safety and to avoid blocking the road as set out in S41 of Westminster's City Plan (November 2016) and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24AC)

- 13 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within the first planting season of completing the development (or within any other time limit we agree to in writing). If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must

replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Belgravia Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

- 14 Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

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 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)
- 3 In relation to Condition 13, you should include details of how you intend to ameliorate the existing soil to accommodate new tree planting and soft landscaping, because the proposed reduction in levels of the rear garden is likely to reveal sub soil which is not an appropriate planting medium.
- 4 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)

- 5 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 6 We recommend you speak to the Head of the District Surveyors' Services about the stability and condition of the walls to be preserved. He may ask you to carry out other works to secure the walls. Please phone 020 7641 7240 or 020 7641 7230. (I22AA)
- 7 With reference to Condition 14 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). These documents must be sent to environmentalsciences2@westminster.gov.uk.

Appendix A or B must be signed and countersigned by Environmental Sciences prior to the submission of the approval of details of the above condition.

You are urged to give this your early attention