

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 24 October 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward involved</b> Knightsbridge And Belgravia	
<b>Subject of Report</b>	<b>32 Groom Place, London, SW1X 7BA</b>		
<b>Proposal</b>	Alterations to existing front facade, excavation of a new basement beneath the footprint of the original dwelling and erection of new mansard roof extension.		
<b>Agent</b>	dRAW Architecture		
<b>On behalf of</b>	Mr Mehta		
<b>Registered Number</b>	17/03290/FULL	<b>Date amended/ completed</b>	5 October 2017
<b>Date Application Received</b>	13 April 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Belgravia		

## 1. RECOMMENDATION

Grant conditional permission subject to no new representations being received by 26<sup>th</sup> October 2017.

## 2. SUMMARY

32 Groom Place is an unlisted dwellinghouse located within the Belgravia Conservation Area. Permission is sought for alterations to the front façade, excavation of a new basement level beneath the footprint of the existing dwelling and erection of a mansard roof extension.

The key issues in this case are:

- \* The impact of the proposals upon the character and appearance of the Belgravia Conservation Area and;
- \* The impact of the proposals upon the amenity of neighbouring residents.

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

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation of Application Site

## 5. CONSULTATIONS

### BELGRAVIA RESIDENTS ASSOCIATION

Any comments to be reported verbally.

### THE BELGRAVIA SOCIETY

Any comments to be reported verbally.

### BELGRAVIA NEIGHBOURHOOD FORUM

Any comments to be reported verbally.

### BUILDING CONTROL

Satisfied with the details for this stage of design of the basement.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 11

Total No. of replies: 7

No. of objections: 4

No. in support: 3

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

#### Basement works:

- Noise and disruption in the mews;
- Increase in dust and rubbish throughout mews;

#### Amenity:

- The rear dormers into the additional floor would have an adverse effect on the privacy of the rear properties;

#### Other:

- The reason for the work is purely financial.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

The application comprises of a two storey single family dwellinghouse located on the western side of the mews. It is an unlisted building and lies within the Belgravia Conservation Area. Although the building has been altered and re-faced, it still makes a positive contribution to the character and appearance of the Conservation Area and retains its traditional mews proportions and character. The site back onto properties in Chapel Street which are Grade II listed.

### **6.2 Recent Relevant History**

Permission granted on 15 March 2001 for the removal of existing dormers on rear roof slope and replacement with three conservation rooflights. (01/00548/FULL)

## **7. THE PROPOSAL**

Planning permission is sought for the excavation of a new basement entirely beneath the existing dwelling, which would be used as a cinema room, gym and utility room. A mansard roof extension is sought clad in natural slate closely matching the mansard roof to the adjoining No.34 Groom Place. The mansard would accommodate three front dormer windows and two rooflight to the rear roof slope. Alterations are also sought to the front door and windows which are designed to match the existing openings.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The proposals seek to create additional residential floor space through the provision of a new basement and a mansard roof extension which are considered acceptable in land use terms.

### **8.2 Townscape and Design**

The draft Belgravia Conservation Area Audit identifies the building as likely to be suitable for a roof extension. The majority of the buildings in the mews already have mansards and the principle of a mansard roof extension on this site is considered acceptable.

The front alterations and design has been amended following pre-application advice and the proposed new scheme would largely retain the detail of the existing with simple timber windows and doors and the roof would broadly comply with guidance in the Roofs Supplementary Planning Guidance.

Whilst the front dormers would appear overtly tall, it is considered that there are other similar dormers in the Mews and therefore it would be difficult to resist the size of these openings. Concerns were originally raised to the rear dormers, but the plans have since been revised omitting them and replacing the dormers with conservation rooflights which are acceptable in design terms.

With regards to the basement, this is beneath the footprint of the building and does not raise any issues in terms of design and impact on the character and appearance of the Conservation Area.

Overall the proposals are considered acceptable and would not harm the character and appearance of the Belgravia Conservation Area subject to conditions to ensure appropriate detailing and materials.

### **8.3 Residential Amenity**

The rear boundary of the application site does not directly line up with the main house at No. 20 Chapel Street and part of it overlaps with the rear boundary with No. 21 Chapel Street. The resultant relationship between the mews and Chapel Street houses would be similar to other mews properties along in Groom Place which already have mansard additions. The proposed mansard extension would be sufficiently distant from surrounding properties so as not to result in an unacceptable loss of light or increased sense of enclosure.

The occupier of No. 21 Chapel Street which backs onto the site raised concerns over loss of privacy due to the originally proposed rear dormers. The rear dormer windows have been omitted from the scheme and have been replaced with two rooflights which would be located at high level and angle within the rear roof slope. The rooflights would not result in a material loss of privacy compared to the existing situation.

Due to the basement being completely subterranean the visual impact on the neighbouring properties would be minimal. As such, the proposal would be in line with the aims of UDP policy ENV13 and Westminster City Plan policies S29 and S32.

### **8.4 Transportation/Parking**

There are no changes to the existing highway infrastructure. The existing dwellinghouse does not have any off-street parking spaces and no spaces would be required as part of this application.

### **8.5 Economic Considerations**

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

### **8.6 Access**

The proposal would not alter the existing access arrangements.

### **8.7 London Plan**

This application raises no strategic issues.

### **8.8 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.

## 8.9 Planning Obligations

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

The increase in floorspace would be 90sqm and would therefore be exempt from paying the Mayoral and Council CIL charges.

## 8.10 Environmental Impact Assessment

The proposed development is of insufficient scale to require an Environmental Impact Assessment. Where relevant, the environmental impact of the development has been assessed in earlier sections of this report.

## 8.11 Other Issues

### Basement

Many of the objectors have expressed strong concerns to the excavation of the new basement, the construction noise and disruption in the Mews, traffic and movement and the increase in dust and rubbish.

Studies have been undertaken which advise that subterranean development in a dense urban environment, especially basements built under existing vulnerable structures is a challenging engineering endeavour and that in particular it carries a potential risk of damage to both the existing and neighbouring structures and infrastructure if the subterranean development is ill-planned, poorly constructed and does not properly consider geology and hydrology.

While the Building Regulations determine whether the detailed design of buildings and their foundations will allow the buildings to be constructed and used safely, the National Planning Policy Framework March 2012 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by land instability.

The NPPF goes on to state that in order to prevent unacceptable risks from land instability, planning decisions should ensure that new development is appropriate for its location. It advises that where a site is affected by land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The NPPF advises that planning decisions should ensure that a site is suitable for its new use taking account of ground conditions and land instability and any proposals for mitigation, and that adequate site investigation information, prepared by a competent person, is presented.

The applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage. The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions

and geology. It does not prescribe the engineering techniques that must be used during construction which may need to be altered once the excavation has occurred.

The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter. It is considered that this is as far as we can reasonably take this matter under the planning considerations of the proposal as matters of detailed engineering techniques and whether they secure the structural integrity of the development and neighbouring buildings during construction is not controlled through the planning regime but other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control.

The submitted documents have been reviewed by Council's Building Control department who sought further details of the underpinning which have now been provided and on this basis have advised that these details are now acceptable at this stage.

Part C(1)(a) of CM28.1 of the City Plan outlines that any proposed basement must not extend beneath more than 50% of the garden land. Garden land is defined as the site area excluding the footprint of the original building. The proposed basement would be entirely beneath the existing dwelling and as the longest distance between the existing building and the site boundaries is less than 8m in this case, the basement would maintain a gap of more than 4m to the rear buildings in Chapel Street therefore the basement would be compliant with this part of the policy.

Part C(2) of CM28.1 requires that a minimum of 1m soil depth (plus a 200mm drainage layer) is provided above the top cover of the basement and Part C(1)(c), requires a margin of undeveloped garden land to be left around the affected garden. The proposed basement excavation would comply with this relevant criterion.

It should also be noted that planning permission for basements entirely beneath the original dwelling have been implemented at the neighbouring properties Nos. 9, 10, 34 and 36 Groom Place.

Therefore, based on the circumstances of the site, the proposed basement would comply with the objectives of Policy CM28.1 and would be acceptable.

### **Construction impact**

In terms of the impact of construction on the amenity of neighbours and the operation of the local highway network, whilst it is recognised that there would inevitably be an element of disturbance to residents particularly during construction of the new basement, the applicant would be required to adhere to the Council's Code of Construction Practice. The City Council's Code of Construction Practice and associated Environmental Inspectorate have been developed to mitigate against construction and development impacts on large and complex development sites. The new Code of Construction Practice was adopted in July 2016 and the applicant is required to sign up to it, which has been agreed. Compliance is monitored by the Environmental



Inspectorate. 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.

This would address concerns raised by neighbours regarding hours of construction and delivery vehicles blocking the mews.

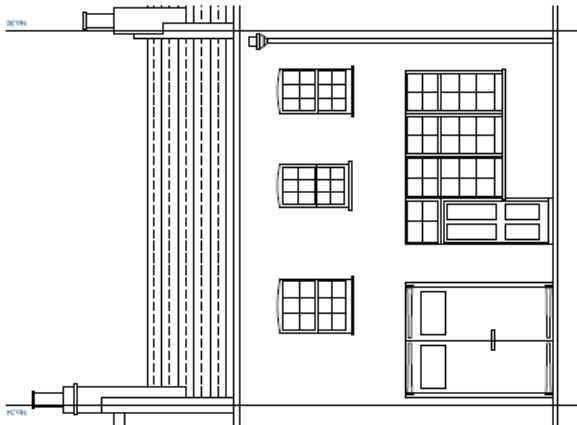
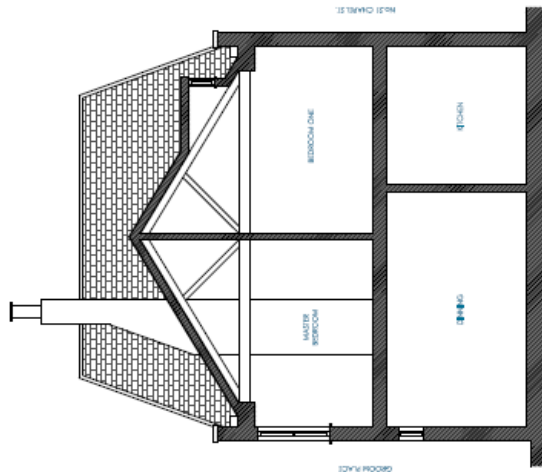
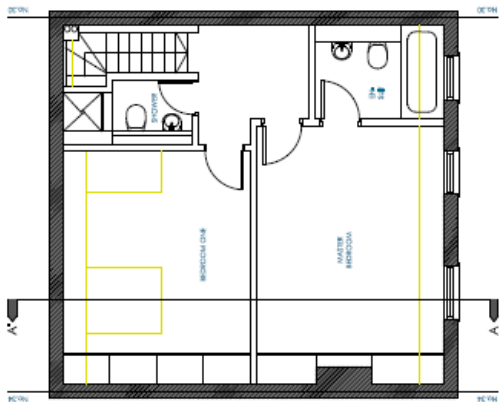
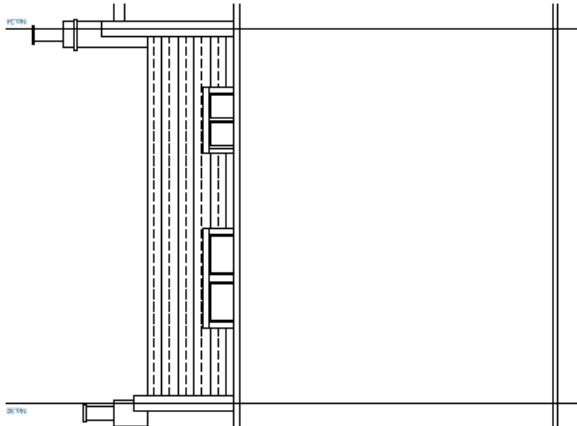
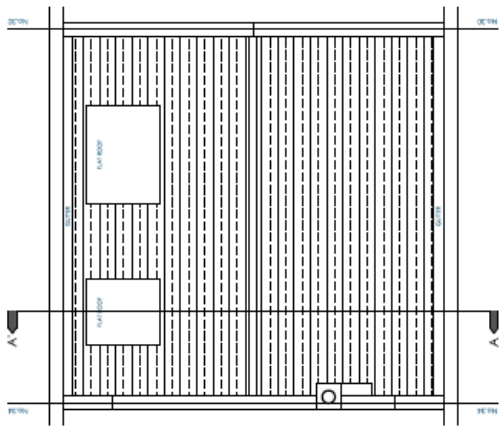
## **9. BACKGROUND PAPERS**

1. Application form.
2. Email from Building Control dated 18 September 2017.
3. Letter from occupier of 38 Groom Place dated 23 May 2017.
4. Letter from occupier of 12 Groom Place dated 18 May 2017.
5. Letter from occupier of 26a Groom Place dated 23 May 2017.
6. Letter from occupier of 20 Groom Place dated 16 May 2017.
7. Letter from occupier of 24 Groom Place dated 25 May 2017.
8. Letter from occupier of 28 Groom Place dated 17 May 2017.
9. Letter from occupier of 21 Chapel Street dated 22 May 2017.

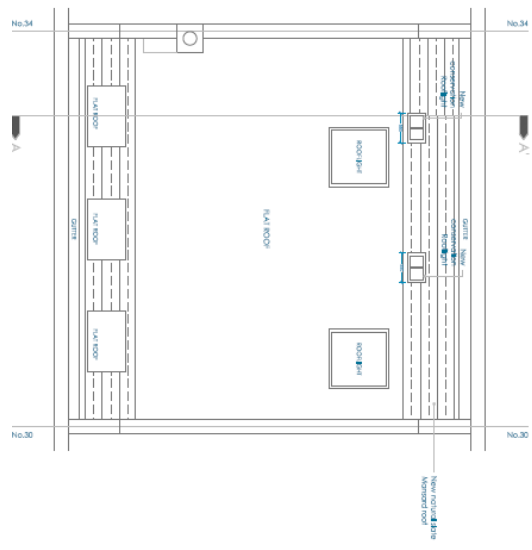
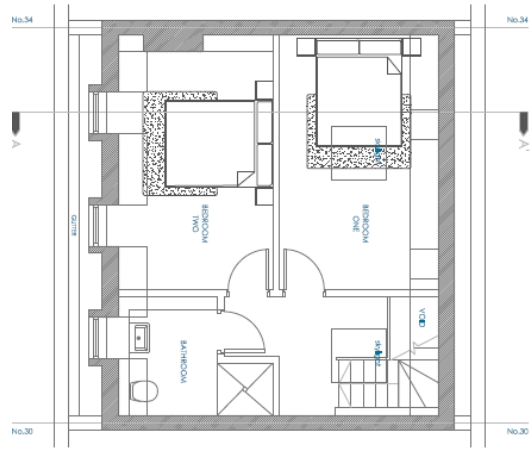
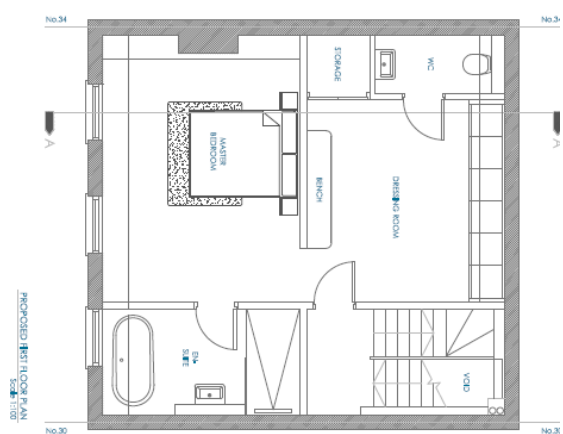
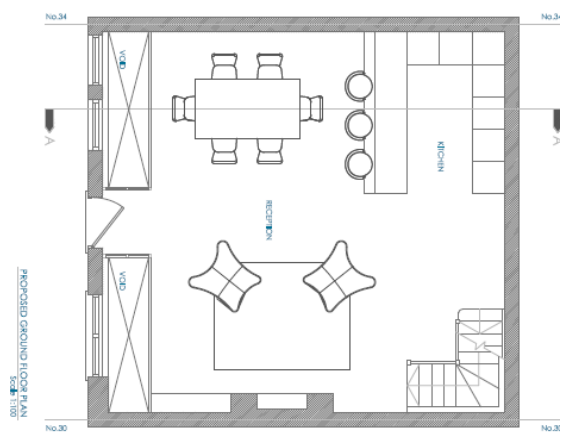
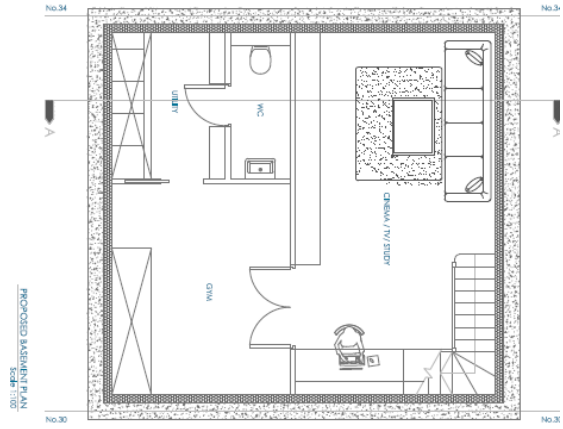
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

**EXISTING DRAWINGS**



PROPOSED FLOORS PLANS





**DRAFT DECISION LETTER**

**Address:** 32 Groom Place, London, SW1X 7BA

**Proposal:** Alterations to existing front facade, excavation of a new basement level beneath the footprint of the dwelling and erection of new mansard roof extension.

**Reference:** 17/03290/FULL

**Plan Nos:** 32GP\_01\_EP Rev: R, 02\_PP, 03\_PE Rev: R, Proposed elevation/section Rev: R Design and Access Statement and construction management plan (for information only).

**Case Officer:** Nosheen Javed

**Direct Tel. No.** 020 7641 2858

**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 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 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 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)

- 4 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)

- 5 You must apply to us for approval of detailed drawings (1:20 and 1:5) of the following parts of the development - all new windows and doors. 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 according to these details. (C26DB)

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 The windows must be timber and painted white to match the existing and be retained in that condition thereafter.

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)

- 7 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building facing the street unless they are shown on drawings we have approved. (C26MA)

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)

**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 With reference to condition 3 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). You are urged therefore to give this your early attention.
- 3 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.