

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 June 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved West End	
Subject of Report	Sheridan House , 10 Hertford Street, London, W1J 7RL		
Proposal	Erection of a single storey roof extension on the rear mews building at third floor level and for use in association with the residential dwelling (Class C3).		
Agent	Donald Insall Associates		
On behalf of	Dorset Assets Limited		
Registered Number	18/00962/FULL and 18/00963/LBC	Date amended/ completed	2 February 2018
Date Application Received	2 February 2018		
Historic Building Grade	I		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional planning permission and listed building consent.

2. SUMMARY

10 Hertford Street is a Grade I listed building located within the Mayfair Conservation Area, the property comprises the main building fronting Hertford Street and a mews property to the rear (25 Brick Street) which fronts a courtyard accessed off Brick Street to the south of the property and which provides rear access to a small number of properties. The buildings are in use as single family dwelling.

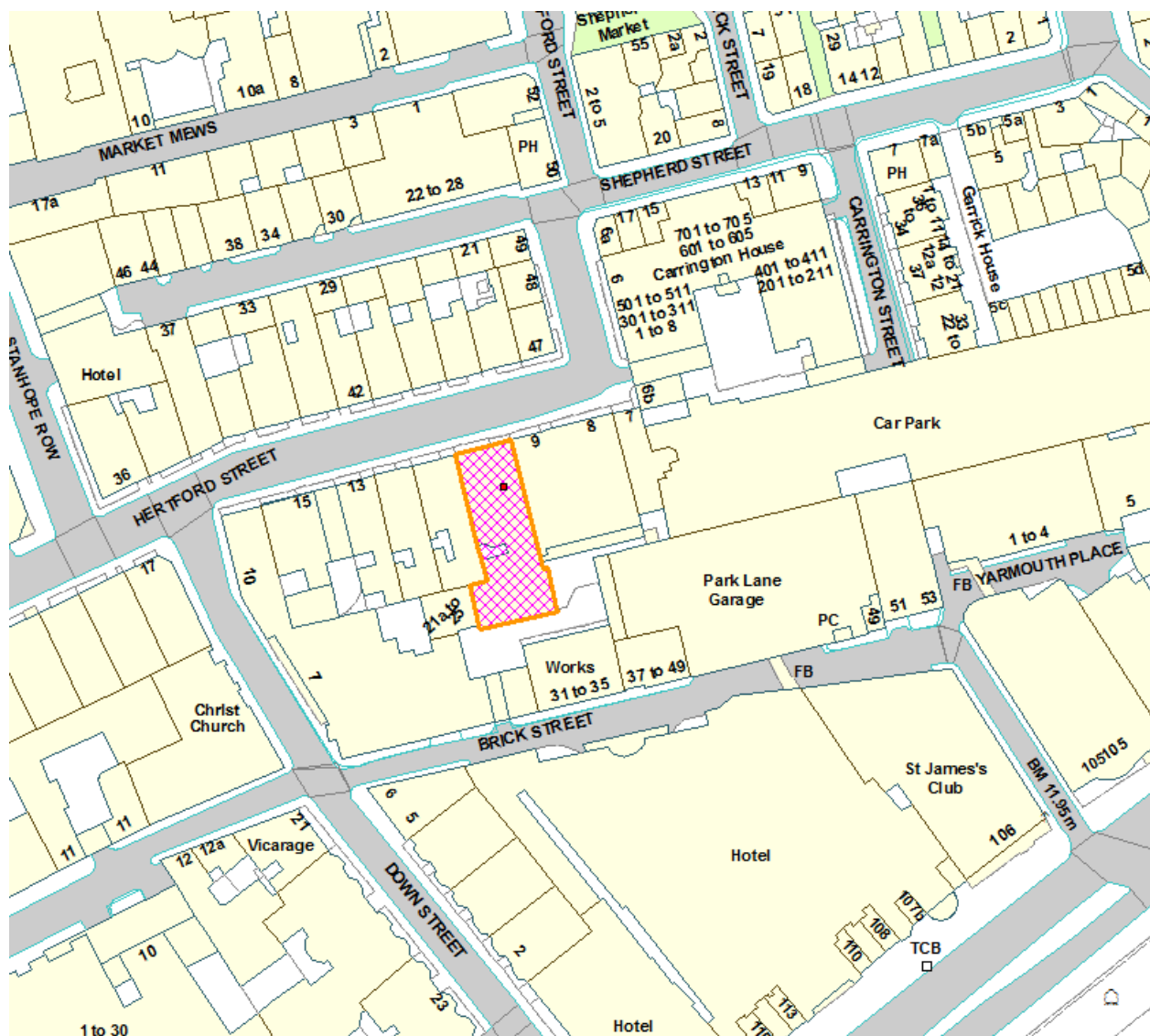
Planning permission and listed building consent are sought for the erection of a single storey extension on the mews property being 25 Brick Street, to provide additional residential accommodation.

The key issues are:

- The impact of the proposal on the amenity of nearby sensitive occupiers.
- The acceptability of the proposal in design terms with regard the impact upon the listed building.

Subject to conditions, the proposal is considered acceptable on design, amenity and land use grounds and complies with relevant City Plan and Unitary Development Plan (UDP) policies. It is therefore recommended that conditional planning permission and listed building consent are granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Aerial Photograph looking from the south:



Elevation of the news property:



5. CONSULTATIONS

HISTORIC ENGLAND

Authorisation to determine as seen fit.

NATIONAL AMENITY SOCIETIES

Any responses to be reported verbally.

RESIDENTS SOCIETY OF MAYFAIR AND ST. JAMES'S

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 39; Total No. of replies: 15

No. of objections: 15 [including more than one objection from the same residents]

Letters of objection on the following grounds:

- Loss of daylight / sunlight to surrounding properties (especially when considered in association with the redevelopment of 31-49 Brick Street to the south).
- Noise disturbance from the proposed plant and discrepancies within the acoustic report [though the plant has now been removed from the proposals].
- Increased sense of enclosure to neighbouring properties.
- Obstruction of views.
- Increased parking pressure on on-street parking availability.
- Detrimental impact upon the listed building and its setting.
- Required structural alterations to support the development are detrimental to the listed building.
- The applicant has conducted insufficient consultation with the neighbours.
- Disruption to nearby occupiers during the construction process (including scaffolding).

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

10 Hertford Street (Sheridan House) is a single family dwelling house with an associated mews property to the rear being 25 Brick Street. The main property comprises of lower ground, ground and first to third floor levels whilst the mews property comprises lower ground, ground and first to second floor levels.

The property is Grade I listed and located within the Mayfair Conservation Area and the Core Central Activities Zone.

6.2 Recent Relevant History

None relevant.

7. THE PROPOSAL

Permission is sought for the erection of a single storey extension on the mews property (25 Brick Street) at the rear of the site with associated internal alterations, to provide additional floorspace to the existing single family dwelling.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Residential use

The proposed extension to the single family dwelling will increase the residential floorspace by 76sqm (GIA). This accords with Policy H3 of the UDP and Policy S14 of the City Plan, both of which encourage the increase in residential floorspace at suitable locations within Westminster. Given this modest increase, there is no policy requirement to provide affordable housing.

8.2 Townscape and Design

Normally the addition of another floor on a three storey mews building would be contentious and contrary to the City Council's urban design and conservation policies. In this case it not only has an impact on the scale of the mews but also the setting of the grade 1 listed building at 10 Hertford Street. Objections have been received referring to the inappropriateness of the proposed extra storey. Officers had previously advised (in response to a pre-application inquiry) that an additional storey would be unlikely to receive planning permission. However, it is considered that circumstances have changed materially since that advice was given, due to changes in the height in surrounding properties.

In January 2017 planning permission was granted for the erection of a two storey roof extension to create new third and fourth (mansard) at 21A Brick Street, which despite its address is within the mews, to the west of the application site. This has been built.

Also, in December 2017 the City Council agreed to grant planning permission for the demolition of 31-35 Brick Street and 37-49 Brick Street and the erection of a stepped ground plus four - seven storey building, to be used for up to 135 hotel bedrooms and function and meeting rooms in connection with the existing hotel at 108-115 Piccadilly (Park Lane Hotel). This site is on the south side of the mews. Planning permission has not yet been issued as it is subject to a legal agreement.

As a result of these decisions, the other buildings in this very small mews are, or will be, taller than the proposed building. The proposed extension does have an impact on the setting of the rear of the listed building, but this is already highly enclosed and the view from the rear of the listed building is of the rear of other buildings on the other side of the mews. The mews building will still be architecturally subservient to the main building.

The proposed roof extension will require additional structural support in the form of a column located in the garage area of the mews building. This is a modern building, built in the 1990's, and the additional column will not affect the special architectural and historic interest of the listed building.

Taking into account these factors, it is considered, on balance, that the proposal would not harm the setting of the listed building or the character and appearance of the Mayfair Conservation Area. The proposal complies with the City Council's urban design and conservation policies, including DES 5, DES 6, DES 9 and DES 10. Given that there is no harm to the listed building or the conservation area, there is no need to apply the NPPF test of weighing up harm against public benefits.

8.3 Residential Amenity

Sunlight and Daylight

A daylight and sunlight report has been submitted with the application which assesses the impact of the development with regard to Building Research Establishment (BRE) guidelines for daylight and sunlight to existing sensitive properties. Paragraph 2.2.2 of the BRE guidelines states that they 'may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices.'

Under the BRE guidelines the level of daylight received by a property may be assessed by the Vertical Sky Component which is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

With regard to situations where the existing daylight levels are below the BRE recommendations, Policy ENV13 states that 'where principal habitable rooms such as bedsits, living rooms, studies or kitchens are affected, the City Council may find any loss of light unacceptable.' The BRE guidelines state that daylight to living rooms, kitchens, and bedrooms should be assessed but 'windows to bathrooms, toilets, storerooms, circulation areas and garages need not be analysed'.

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the occupants of the existing building are likely to notice the loss of sunlight.

Several objections have been received concerned that the development will result in a material loss of daylight / sunlight to the residential flats within 8-9 Hertford Street.

The windows included in the daylight and sunlight assessment serve residential properties at 29 Brick Street, 21A Brick Street and 8-9 Hertford Street. The assessment demonstrates that no windows within these properties experience losses of VSC (daylight) in excess of the BRE recommendations as a result of the development. With regards to sunlight (APSH), only six windows within 8-9 Hertford Street need to be assessed due to their orientation; again the assessment shows no windows experience losses in excess of the BRE guidance.

The Daylight and Sunlight Assessment submitted has also measured the Daylight Distribution within the relevant properties and the Average Daylight Factor (ADF). The ADF is normally used to measure whether there will be acceptable levels of daylight within new developments as opposed to existing buildings and is not normally taken into account when assessing a proposal's impact. However, when considering the cumulative impact of this proposal in association with the hotel development at 31-49 Brick Street, it is noted there is a loss to a first floor living room window in 8-9 Hertford Street of the daylight distribution and ADF in excess of the BRE Guidance, but the room is still compliant with the VSC and APSH. The majority of the losses to this window result from the hotel development and it is not considered that planning permission could be reasonably refused due to the impact of the current proposal alone. For these reasons the objections with regard the loss of daylight / sunlight are not considered sustainable and the proposal is considered acceptable in this regard.

Sense of Enclosure

Policy ENV13 of the UDP states that the City Council will seek to ensure new developments do not result in a 'significant increase in the sense of enclosure' whilst Policy S29 of the City Plan also seeks to protect residential amenity. The mews property is located to the rear of 10 Hertford Street and part of 11 Hertford Street to the west. 11 Hertford Street is in use as office accommodation associated with the Thai Embassy. Objections have been received from occupiers of the residential flats within 8-9 Hertford Street, the adjoining building to the east of the application site. The objectors raise concerns that the proposal will result in an increased sense of enclosure to the flats within their building. The mews building is located to the west of the flats within 9 Hertford Street and all the flats have recessed balconies on the rear of the building, so only oblique views would be afforded of the proposal from within the flats themselves. Additionally, the mews building is located to the west of the recessed balcony areas in 9 Hertford Street which are all south facing, and the increase in the height of the mews by one storey could not be considered to result in a 'significant increase in the sense of enclosure' as detailed in Policy ENV13. The proposed extension to the building is therefore considered acceptable in terms of the sense of enclosure to surrounding properties and compliant with the policies detailed above.

8.4 Transportation/Parking

It is not considered the small proposed extension to the existing single family dwelling would have any implications with regard the on-street parking demands in the area. An objection has been received expressing concern that the proposal will lead to an increase in parking demand but the development does not create any new residential units and it is not foreseen how this small increase to a large single family dwelling could result in any additional parking demand. Furthermore, there is parking provision within

the ground floor of the mews building. For these reasons, the objection on these grounds is not sustainable.

8.5 Economic Considerations

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

8.6 Access

No changes are proposed to the existing access arrangements for the property.

8.7 Other UDP/Westminster Policy Considerations

Plant

Initially it was proposed to install plant within an associated acoustic enclosure on the new roof level of the mews, but this element of the scheme was removed from the proposal due to issues with regard the accuracy of the acoustic information submitted. A number of objections were received raising concern with regard the location of the proposed plant and the potential for noise disruption to neighbouring occupiers. As the plant has been removed from the proposal these objections are no longer considered applicable.

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 Other Issues

An objection has been received with regard the potential for noise disruption during construction. The standard condition is proposed with regard acceptable building hours to ensure that noisy building works do not take place at sensitive times of the day in order to protect the amenity of sensitive neighbouring occupiers. It is not considered necessary to restrict the hours of building works further and the objection is considered to be addressed through the imposition of this condition.

An objection has been received commenting on the potential loss of views from their property. Whilst the loss of a specific view is not considered a material planning objection the potential increase in sense of enclosure is and has been addressed in Section 8.3 of this report.

An objection to the application comments on the lack of consultation by the applicant prior to submission of the application. They consider the applicant should have approached them prior to submission: whilst this might have been considered good practice it is not essential for the applicant to notify neighbouring occupiers before submission and the City Council has carried out the required level of consultation on the application.

An objection comments on the potential for any scaffolding necessary for construction to block access to the mews and the rear of the flats at 8-9 Hertford Street. Any scaffolding installed on the public highway requires a license from the City Council and all issues surrounding the impact of its installation will be considered through this statutory process. It is not considered planning permission could be reasonably withheld on this basis.

(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: PAUL QUAYLE BY EMAIL AT pquayle@westminster.gov.uk

9. KEY DRAWINGS

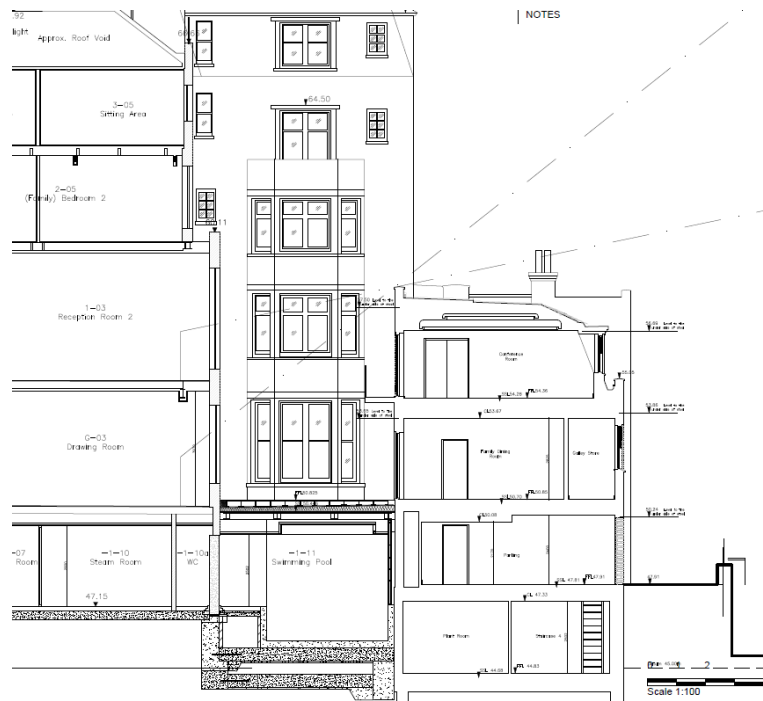
Existing Elevation:



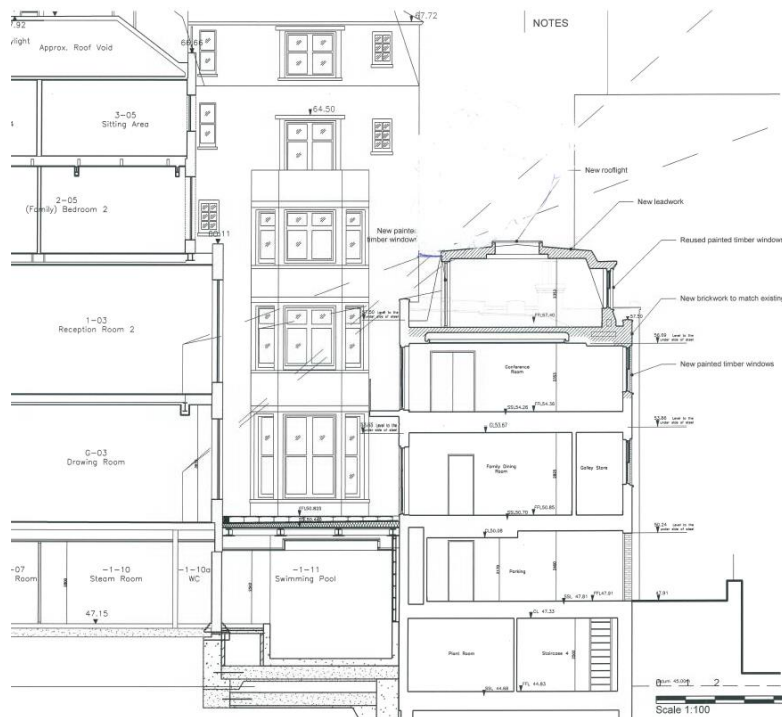
Proposed Elevation:

01 South Elevation as Proposed
2200

Existing Section in Context:



Proposed Section in Context:



DRAFT DECISION LETTER

Address: Sheridan House , 10 Hertford Street, London, W1J 7RL

Proposal: Erection of a single storey roof extension on the rear mews building at third floor level and for use in association with the residential dwelling (Class C3).

Reference: 18/00962/FULL

Plan Nos: Drawings: 2002 Rev2, 2003 Rev4, 2004 Rev5, 2005 Rev5, 2100 Rev5, 2101 Rev5, 2102 Rev3, 2200 Rev3, 2201 Rev1.

Case Officer: Matthew Giles **Direct Tel. No.** 020 7641 5942

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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)
- 3 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:
Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (November 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)
- 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: between 08.00 and 18.00 Monday to Friday; between 08.00 and 13.00 on Saturday; and, not at all on Sundays, bank holidays and public holidays. You must carry out piling, excavation and demolition work only: between 08.00 and 18.00 Monday to Friday; and, 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.

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.

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: Sheridan House , 10 Hertford Street, London, W1J 7RL

Proposal: Erection of a single storey roof extension on the rear mews building at third floor level and associated internal and external works.

Reference: 18/00963/LBC

Plan Nos: Drawings: 2002 Rev2, 2003 Rev4, 2004 Rev5, 2005 Rev5, 2100 Rev5, 2101 Rev5, 2102 Rev3, 2200 Rev3, 2201 Rev1.

Case Officer: Matthew Giles

Direct Tel. No. 020 7641 5942

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 protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

Because these would harm the appearance of the building, and would not meet S25 or S28, or both, of Westminster's City Plan (November 2016) and DES 1 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R26HC)

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 special architectural and historic interest of this listed building., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and,
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents. It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent.

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.