



City of Westminster

Committee Agenda

Title:

Planning Applications Committee (2)

Meeting Date:

Tuesday 13th December, 2016

Time:

6.30 pm

Venue:

**Rooms 5, 6 & 7 - 17th Floor, Westminster City Hall, 64
Victoria Street, London, SW1E 6 QP**

Members:

Councillors:

Peter Freeman (Chairman)
Paul Church
Melvyn Caplan
Tim Roca



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Tristan Fieldsend, Committee and Governance Officer.

**Tel: 020 7641 2341; email: tfieldsend@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To note any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by members and officers of the existence and nature of any personal or prejudicial interests in matters on this agenda.

3. MINUTES

To sign the minutes of the last meeting as a correct record of proceedings.

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

- | | |
|---|--------------------------|
| 1. 10-11 LANCASTER GATE, LONDON, W2 3LH | (Pages 5 - 40) |
| 2. FRANCIS HOLLAND SCHOOL, 39 GRAHAM TERRACE, LONDON, SW1W 8JE | (Pages 41 - 74) |
| 3. 74 SEYMOUR PLACE, LONDON, W1H 2DF | (Pages 75 - 88) |
| 4. ALL BLOCKS. HALLFIELD ESTATE, LONDON, W2 6EF | (Pages 89 - 112) |
| 5. 93-95 CHARLWOOD STREET, LONDON, SW1V 4PB | (Pages 113 - 128) |
| 6. NOEL COWARD THEATRE, 85-89 ST MARTIN'S LANE, LONDON, WC2N 4AU | (Pages 129 - 140) |
| 7. 2 MONTAGU MEWS WEST, LONDON, W1H 2EE | (Pages 141 - 154) |
| 8. 5 MAIDA AVENUE, LONDON, W2 1TF | (Pages 155 - |

9. 14 MORETON TERRACE, LONDON, SW1V 2NX

168)

(Pages 169 -
184)

10. 44 SOUTH EATON PLACE, LONDON, SW1W 9JJ

(Pages 185 -
208)

Charlie Parker
Chief Executive
5 December 2016

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CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 13th December 2016
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
1.	RN NO(s) : 15/11987/FULL Lancaster Gate	10-11 Lancaster Gate London W2 3LH	Demolition of 1st and 2nd storey of existing rear extension and erection of new four storey rear extension with internal alterations and new lift associated with use of building as ten residential units and associated works.	
	<p>Recommendation</p> <p>1. Grant conditional permission, subject to a section 106 agreement to secure:</p> <p>a) Provision of £3,611,520 (to be confirmed by the applicant) towards the City Council's affordable housing fund (index linked and payable upon commencement of development);</p> <p>b) Provision of lifetime car club membership (minimum 25 years) for all 10 flats; and</p> <p>c) Payment of cost of monitoring the agreement.</p> <p>2. If the S106 legal agreement has not been completed by 24 January 2017 then:</p> <p>a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;</p> <p>b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.</p> <p>3. Grant conditional listed building consent.</p> <p>4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.</p>			
2.	RN NO(s) : 16/08593/FULL Churchill	Francis Holland School 39 Graham Terrace London SW1W 8JE	Erection of single storey Centre for Creative Learning at lower ground floor level (to the rear of 15 to 23 Graham Terrace); three storey side extension to Junior School Gym building (to the rear of 25 Graham Terrace); second floor addition to the Junior School Building (to the rear of 31 to 33 Graham Terrace); and ground and first floor extensions to the Morison Building (accessed off Ebury Street). Excavation (to the rear of 15 to 25 Graham Terrace) and landscaping.	
	<p>Recommendation</p> <p>Grant conditional permission.</p>			
3.	RN NO(s) : 16/09359/FULL Bryanston And Dorset Square	74 Seymour Place London W1H 2DF	Variation of condition 8 of planning permission dated 23 June 2016 (RN: 16/00727/FULL) for the Use of ground floor and basement as medical use (Class D1), installation of plant within basement, replacement of basement window with louvres and excavation to part of basement. NAMELY, to vary the opening hours to Monday to Friday 08.00 - 21.00, Saturday 09.00 - 18.00 and Sunday 09.00 - 16.00.	
	<p style="text-align: center;">Page 1</p>			

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 13th December 2016
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

	Recommendation Grant conditional permission for a temporary period of 1 year.			
Item No	References	Site Address	Proposal	Resolution
4.	RN NO(s) : 16/04961/COFU L 16/04962/LBC Lancaster Gate	All Blocks Hallfield Estate London W2 6EF	Mechanical extract fan installation to kitchens and bathrooms, localised external soffit insulation to ground floor level, and installation of bathroom towel-rail/radiator heating units.	
	Recommendation 1. Grant conditional permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992. 2. Grant conditional listed building consent. 3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.			
Item No	References	Site Address	Proposal	Resolution
5.	RN NO(s) : 16/06554/FULL Warwick	93-95 Charlwood Street London SW1V 4PB	Use of part of the ground and lower ground floors of No. 93 as a three bedroom flat (Class C3) and use of part of the ground floor as retail (Class A1). Creation of light wells and associated railings and steps to Nos. 93 and 95, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults. Replacement of rear window with double doors to rear of No. 93.	
	Recommendation Refuse permission – loss of retail and associated harm to the vitality and viability of the Lupus Street Local Centre.			
Item No	References	Site Address	Proposal	Resolution
6.	RN NO(s) : 16/08263/LBC St James's	Noel Coward Theatre 85-89 St Martin's Lane London WC2N 4AU	Replacement of existing marble floor in entrance lobby with new design.	
	Recommendation 1. Grant conditional Listed Building Consent. 2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.			
Item No	References	Site Address	Proposal	Resolution
7.	RN NO(s) : 16/08455/FULL Bryanston And Dorset Square	2 Montagu Mews West London W1H 2EE	Alterations including the erection of a single storey roof extension with roof terrace to the front of the building. Excavation of a basement and two light wells to rear of the property with cast iron balustrades and relocation of garden stair to rear of the property.	

CITY OF WESTMINSTER
 PLANNING APPLICATIONS COMMITTEE – 13th December 2016
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

	Recommendation Grant conditional permission.			
Item No	References	Site Address	Proposal	Resolution
8.	RN NO(s) : 16/09049/FULL	5 Maida Avenue London W2 1TF	Erection of two storey rear extension at lower ground and ground floor levels.	
	Little Venice			
Recommendation Grant conditional permission.				
Item No	References	Site Address	Proposal	Resolution
9.	RN NO(s) : 16/08195/FULL	14 Moreton Terrace London SW1V 2NX	Erection of a new mansard roof extension and modifications to openings at lower ground floor.	
	Tachbrook			
Recommendation Refuse permission- design grounds.				
Item No	References	Site Address	Proposal	Resolution
10.	RN NO(s) : 16/05872/FULL	44 South Eaton Place London SW1W 9JJ	Demolition of later additions to rear elevation and construction of new three storey extension with lower ground conservatory.	
	Knightsbridge And Belgravia			
Recommendation Grant conditional permission.				

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Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	10-11 Lancaster Gate, London, W2 3LH,		
Proposal	Demolition of 1st and 2nd storey of existing rear extension and erection of new four storey rear extension with internal alterations and new lift associated with use of building as ten residential units and associated works.		
Agent	Michael Gold Architects		
On behalf of	Era Zly Ltd		
Registered Number	15/11987/FULL and 15/11988/LBC	Date amended/ completed	27 June 2016
Date Application Received	23 December 2015		
Historic Building Grade	Grade 2 listed		
Conservation Area	Bayswater		

1. RECOMMENDATION

1. Grant conditional permission, subject to a section 106 agreement to secure:
 - a) Provision of £3,611,520.00 (to be confirmed by the applicant) towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
 - b) Provision of lifetime car club membership (minimum 25 years) for all 10 flats; and
 - c) Payment of cost of monitoring the agreement.
2. If the S106 legal agreement has not been completed by 24 January 2017 then:
 - a) The Director of Planning shall consider whether it would be possible and appropriate to issue the permission with additional conditions attached to secure the benefits listed above. If so, the Director of Planning is authorised to determine and issue the decision under Delegated Powers; however, if not;
 - b) The Director of Planning shall consider whether the permission should be refused on the grounds that the proposals are unacceptable in the absence of the benefits which would have been secured; if so, the Director of Planning is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.
3. Grant conditional listed building consent.

4. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

The application site contains two, seven storey grade II listed buildings located within the Bayswater Conservation Area. These buildings are currently vacant, but have been laterally converted historically and were last in use as a single hotel premises (Class C1). Due to their poor condition, these buildings are also on the Heritage at Risk register.

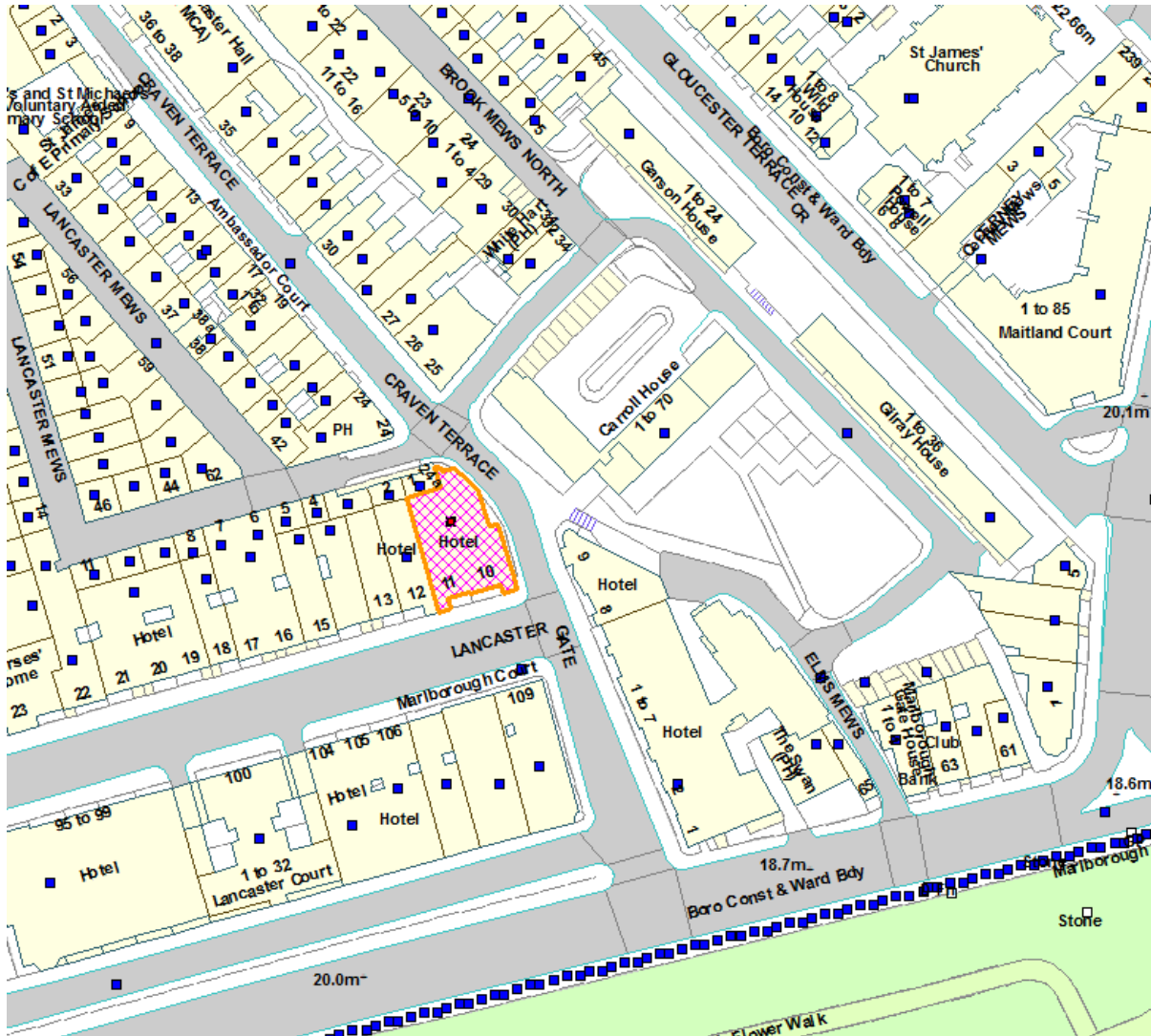
The applicant proposes a change of use from a hotel (Use Class C1) to ten apartments (Use Class C3). To facilitate this work, the applicant proposes demolishing the structures to the rear of no. 11 above ground floor level and constructing a new four storey extension. External alterations, including the reinstatement of railings and a gate to the Craven Terrace frontage are proposed. Internal alterations, including replacement of the existing lift, are also proposed.

The key issues are:

- Loss of the hotel use and provision of residential;
- Provision of an affordable housing contribution and the Vacant Building Credit;
- Impact on the special architectural interest of this Grade 2 listed building and the character and appearance of the Bayswater Conservation Area; and
- Impact on on-street parking levels.

The proposed development would be consistent with relevant development plan policy in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the application is recommended for approval subject to the conditions set out in the draft decision letters.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front (Lancaster Gate) View



Rear (Craven Terrace) View

5. CONSULTATIONS

WARD COUNCILLORS FOR LANCASTER GATE

Any response to be reported verbally.

HISTORIC ENGLAND

Authorisation given to allow the City Council to determine as they think fit. Although the additional height to the rear extension to no. 11 would alter the setting of no. 11, any harm would not be substantial and would be outweighed by the benefits of the scheme.

ANCIENT MONUMENTS SOCIETY

Any response to be reported verbally.

DESIGN COUNCIL

Any response to be reported verbally.

THE GEORGIAN GROUP

Any response to be reported verbally.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS

Any response to be reported verbally.

TWENTIETH CENTURY SOCIETY

Any response to be reported verbally.

THE VICTORIAN SOCIETY

Any response to be reported verbally.

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION (SEBRA)

Support the change of use from hotel to residential as this we would bring this long derelict building back into use.

However, the proposal is for a limited number of large flats, which will be unaffordable for most Londoners and so will not contribute to solving London's housing problem. The building will be like so many others in the area, such as The Lancasters, which are left largely empty for much of the time. A better solution would be for a larger number of smaller units of varying sizes, as is proposed in a recent planning application for the conversion of the Holiday Villas Hotel in Leinster Gardens.

The proposed infill behind No 11 is acceptable in principle but they note the comment from an adjacent owner regarding party wall damage.

The proposal to retain the 1950s extension at the rear of No 10 is fine and a rendered finish to the brickwork is an improvement. However, consideration should be given to using sash windows, which would be more in keeping with the style of the area, and are proposed for the extension to No 11. Although the 1950s extension is to be given a more 'modernistic' style, there is no reason that sash windows could not be used.

The railings along the Lancaster Gate front should match those along the street, not those of the immediately adjacent Best Western hotel.

Item No.
1

ENVIRONMENTAL HEALTH OFFICER

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER

Unacceptable, but could be made acceptable through condition requiring the provision of cycle parking

BUILDING CONTROL

The new lift is very close to the main cantilever staircase, we do not want any lifting track or guides to be fixed to the staircase's wall because this could damage the staircase. The lift shaft should be completely independent of the staircase. No adverse comments regarding the rear extension.

WASTE PROJECT OFFICER

Applicant has confirmed the provision of a waste store at the basement vault. However, the storage capacity of the bins required was not stated and the bins were not marked R and W to indicate recycling and waste bins respectively.

Proposal to deposit waste on pavement on rubbish days not acceptable. Also unclear how residents in no. 11 will access bin stores in no. 10.

AFFORDABLE HOUSING SUPPLY MANAGER

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 127
Total No. of replies: 1
No. of objections: 1
No. in support: 0

In summary, the objector raises the following issues.

- Potential for party wall damage from the proposed works.
- Inconvenience and disruption during construction.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is located at the intersection of Lancaster Gate and Craven Terrace. It contains two, seven storey grade II listed buildings located within the Bayswater Conservation Area. These buildings are currently vacant, but have been laterally converted historically and were last in use as a single hotel premises (Class C1). Due to their poor condition, these buildings are also on the Heritage at Risk register.

6.2 Recent Relevant History

11/01841/FULL

Demolition of rear extension to No. 11 above ground floor level and erection of replacement rear extension between first and fifth floor levels, erection of single storey basement extension, opening up of existing vaults to increase covered outside space within front lightwells, installation of mechanical plant and satellite dishes at roof level, alterations to existing facades including replacement of windows and rendering of existing rear extension to No.10 and installation of a platform lift to the Craven Terrace elevation between ground and basement levels and associated external alterations in connection with refurbishment of existing hotel (Class C1).

Application Refused - 12 September 2013

11/01302/LBC

Demolition of rear extension to No. 11 above ground floor level and erection of replacement rear extension between first and fifth floor levels, erection of single storey basement extension, opening up of existing vaults to increase covered outside space within front lightwells, installation of mechanical plant and satellite dishes at roof level, alterations to existing facades including replacement of windows and rendering of existing rear extension to No.10 and installation of a platform lift to the Craven Terrace elevation between ground and basement levels and associated internal and external alterations in connection with refurbishment of existing hotel (Class C1).

Application Refused - 12 September 2013

11/12021/FULL

Use as 12 self-contained residential flats (Class C3) (1x1 bedroom flat, 8x2 bedroom flats, 2x3 bedroom flats and 1x4 bedroom flat), demolition of rear extension to No. 11 above ground floor level and erection of replacement rear extension between first and fifth floor levels, alterations to existing rear extension to No. 11, erection of single storey roof extension to No. 11, installation of a platform lift to the Craven Terrace elevation between ground and basement levels, installation of glazed roof over front lightwells and associated external alterations.

Application Refused - 12 September 2013

12/00399/LBC

Demolition of rear extension to No. 11 above ground floor level and erection of replacement rear extension between first and fifth floor levels, alterations to existing rear extension to No. 11, erection of single storey roof extension to No. 11, installation of a platform lift to the Craven Terrace elevation between ground and basement levels, installation of glazed roof over front lightwells and associated internal and external alterations. Works proposed in connection with use as 12 self-contained residential flats (Class C3).

Application Refused - 12 September 2013

12/00959/FULL

Demolition of rear extension to No.11 above ground floor level and erection of replacement rear extension between first and fifth floor levels, erection of plant enclosure and installation of mechanical plant at roof level, alterations to existing facades including replacement of windows and rendering of existing rear extension to No.10, installation of a platform lift to the Craven Terrace elevation between ground and basement levels,

associated external alterations and use as 42 serviced apartments/ apart-hotel (Class C3)

Application Refused - 12 September 2013

12/01722/LBC

Demolition of rear extension to No.11 above ground floor level and erection of replacement rear extension between first and fifth floor levels, erection of plant enclosure and installation of mechanical plant at roof level, alterations to existing facades including replacement of windows and rendering of existing rear extension to No.10, installation of a platform lift to the Craven Terrace elevation between ground and basement levels and associated external alterations. Internal alterations to all floor levels. Alterations and extension in connection with use as serviced apartments/ aparthotel (Class C1).

Application Refused - 12 September 2013

15/01896/FULL

Part demolition and rebuild including rear extension, new stairs and lift with overrun and new roof garden. Conversion of property from hotel to residential use (4 x 4 bed, 2 x 3 bed and 2 x 2 bed).

Withdrawn – 28 July 2015

15/01897/LBC

Part demolition and rebuild including rear extension, new stairs and lift with overrun and new roof garden. Conversion of property from hotel to residential use (4 x 4 bed, 2 x 3 bed and 2 x 2 bed).

Withdrawn – 28 July 2015

7. THE PROPOSAL

The applicant proposes a change of use from a hotel (Use Class C1) to ten apartments (Use Class C3). To facilitate this work, the applicant proposes demolishing the structures to the rear of no. 11 above ground floor level and constructing a new four storey extension. External alterations, including the reinstatement of railings and a gate to the Craven Terrace frontage are proposed. Internal alterations, including replacement of the existing lift, are also proposed.

The proposed apartments would be comprised as follows:

APARTMENT NO.	NO. OF BEDROOMS	FLOOR AREA (SQM GIA)
1 (Duplex)	3	295
2 (Duplex)	3	344
3 (1 st Floor)	3	337
4 (2 nd Floor)	5	214
5 (2 nd Floor)	2	151
6 (3 rd Floor)	2	163
7 (3 rd Floor)	4	216
8 (4 th Floor)	2	147
9 (4 th Floor)	2	161
10 (5 th Floor)	3	227

8. DETAILED CONSIDERATIONS

8.1 Land Use

Loss of Hotel Use

Policy TACE1 of the Unitary Development Plan (adopted 2007) (“the UDP”) and policy S23 of Westminster’s City Plan (adopted July 2016) (“the City Plan”) allow for the loss of existing hotels outside the CAZ, CAZ Frontages and the PSPA, in areas of over-concentration of hotels, such as Bayswater and Pimlico where existing hotels are causing adverse effects on residential amenity. The policy application wording notes that “hotels that are not purpose built and do not have adequate provision for servicing, especially for coaches, are more likely to give rise to adverse effects on local resident’s amenity and environmental quality”. Paragraph 8.12 of the UDP identifies that such premises are appropriate candidates for conversion to residential use and that this will be encouraged.

The application site does not have any provision for off-street servicing and nor could this be provided given the impact this would have on the character and appearance of the grade II listed buildings. The buildings were originally built as two large townhouses and not as a purpose built hotel premises. Being listed, the layout and accommodation that can be provided by the premises is compromised by the impact that internal alterations would have on the special interest of the building. As such, the principle of returning the building to permanent residential use is supported in land use terms.

Proposed Residential Use

Policies H3 of the UDP and S14 of the City Plan seek to encourage the provision of more residential floorspace including the creation of new residential units and encourage changes of use from non-residential uses to residential use. Accordingly, the provision of residential flats on this site is supported in principle.

Affordable Housing

Policy 3.12 of the London Plan states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes, having regards to several factors, including the need to encourage rather than restrain residential development and the specific circumstances of individual sites. The latter includes development viability.

In accordance with policy S16 of the City Plan and the City Council’s Interim Guidance Note on Affordable Housing (November 2013) (“the Interim Note”), the proposed units would necessitate the provision an affordable housing contribution. Policy S16 sets out a clear presumption that an appropriate form of affordable housing should be provided on site. However, there is a cascade of other options which may be agreed with the City Council where on-site provision is not feasible, namely the provision of off-site affordable housing in the vicinity, or a financial contribution in lieu of provision.

Based on the proposed residential floorspace figure of 2978 sqm GEA and the City Council's Interim Guidance Note on Affordable Housing, there is a requirement for 720 sqm of affordable housing (or 9 units based on an average unit size of 80sqm) to be provided. This equates to a financial contribution of £3,611,520.00 towards the affordable housing fund based on the current unit sum of £304,000.00, should it be accepted that the other options in the policy cascade are not appropriate.

The applicant is not proposing to provide any affordable housing on site, or off site in the vicinity. The applicant contends that affordable housing cannot be provided on-site due to the constraints of this listed building, particularly the need to install separate entrances and a lift to make the units attractive to registered providers. This rationale is agreed with and it is recognised that on-site provision may compromise the viability of the development. The applicant also does not appear to own other sites in the vicinity where affordable housing could be provided. As such, it is appropriate to seek a financial contribution towards the affordable housing fund in lieu of provision.

The applicant submitted a viability appraisal that initially indicated that payment of this contribution would not be viable. This appraisal was assessed independently by LSH on behalf of the City Council. LSH disagree with this appraisal and consider payment of a policy compliant sum possible whilst maintaining development viability. The applicant has been asked whether they agree to payment of this sum and this will be reported verbally to the committee.

Residential Mix and Standard Accommodation

Policy H5 of the UDP requires 'one third' of the units to be family sized units (i.e. with 3 bedrooms or more), as specified in policy H5 of the UDP. In this instance, approximately 60% of the proposed units contain three or more bedrooms. Accordingly, the mix proposed is acceptable.

The proposed flats all exceed the relevant space standards set out in the Nationally Described Space Standard (March 2015) by a significant margin. Accordingly, the proposed flats would provide an appropriate standard of accommodation, consistent with policy 3.5 of the London Plan (FALP 2015).

Policy H10 of the UDP specifies that the Council will normally expect the provision of open amenity space outside the CAZ and paragraph 3.111 of the supporting text specifies that at least 9 square metres should be provided per unit. This size requirement is consistent with what is encouraged by Standard 26 of the Mayor of London's Housing SPG (March 2016) ("the Mayor's SPG").

The proposed residential units would not have any private outdoor amenity space. However, paragraph 2.3.32 of the Mayor's SPG specifies that, in exceptional circumstances, where site constraints make it impossible to provide private open space for dwellings, an additional internal living space equivalent to the area of the private open space requirement may be provided. Given the large size of the units proposed and the constraints imposed by the listed status of these buildings, it would be consistent with paragraph 2.3.32 of the SPG to not provide this private amenity space for each apartment. Accordingly, the absence of private outdoor amenity space for each flat is supported in this instance.

8.2 Townscape and Design

These grand stucco properties comprise of five storeys plus basement and dormered roof storeys and occupy a prominent location, bound by streets on three sides. No. 11 has a flat mansard roof with an asphalt covering; No.10 has a pitched, slate clad roof. A large rear extension extends to the rear of No.10 and a lower rear extension is located behind No.11. The buildings are in poor condition internally, and to an extent externally and are included on Historic England's Heritage at Risk Register.

The most significant external works are to the rear of the building. The existing and apparently 1950's era rear wing to no. 10 is to be rendered and painted to match the render colour of the existing building. The existing appearance is poor, though there is little information as to the detailing of this render, the basic principle of its rendering in a Craven Terrace street scene where most buildings are rendered is considered acceptable, and the detailing can be secured by the recommended conditions.

Full height rear extensions would typically be considered unacceptable in principle. However, the rear of no. 11 has already been heavily enclosed, is of particularly unattractive appearance, and much of the remainder of the terrace has been extended to the level proposed in this application. The detailing of the extension follows that of the one adjacent, and is considered acceptable in these circumstances. The stair enclosure and maintenance room proposed above this rear extension is unfortunate, although is not likely to be visible from street level. It would also be faced in yellow stock brickwork to ensure a traditional appearance and there are a number of other such structures along the terrace at this level. In these circumstances the stair enclosure and maintenance room are considered acceptable.

Other external works are either beneficial to the character of the building, such as the restoration of original railings where they have been replaced, or repair and refurbishment of those that remain, and other works of refurbishment such as the installation of bottle balustrading back to the front entrance porches. Other more minor works of refurbishment are proposed and several more modern windows are proposed to be replaced. These works are uncontentious.

Internally, the principal elements of the building are being retained and the plasterwork, currently in poor condition is to be repaired and restored. The revisions to the layout generally retain the important and intact elements of the original plan form, whilst the areas more significantly altered have already had significant changes over the years.

Overall, and mindful of the desire to see these buildings on the Heritage at Risk register restored, the public benefits of the proposal outweigh any potential harm caused. Subject to the recommended conditions, the proposed development would be consistent with policies S25 and S28 of the City Plan and policies DES 1, DES 5, DES 6, DES 9 and DES 10 of the UDP.

8.3 Residential Amenity

Aside from the rear extensions proposed to no. 11, no other extensions are proposed that would be capable of causing unacceptable loss of light, sense of enclosure or loss of privacy.

The rear extension would be located between the existing extension at no 10 and the flank wall of a similar extension to the rear of no. 12. In this position, it would not result in unacceptable loss of light, sense of enclosure or loss of privacy for the occupant of these neighbouring properties.

When viewed from the opposite site of Lancaster Mews, the proposed rear extension would also be seen against the larger backdrop of the rear of no.11 and the rest of the terrace. Accordingly, it would not result in unacceptable loss of light or sense of enclosure for the occupants of those properties. The windows in the rear elevation of the proposed extension would also have similar outlook to the existing and neighbouring buildings. Accordingly, it would not result in unacceptable loss of privacy for neighbouring properties.

No mechanical plant is proposed as part of this application. Accordingly, the proposed development would not give rise to unacceptable noise pollution for the occupiers of neighbouring properties.

Given the above, the proposed development would be consistent with policy S29 of the City Plan and policies ENV 7 and ENV 13 of the UDP.

8.4 Transportation/Parking

Parking

The Highways Planning Manager has reviewed the application.

No on-site parking is proposed as part of this application, nor could it be accommodated on-site without causing significant harm to these listed buildings. Where no on-site parking is proposed, policy TRANS23 of the UDP notes an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency.

Policy TRANS23 includes all legal parking spaces. During the daytime period within the area, the legal on-street spaces for permit holders are Residents' Bays and Shared Use Bays. The evidence of the Council's most recent daytime parking survey in 2015 indicates that the parking occupancy of Residents' Bays and Shared Use Bays within a 200 metre radius of the development site is 77.3% (consisting of 195 Residents' and 8 Shared Use Bays, 150 and 7 of which were occupied respectively). Overnight, the pressure on Residents' and Shared Use Bays remains almost the same at 76.8%, although residents can also park free of charge on metered parking bays or single yellow line in the area.

The anticipated on-street parking demand from the proposed flats would result in daytime parking occupancy in the area exceeding 80%. To mitigate this, the applicant has suggested that lifetime car club membership will be made available to the occupants

of each flat. Should the committee be minded to grant permission, it is recommended that this is secured by section 106 agreement.

Cycle Parking

Policy 6.9 of the London Plan (FALP 2015) requires provision of a minimum of 18 cycle parking spaces for the new residential units. However, the submitted drawings only indicate 9 cycle parking spaces, resulting in a shortfall of 9 spaces. There appears to be no reason why these spaces could not be provided on-site and a condition is recommended to secure these spaces on-site. Subject to this condition, the proposal would be consistent with policy 6.9 of the London Plan.

Waste

The Waste Projects Officer notes concerns with the waste storage and management regime proposed. A condition is recommended to secure appropriate waste and recycling storage and management.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

All apartments would be accessed via a lift whilst most would be located on one level. Recognising the constraints of this listed building, the proposed development would provide adequate access for disabled persons.

8.7 Other UDP/Westminster Policy Considerations

None

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

As indicated above, the draft 'Heads' of agreement are as follows:

- d) Provision of £216,691.20 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
- e) Provision of lifetime car club membership (minimum 25 years) for all 10 flats; and
- f) Payment of cost of monitoring the agreement.

The change of use and additional floorspace created would also be Westminster CIL liable. Subject to any exemptions that may be applicable, the estimated Westminster CIL payment is £1,066,400.00.

8.11 Environmental Impact Assessment

EIA is not applicable for a development of this scale.

8.12 Other Issues

SEBRA are concerned with the large size of the apartments proposed, noting that more smaller flats would have been provided. However, the Nationally Described Space Standard and policy 3.5 of the London Plan only set minimum flat sizes rather than maximum apartment sizes. Furthermore, the listed status of this building generally prevents further subdivision of this building as to do so would cause further harm to the special architectural and historic interest of this building through loss of historic fabric and plan form. Accordingly, an objection to the development on this basis would not be sustainable.

SEBRA have also requested the use of sash windows on the existing 1950's extension to no. 10. An amending condition is recommended requiring that these sash windows are installed.

The objector has also raised concerns regarding party wall works. This is not a material planning consideration. Conditions are also recommended to limit the impact of construction works as far as is reasonably practicable under planning law.

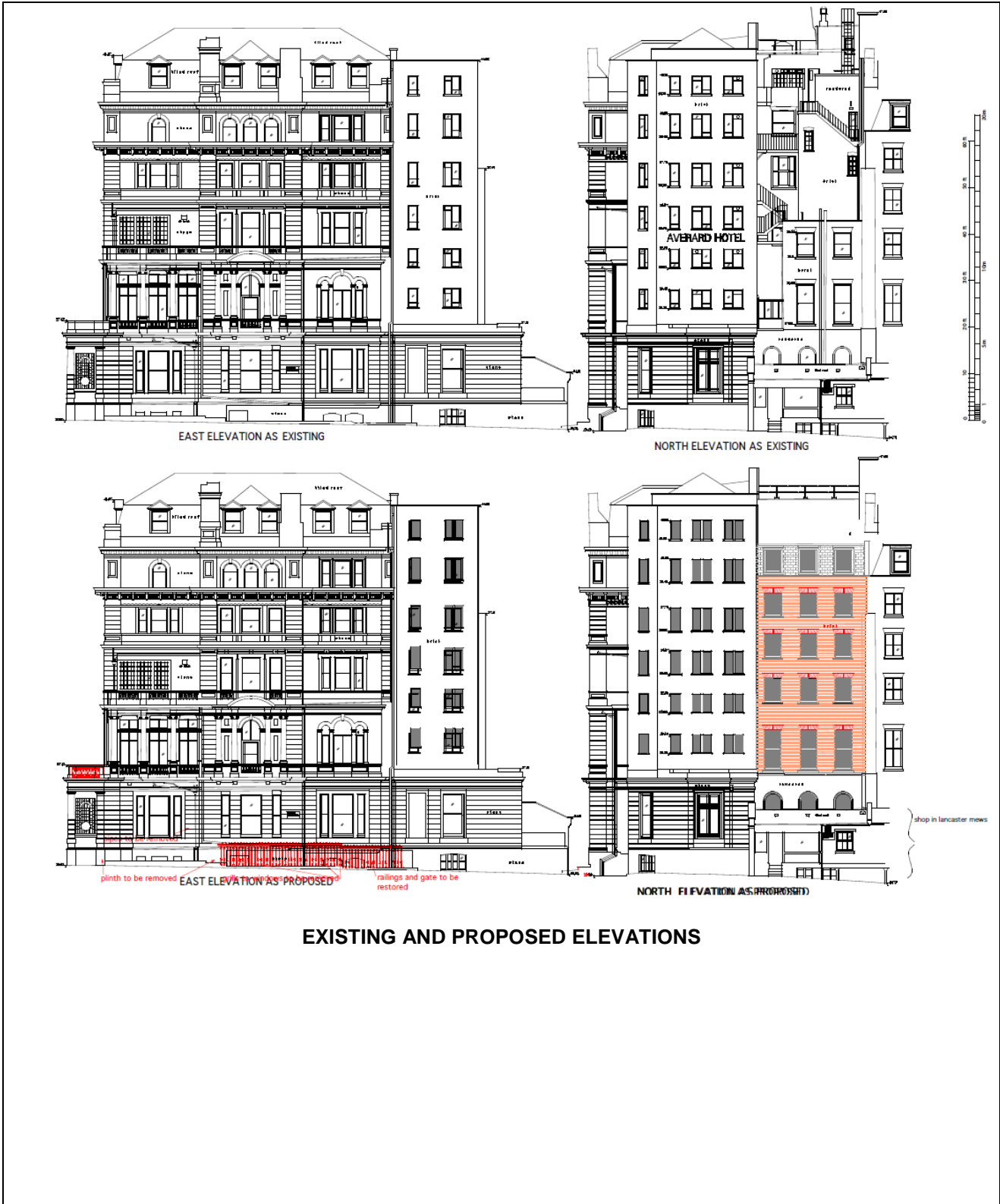
9. BACKGROUND PAPERS

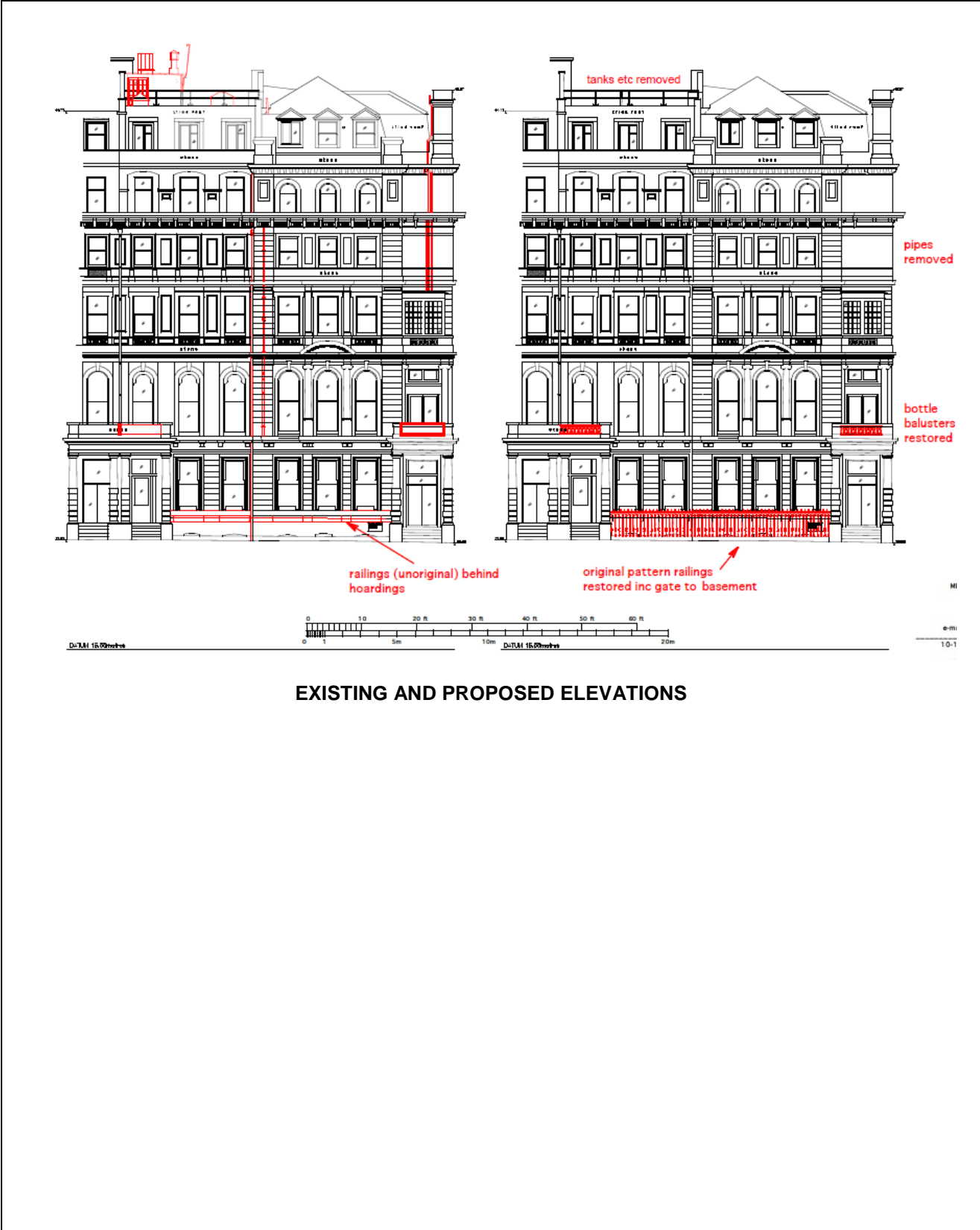
1. Application form
2. Response from Historic England (Listed Builds/Con Areas), dated 21 July 2016
3. Response from South East Bayswater Residents Association, dated 17 July 2016
4. Response from Highways Planning Manager, dated 24 May 2016
5. Response from Building Control, dated 21 July 2016
6. Response from Waste Project Officer, dated 18 July 2016
7. Letter from occupier of 4, Grove Way, Esher, Surrey, dated 9 July 2016

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

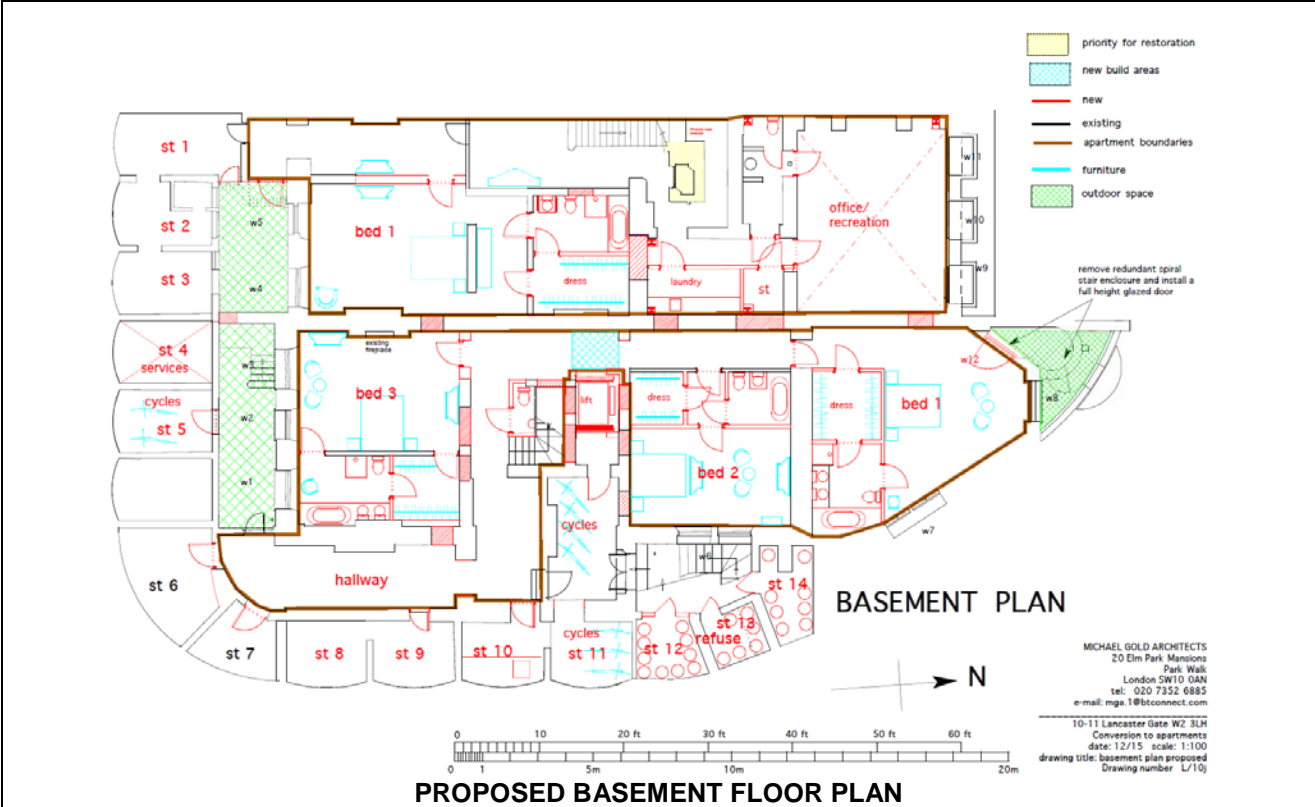
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

10. KEY DRAWINGS

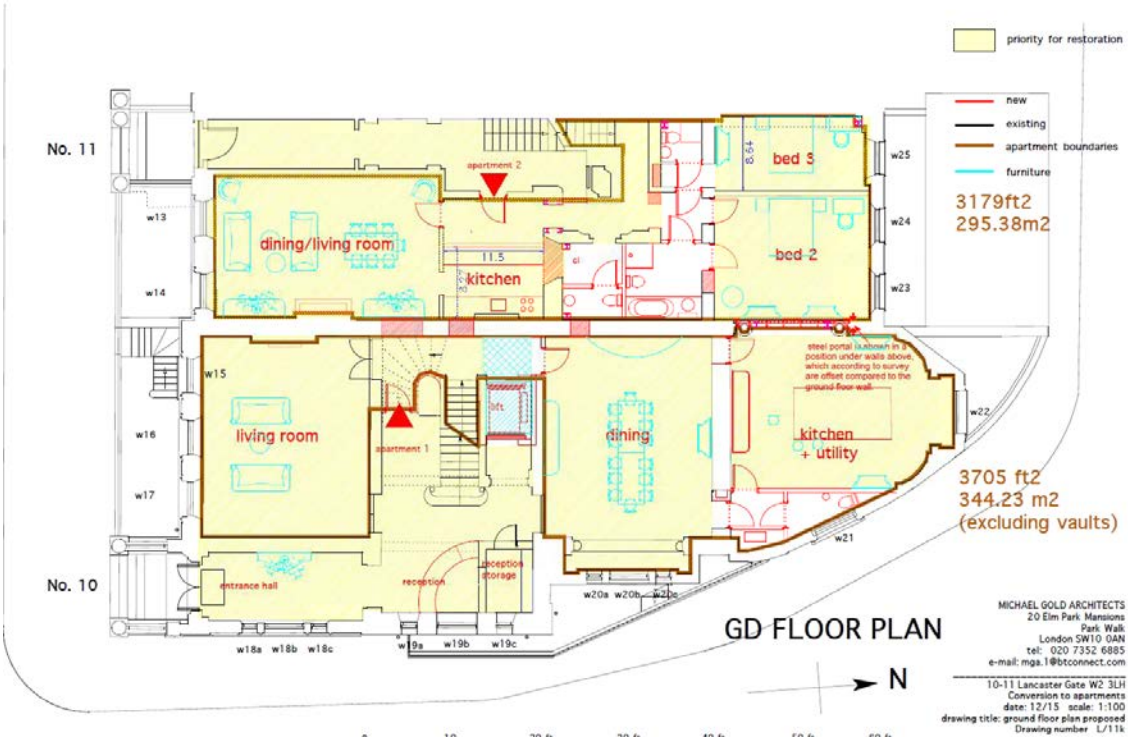




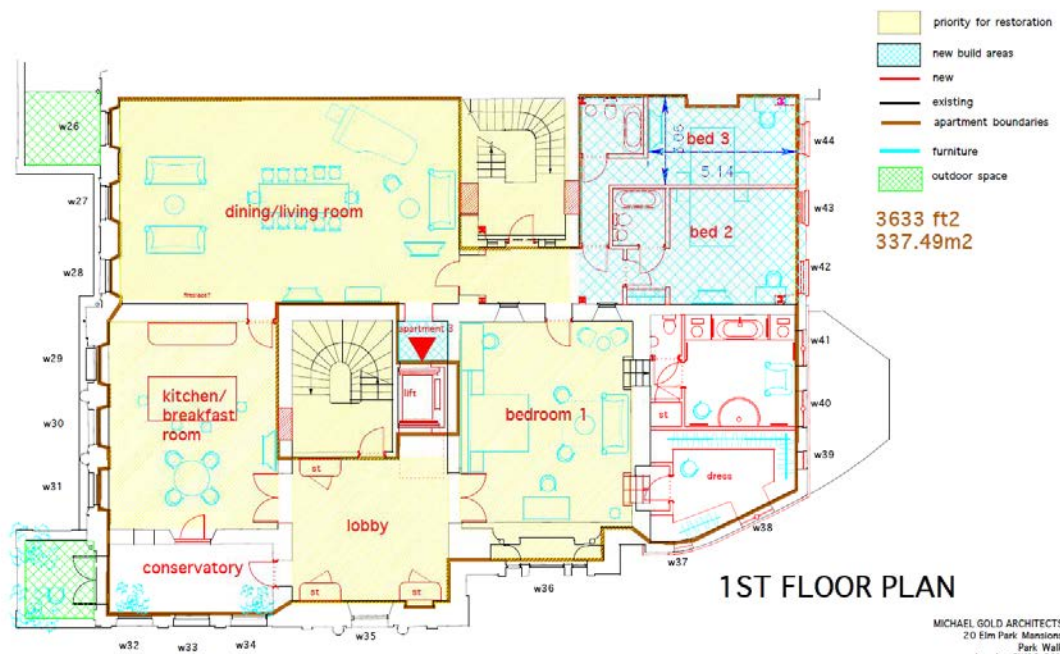
EXISTING AND PROPOSED ELEVATIONS



PROPOSED BASEMENT FLOOR PLAN



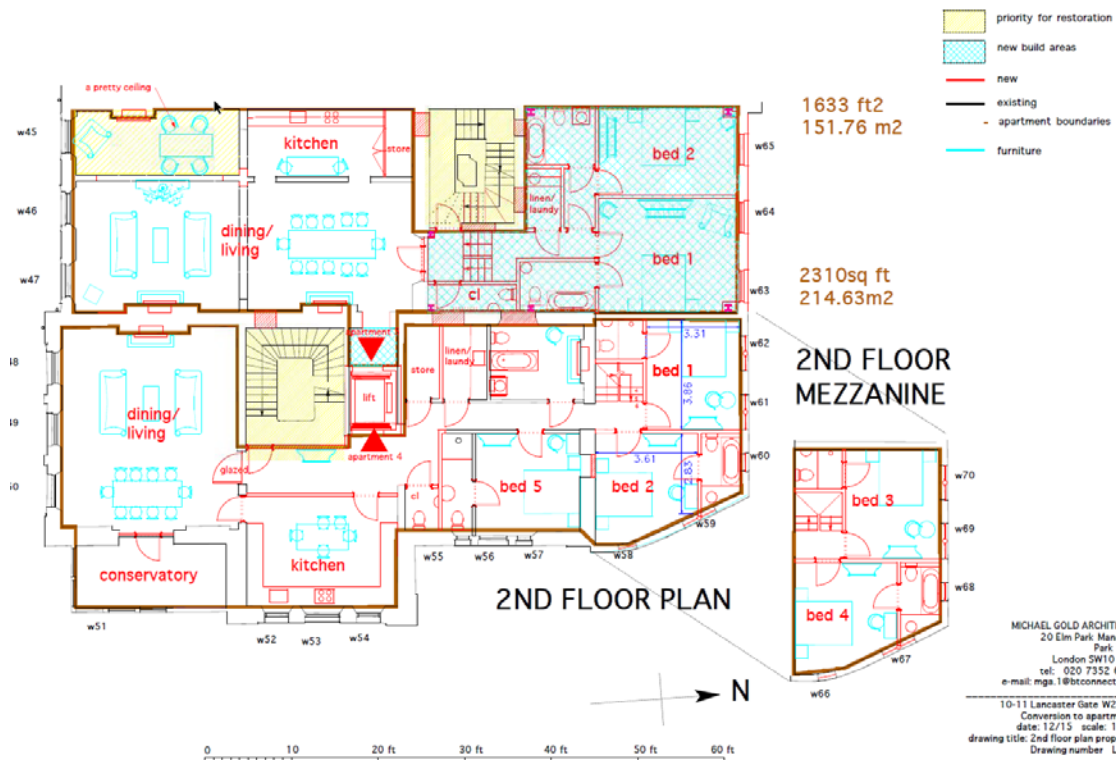
PROPOSED GROUND FLOOR PLAN



MICHAEL GOLD ARCHITECTS
20 Elm Park Mansions
Park Walk
London SW10 0AN
tel: 020 7352 6885
e-mail: mgs.1@btconnect.com

10-11 Lancaster Gate W2 3LH
Conversion to apartments
date: 12/15 scale: 1:100
drawing title: 1st floor plan proposed
Drawing number L/12j

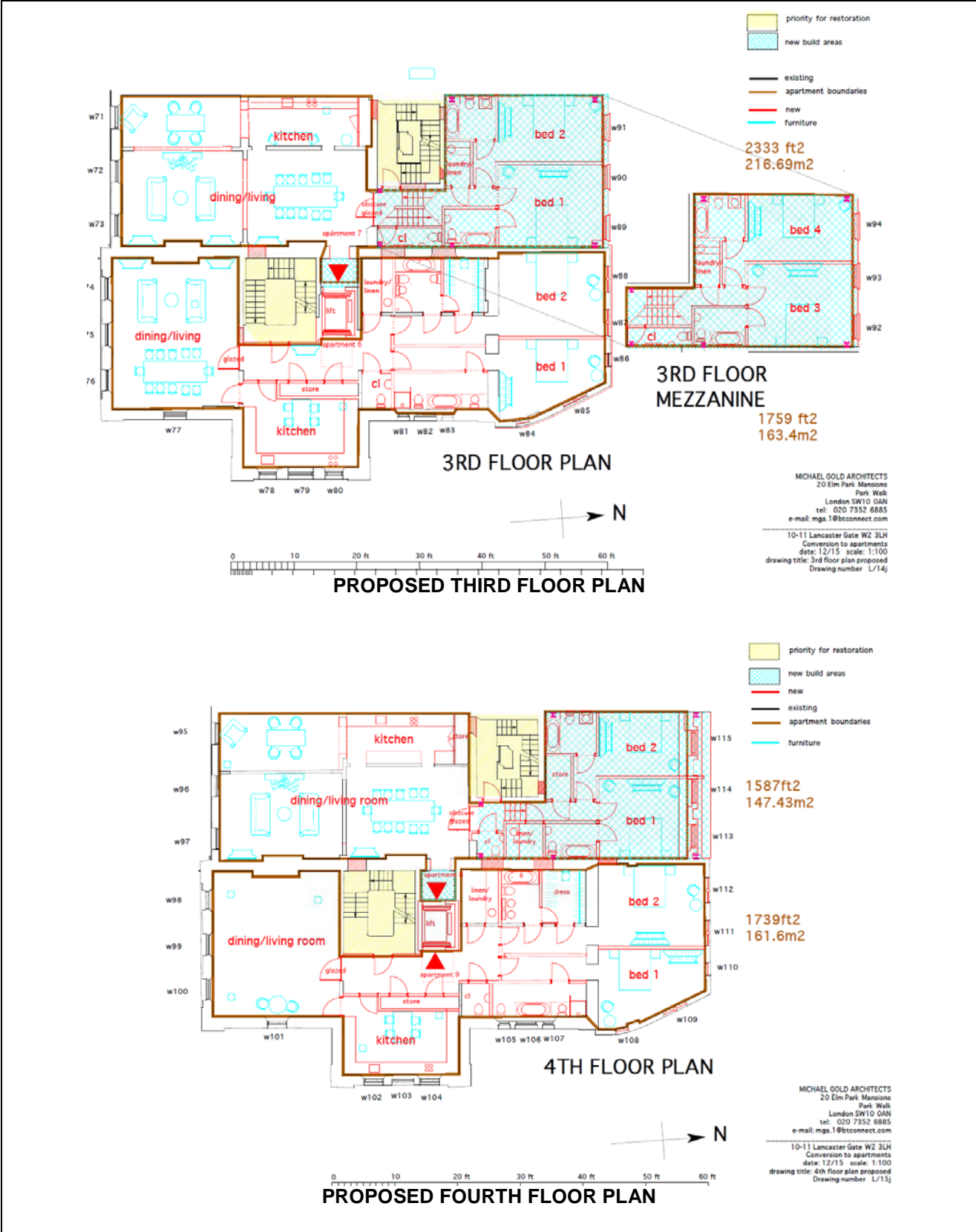
PROPOSED FIRST FLOOR PLAN

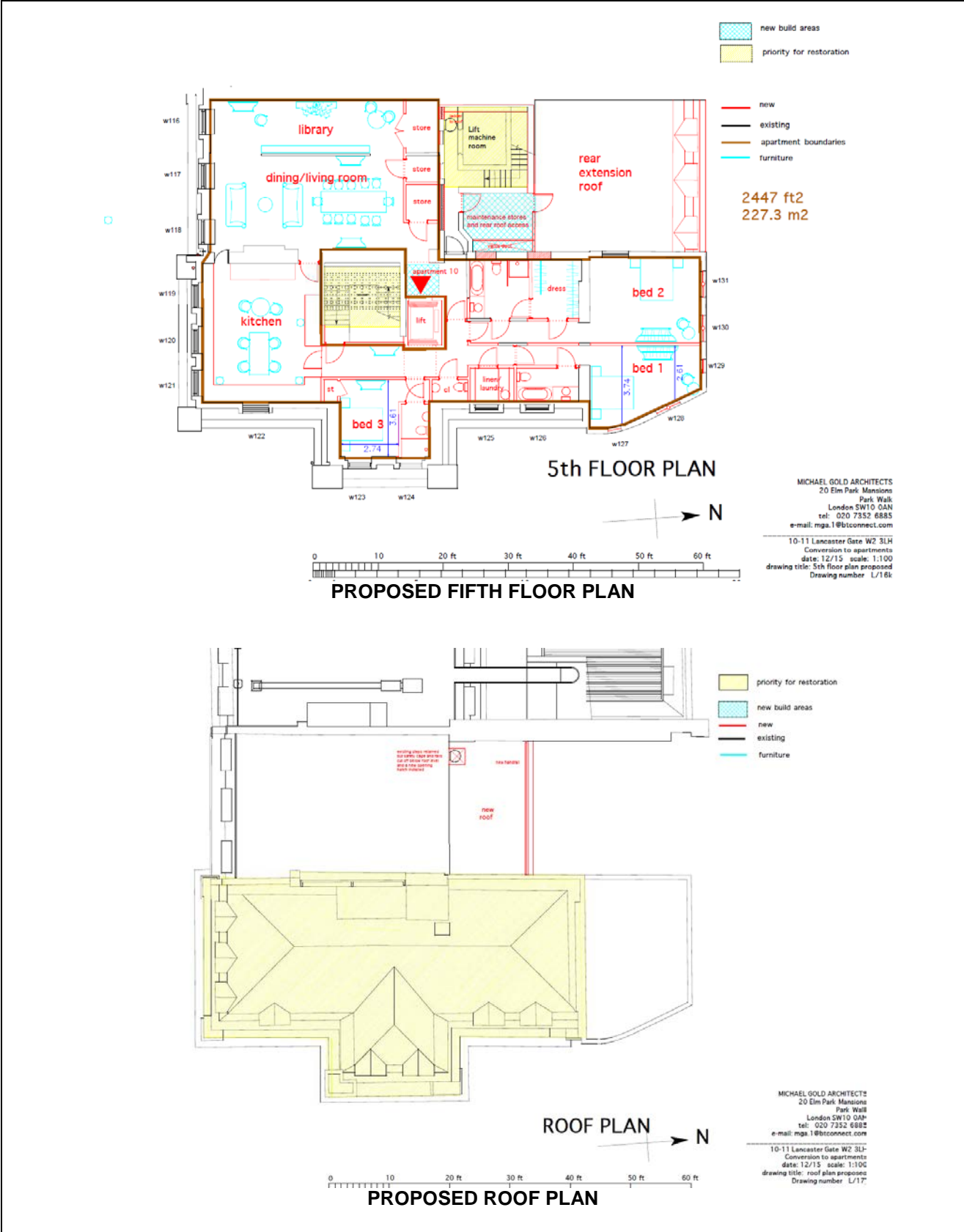


MICHAEL GOLD ARCHITECTS
20 Elm Park Mansions
Park Walk
London SW10 0AN
tel: 020 7352 6885
e-mail: mgs.1@btconnect.com

10-11 Lancaster Gate W2 3LH
Conversion to apartments
date: 12/15 scale: 1:100
drawing title: 2nd floor plan proposed
Drawing number L/13j

PROPOSED SECOND FLOOR PLAN





DRAFT DECISION LETTER

Address: 10-11 Lancaster Gate, London, W2 3LH,

Proposal: Demolition of 1st and 2nd storey of existing rear extension and erection of new four storey rear extension with internal alterations and new lift associated with use of building as ten residential units and associated works.

Reference: 15/11987/FULL

Plan Nos: Site Location Plan, Drawing numbers L/10j, L/11k, L/12j, L/13j, L/14j, L/15j, L/16k, L/17j, L/18d, L/19d, L21, L/30j, L/31k, L/32j, L/33j, L/34j, L/35j, L/36j, L/37j, L/50e, L/51c; Historic Building report by Donald Insall Associates (November 2015); Design and Access Statement by Michael Gold Architects (June 2016)

Case Officer: Nathan Barrett

Direct Tel. No. 020 7641 5943

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 Bayswater 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 north facing elevation of the stair enclosure and maintenance room to fifth floor level at the rear of no. 11 Lancaster Gate shall be clad in exposed yellow stock brickwork

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 Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 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 You must apply to us for approval of detailed elevation drawings (and example photographs of finials as appropriate) of the new railings to be installed to ground floor level. 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 drawings and example photographs. The approved railings shall then be installed to ground floor level prior to the occupation of the residential units.

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 Bayswater 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 new external railings shall be formed in black painted metal

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 Bayswater 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 Notwithstanding the details shown on the application submission, the existing railings to the Craven Terrace elevation shall be retained and refurbished, with new finials to match existing as appropriate, and shall not be removed

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 Bayswater 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)

- 8 You must apply to us for approval of and elevation and part section (as appropriate) to show the detailing of the render to the rear extension to no. 10 Lancaster Gate, including any rustication, render detailing and window surrounds. 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 drawings. The render shall be a smooth render which shall be painted and permanently maintained to match the colour of the existing render to the existing building.

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 Bayswater 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)

- 9 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing for the new rear extension to no. 11 Lancaster Gate. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. This brickwork shall not be painted, rendered or otherwise overlaid (C27DB)

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 Bayswater 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)

- 10 Notwithstanding the application submission, the existing rendered elevations to the existing buildings at nos. 10 and 11 Lancaster Gate shall be maintained in its existing colour

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 Bayswater 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)

- 11 Notwithstanding the application submission, no external wall insulation shall be added to the existing buildings

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 Bayswater 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)

- 12 Notwithstanding the application submission, no lift housings, staircase structures, plant boxes, balustrading (whether glazed or otherwise) or green roofs shall be erected to roof level unless specifically shown to the application drawings.

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 Bayswater 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)

- 13 The new mansard shall have pitched roofs clad in natural slate, and the dormers within the mansard shall be clad in lead to sides, cheeks and roofs

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 Bayswater 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)

- 14 You must apply to us for approval of detailed plan and elevation drawings showing any security measures to the windows to pavement level on the Craven Terrace elevation. 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 drawings. (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 Bayswater 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)

- 15 The new windows to rooms 1.4 and 1.5 shall be single glazed and formed in glazing and white painted timber framing, and the new windows to the rear extensions to nos. 10 and 11 Lancaster Gate shall be formed in glazing and white 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 Bayswater 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)

- 16 You must apply to us for approval of detailed elevation and section drawings of the new entrance doors to ground floor level. 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 drawings. (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 Bayswater 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)

- 17 You must apply to us for approval of detailed elevation and section drawings of the new windows. 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 drawings. (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 Bayswater 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)

- 18 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 Bayswater 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)

- 19 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 Bayswater 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)

- 20 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, or (notwithstanding the application submission) balustrading to the roof of the plant room or generally to roof level, except (with the exception of the balustrading above the plant room) those shown on the approved drawings. (C26PA)

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 Bayswater 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)

- 21 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the apartments. You must not use the waste store for any other purpose. (C14CD)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 22 You must apply to us for approval of details of secure cycle storage for the residential use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 23 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)

INFORMATIVES

- 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 (July 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 permission is governed by a legal agreement between the applicant and us under Section 106 of the Town and Country Planning Act 1990. The agreement relates to:
 - a) Provision of £216,691.20 towards the City Council's affordable housing fund (index linked and payable upon commencement of development);
 - b) Provision of lifetime car club membership (minimum 25 years) for all 10 flats; and
 - c) Payment of cost of monitoring the agreement.

DRAFT DECISION LETTER

Address: 10-11 Lancaster Gate, London, W2 3LH,

Proposal: Demolition of 1st and 2nd storey of existing rear extension and erection of new four storey rear extension with internal alterations and new lift associated with use of building as ten residential units and associated works.

Reference: 15/11988/FULL

Plan Nos: Site Location Plan, Drawing numbers L/10j, L/11k, L/12j, L/13j, L/14j, L/15j, L/16k, L/17j, L/18d, L/19d, L21, L/30j, L/31k, L/32j, L/33j, L/34j, L/35j, L/36j, L/37j, L/50e, L/51c; Historic Building report by Donald Insall Associates (November 2015); Design and Access Statement by Michael Gold Architects (June 2016)

Case Officer: Nathan Barrett

Direct Tel. No. 020 7641 5943

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 The north facing elevation of the stair enclosure and maintenance room to fifth floor level at the rear of no. 11 Lancaster Gate shall be clad in exposed yellow stock brickwork

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 You must apply to us for approval of detailed elevation drawings (and example photographs of finials as appropriate) of the new railings to be installed to ground floor level. 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 drawings and example photographs. The approved railings shall then be installed to ground floor level prior to the occupation of the residential units.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 5 The new external railings shall be formed in black painted metal

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 6 Notwithstanding the details shown on the application submission, the existing railings to the Craven Terrace elevation shall be retained and refurbished, with new finials to match existing as appropriate, and shall not be removed

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 7 You must apply to us for approval of and elevation and part section (as appropriate) to show the detailing of the render to the rear extension to no. 10 Lancaster Gate, including any rustication, render detailing and window surrounds. 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 drawings. The render shall be a smooth render which shall be painted and permanently maintained to match the colour of the existing render to the existing building.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 8 You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing for the new rear extension to no. 11 Lancaster Gate. You must

not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. This brickwork shall not be painted, rendered or otherwise overclad (C27DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 9 Notwithstanding the application submission, the existing rendered elevations to the existing buildings at nos. 10 and 11 Lancaster Gate shall be maintained in its existing colour

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 10 Notwithstanding the application submission, no external wall insulation shall be added to the existing buildings nor internal insulation to the existing buildings to nos. 10 and 11 Lancaster Gate, with the exception of the rear extension above ground floor level to no. 10 Lancaster Gate

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 11 Notwithstanding the application submission, no lift housings, staircase structures, plant boxes, balustrading (whether glazed or otherwise) or green roofs shall be erected to roof level unless specifically shown to the application drawings.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 12 The new mansard shall have pitched roofs clad in natural slate, and the dormers within the mansard shall be clad in lead to sides, cheeks and roofs

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 13 You must apply to us for approval of detailed plan and elevation drawings showing any security measures to the windows to pavement level on the Craven Terrace elevation. 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 14 The new windows to rooms 1.4 and 1.5 shall be single glazed and formed in glazing and white painted timber framing, and the new windows to the rear extensions to nos. 10 and 11 Lancaster Gate shall be formed in glazing and white painted timber framing

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 15 You must apply to us for approval of detailed elevation and section drawings of the new entrance doors to ground floor level, and detailed elevations of the new internal doors cross-referenced to a plan marking the location of each. 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 16 You must apply to us for approval of detailed elevation and section drawings of the new windows. 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our

Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 17 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 18 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 protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 19 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, or (notwithstanding the application submission) balustrading to the roof of the plant room or generally to roof level, except (with the exception of the balustrading above the plant room) those shown on the approved drawings. (C26PA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 20 You must apply to us for approval of a schedule of, and methodology for internal plaster restoration and finish. 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 protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 21 You must apply to us for approval of detailed plan/elevation/section drawings (as appropriate) showing the following alteration(s) to the scheme:-

The enclosure underneath the main staircase to ground floor level set further back towards no. 11 Lancaster Gate, and with any associated alterations to the width of the entrance door(s) between the hallway and front room adjacent to facilitate this

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 22 You must apply to us for approval of detailed elevation, or photographs, with either cross-referenced to annotated plans to show the design and location of any new internal fireplaces. 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 drawings or photographs. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 23 Notwithstanding the application submission, the existing ceramic floor tiling to ground floor level shall be retained in-situ

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 24 Any acoustic insulation proposed to floors shall be installed either between joists or above, and shall not involve the removal, alteration or enclosure of ceilings to the floor level below

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 25 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present

position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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.

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.

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Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 th December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Churchill	
Subject of Report	Francis Holland School, 39 Graham Terrace, London, SW1W 8JE,		
Proposal	Erection of single storey Centre for Creative Learning at lower ground floor level (to the rear of 15 to 23 Graham Terrace); three storey side extension to Junior School Gym building (to the rear of 25 Graham Terrace); second floor addition to the Junior School Building (to the rear of 31 to 33 Graham Terrace); and ground and first floor extensions to the Morison Building (accessed off Ebury Street). Excavation (to the rear of 15 to 25 Graham Terrace) and landscaping.		
Agent	Alpha Planning Ltd		
On behalf of	Francis Holland School		
Registered Number	16/08593/FULL	Date amended/ completed	7 September 2016
Date Application Received	7 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Francis Holland School comprises of a number of unlisted buildings located on and to the rear of Bourne Street, Graham Terrace, and Ebury Street. The school is also located within the Belgravia conservation area.

Planning permission is sought for one new building and four extensions to existing school buildings within the site to provide additional teaching accommodation, these include:

- A new single storey building to provide a Centre for Creative Learning;
- A three storey side extension to Junior School Gym building;
- A second floor addition to the Junior School Building;
- A single storey extension and a two storey extensions to the Morison Building.

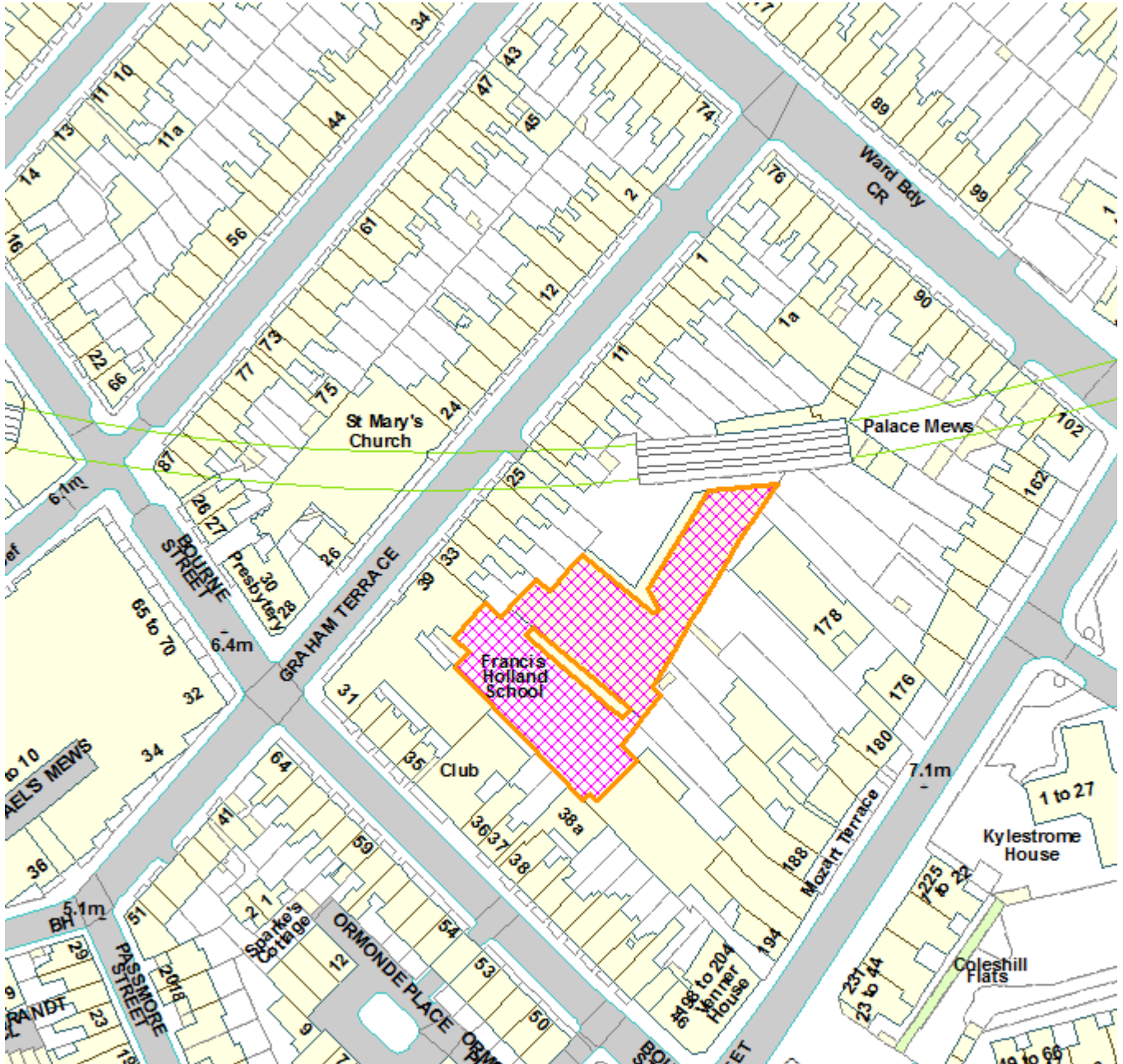
The key issues in this case are:

- The impact on the character and appearance of the Belgravia conservation area; and
- The impact on residential amenity of neighbouring occupiers.

Objections have been received from surrounding residents principally on the grounds of the impact on residential amenity in terms of loss of light, privacy, and noise and disturbance. Whilst the objections are noted and understood, it is not considered that they are sustainable on this occasion for the reasons set out in the report.

The proposed development would be consistent with relevant development plan policy in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan). As such, the proposal is acceptable in terms of design and amenity terms and the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



4. PHOTOGRAPHS



View of the external amphitheatre facing Grosvenor Building



View of Grosvenor building



View of Junior School building



View of Northern elevation of Morison Building



View of rear of Morison Building from passageway on Ebury Street

5. CONSULTATIONS

BELGRAVIA RESIDENTS ASSOCIATION:

Any response to be reported verbally.

BELGRAVIA NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

BELGRAVIA SOCIETY:

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER:

No objection.

ENVIRONMENTAL HEALTH:

No objection.

ARBORICULTURAL MANAGER:

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 66

Total No. of replies: 5

No. of objections: 4

No. in support: 0

No. neutral: 1

Letters of objection received on some or all of the following grounds:

- Disturbance during construction works in terms of noise, dirt, duration and access to site;
- Loss of light from second floor addition to the Junior School Building;
- Loss of light from new single storey building to provide a Centre for Creative Learning
- Loss of privacy and overlooking from pupils using roof of new single storey building to provide a Centre for Creative Learning
- Noise disturbance from an increase in number of pupils;
- Risk of damage to neighbouring properties.
- Applicant should arrange for neighbouring properties/ windows to be cleaned during construction works

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The Francis Holland School is an independent all-girls junior school and secondary school which is located in the Belgravia Conservation Area. Founded in 1881 the school has been located at this site since 1884. The school comprises of the following buildings: nos. 32 - 35 Bourne Street; no. 39 Graham Terrace; The Grosvenor Building; The Junior School Building; The Morison Building; and Carmel Hall.

6.2 Recent Relevant History

There have been a number of permissions for alterations and extensions to Francis Holland School between 1986 and 2000.

The most recent applications are:

19 March 2009: Permission granted for the alterations and extensions including erection of infill extensions to sides and rear of Carmel Hall, access ramp, excavation beneath playground for extended dining room at basement level, mechanical plant on roof of new infill extension between main school building and Carmel Hall, extended staircase in lightwell, alterations to elevations including new fenestration, all in connection with the use of Carmel Hall as part of Francis Holland School and provision of new facilities for the existing school (RN: 08/09541/FULL).

08 July 2004: Permission granted for erection of rear extension at rear ground to third floor levels (over existing ground floor WC block) in playground to provide additional educational floorspace (Class D1), installation of plant room at roof level and alterations to windows on Graham Terrace elevation (RN: 04/01071/FULL).

7. THE PROPOSAL

Planning permission is sought to erect one new building and four extensions to existing school buildings within the site to provide additional teaching accommodation, these include:

- A new single storey building to provide a Centre for Creative Learning (to the rear of 15 to 23 Graham Terrace);
- Three storey side extension to Junior School Gym building (to the rear of 25 Graham Terrace);
- Second floor addition to the Junior School Building (to the rear of 31 to 33 Graham Terrace);
- Two storey extension to the Morison Building (to the rear of 28a Bourne Street); and
- A Single storey extension to the Morison Building (to the rear of 194 Ebury Street).

8. DETAILED CONSIDERATIONS

8.1 Land Use

In land use terms, policy S34 of the City Plan (Social and Community Infrastructure) and policy SOC1 of the UDP (Community Facilities In General) aim to protect and improve the range of social and community facilities in Westminster. Policy SOC3 of the UDP specifically deals with education facilities and supports the provision of new facilities for education, and encourages such facilities to be designed so that they can be used for other community uses outside teaching hours.

The proposals would provide an increase in school floorspace of 355 sqm but it is understood that school does not intend to increase the number of teachers or pupils. The applicant advises that the proposals would provide for more efficient use of space and enhanced learning facilities. Given that there is no net increase in pupil numbers and that this proposal will significantly improve facilities for the school, it is not considered to represent an overdevelopment of the site which will result in either harm to the area or the amenities of surrounding residents. The proposals accord with the Council's adopted planning policies and the advice in the National Planning Policy Framework (NPPF) relating to schools (set out in section 8.9 of this report).

8.2 Townscape and Design

Single storey building to provide a Centre for Creative Learning

Sited within the eastern corner of the site, adjacent to the underground cutting, a new Centre for Creative Learning is proposed, this is proposed as a single-storey building with an accessible living roof. Located directly to the rear of residential properties fronting the south side of Graham Terrace, of which some are grade II listed, the modest height and scale of the building is unlikely to have a detrimental impact upon their setting. It is understood that the facade of the building will be composed of curved glass, which would face towards the school limiting its potential visual impact. A bridge will link the roof to the existing fire escape which provides access beyond the Grosvenor Building. Subject to approval of materials and details of the living roof, the building and associated landscaping raise no concerns on conservation and design grounds.

Three storey side extension to Junior School Gym Building

Located in the eastern section of the site, the Grosvenor building is an 'L' shaped, three storey, yellow stock brick building which was constructed in the 1990s. Proposals include a three-storey extension which will run parallel with the Gymnasium and partially develop the existing courtyard area. The ground floor will be largely glazed whilst the upper floors, which are slightly cantilevered, faced in yellow stock brick. The facade will be punctuated by a succession of narrow vertical windows, angled to avoid overlooking the terrace which resides to the north-east.

In terms of its height and building line the extension will sit comfortably in its locality. Though its elevation treatment contrasts with the northern facade of the Grosvenor Building, this is not considered detrimental. Again the quality and finish of the materials are secured by conditioning that samples are provided.

Second floor addition to the Junior School Building

Parallel with Grosvenor Building, to the west, the Junior School building is a more recent addition to the site. Proposals include an extension to the second floor, where currently the building line is set back. Designed to match the height of the host building, the extension will be plainly detailed with clearstory glazing and chamfered roof to avoid impacting upon the residential terrace to the north. The extensions form, scale and proposed materials are not opposed.

Single storey extension and two storey extension to the Morison Building

Located on the south side of the site, the Morison building is a two-storey property which backs onto a terrace of commercial and residential premises on the north side of Ebury Street. Proposals seek a two storey extension to the north and single storey addition to the south, which would develop part of the passage which extends from Ebury Street.

The elevation treatment of the northern two-storey extension has been improved and successfully responds to the character of the host building. Subject to the approval of details reserved by condition, the extensions are not opposed.

8.3 Residential Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to residential dwellings, and that development should not result in a significant increase in sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of the development.

The site is located in close proximity to a number of residential properties and gardens. Objections have been received from residents in Graham Terrace principally on amenity grounds raising concerns about loss of light, loss of privacy, increase in overlooking and noise and disturbance.

Single storey building to provide a Centre for Creative Learning

The proposed roof of the creative learning centre will be approximately 1.7m higher than the existing upper part of the outdoor amphitheatre. Objections have been received from neighbouring residents in Graham Terrace concerned about the height of the new building and its impact in terms of loss of light as well as a loss of privacy as a result of pupils being able to use the roof. The applicant advises that the new building will sit below the height of neighbouring party walls. A request has been made for existing and proposed section drawings to be provided prior to committee to clarify the relationship of the new building in context with the neighbouring party walls (from nos. 13 through to no. 21 Graham Terrace). This is to ensure that the privacy and environment of people in neighbouring properties will not be adversely affected.

Concerns were raised from neighbours about the impact of any future tree planting on the roof in terms of loss of light. It is considered that a condition dealing with landscaping is sufficient to avoid future impacts on neighbouring properties.

It is noted that high level lighting is proposed to the roof of the creative learning centre. In order to avoid light pollution to neighbouring properties, a condition is recommended to restrict the hours of operation of the external lighting.

Three storey side extension to Junior School Gym Building

The three storey side extension to the Junior School Gym, part of the Grosvenor Building, is not considered to harm the amenity of neighbouring residents. The three storey extension will be fully contained behind the high level separating boundary wall. The facade will be punctuated by a succession of narrow vertical windows, angled to avoid overlooking the terrace which resides to the north-east.

Second floor addition to the Junior School Building

The second floor addition to the Junior School building would project 6m from the existing second floor roof extension creating additional bulk. However, given the extension benefits from a slope roof and is set at a distance of approximately 7.4m from the boundary with nos. 33 and 35 Graham Street, it is not considered that the extension will adversely affect these properties in terms of loss of light, sense of enclosure or overlooking.

Single storey extension and two storey extension to the Morison Building

The two storey extension is located on the north end of the Morison building adjacent the largely blank rear boundary wall of no. 38a Bourne Street. There is a rooflight at No 38a Bourne Street directly facing the Morison building, however the extension is not considered to adversely affect the amenity of this property in terms of loss of light, sense of enclosure or overlooking.

The single storey extension to the south of the Morison Building would infill part of an existing alleyway leading towards Ebury Street. In this location, the extension will be fully enclosed between the existing building and boundary wall, and as such is not considered to raise any amenity issues.

8.4 Transportation/Parking

The Highways Planning Manager raises no objection to the proposals in transportation and parking terms. The school does not intend to increase the number of pupils or teachers, therefore the proposals will not be creating additional pressures on the surrounding highway network in comparison to the existing situation.

8.5 Economic Considerations

It is recognised that the proposed construction works will offer employment opportunities. However, the main consideration of this proposal is the principle of allowing further enlargements to this school, the impact on the conservation area and the amenities of surrounding residents.

8.6 Access

The supporting document states that at present the existing school site performs adequately in terms of its accessibility and inclusivity. In addition measures will be taken to ensure the proposals comply with current statutory regulations to create an inclusive environment for all users of the building. These measures are welcomed and include level access into the new building and extensions, firm durable and slip resistant surfaces, handrails to staircase, and shallow gradients along paths.

8.7 Other UDP/Westminster Policy Considerations

Plant

No mechanical plant is proposed as part of this application. Accordingly, the proposed development would not give rise to unacceptable noise pollution for the occupiers of neighbouring properties.

The supporting document includes a noise statement stating that the future plant equipment will meet the Council's noise standard. The applicant is aware that they would need to apply for planning permission to install mechanical plant.

Landscaping

The proposed Centre for Creative Learning would be a partially sunken building with landscaping at roof level. The landscaping consists of a perched garden above a new building, green walls, green roofs and planters which are all artificial landscapes. The Arboricultural Manager has requested details of landscaping be secured by condition.

8.8 London Plan

Policy 3.18 (Education facilities) of the London Plan acknowledges the importance of the education facilities in London and supports appropriate expansion of existing facilities.

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.

Specifically relating to school proposals, the NPPF states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should: give great weight to the need to create, expand or alter schools. Although the proposal does not involve an expansion in school places it does involve the alteration and improvement of existing facilities.

8.10 Planning Obligations

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

As the proposed additional floorspace is for a school, it benefits from a zero or nil charge as set in the CIL Charging Schedule.

8.11 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

Construction impact

Objections on the grounds of noise and disruption during construction works do not in themselves form a sustainable reason to refuse permission.

One objector requests that the applicant should be responsible for ensuring that their house windows are cleaned regularly during construction works, as well as the outside of their house cleaned and painted upon completion of works. Whilst the concerns of the objector are understood it is not considered that permission could be withheld on these grounds nor is it reasonable to deal with this request by condition.

The Council's standard hours of building works condition is recommended as is the requirement for the applicant to submit a more detailed construction management plan to help mitigate noise and disruption during demolition and construction.

A highway licence would be required before any construction equipment such as scaffolding or skips can be placed on the road or pavement.

Informatives are recommended to encourage the applicant to join the nationally recognized Considerate Constructor Scheme as well as keeping residents informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic.

9. BACKGROUND PAPERS

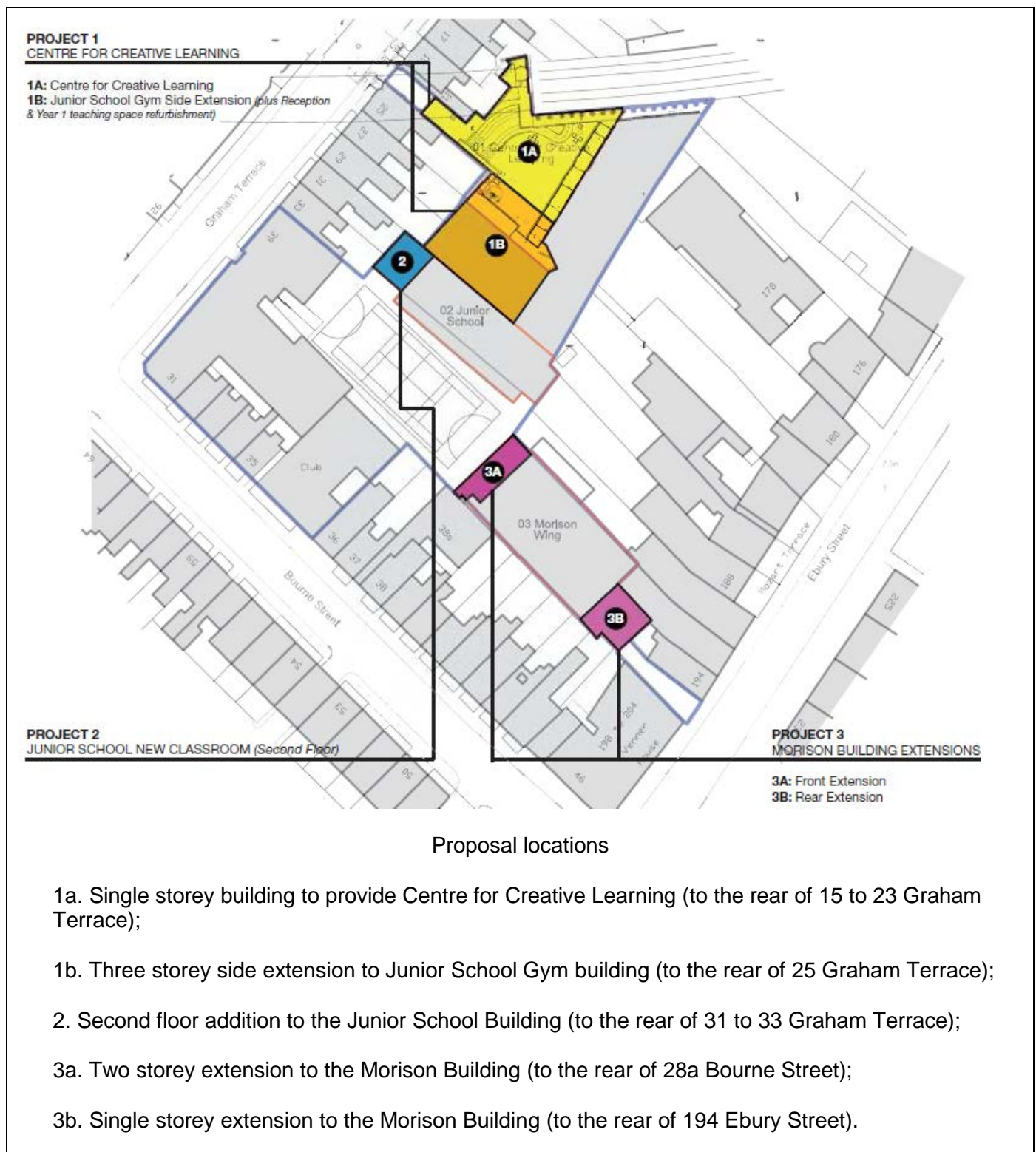
1. Application form
2. Response from Environmental Health, dated 23 September 2016
3. Response from Highways Planning Manager dated 04 October 2016
4. Response from Arboricultural Manager dated 15 November 2016
5. Letter from occupier of 21 Graham Terrace dated 3 October 2016
6. Letter from occupier of 31 Graham Terrace dated 6 October 2016
7. Letter from occupier of 13 Graham Terrace dated 10 October 2016
8. Letter from occupier of 25, Graham Terrace dated 11 October 2016
9. Letter from occupier of 33 graham terrace dated 13 October 2016

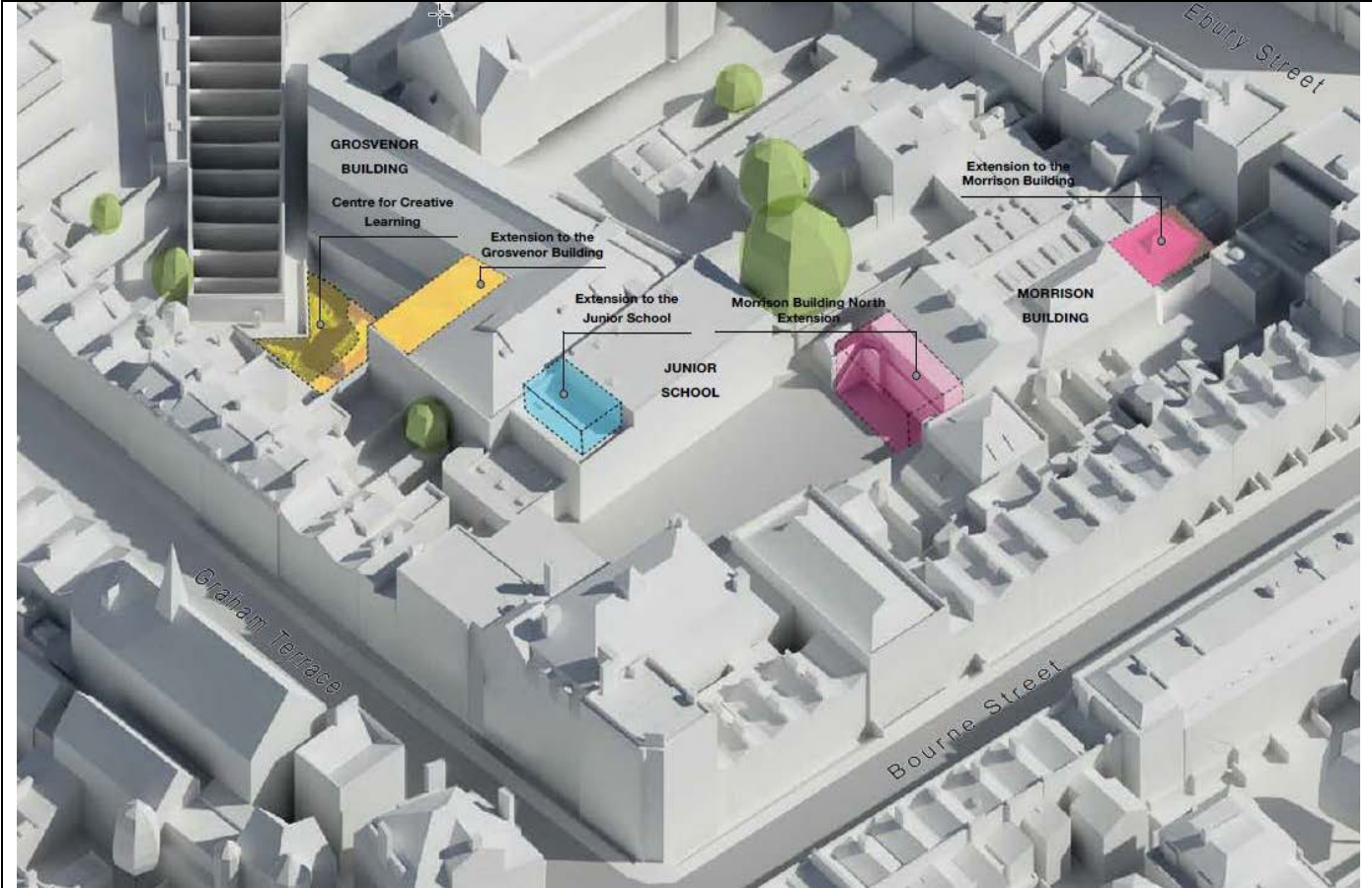
Selected relevant drawings

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

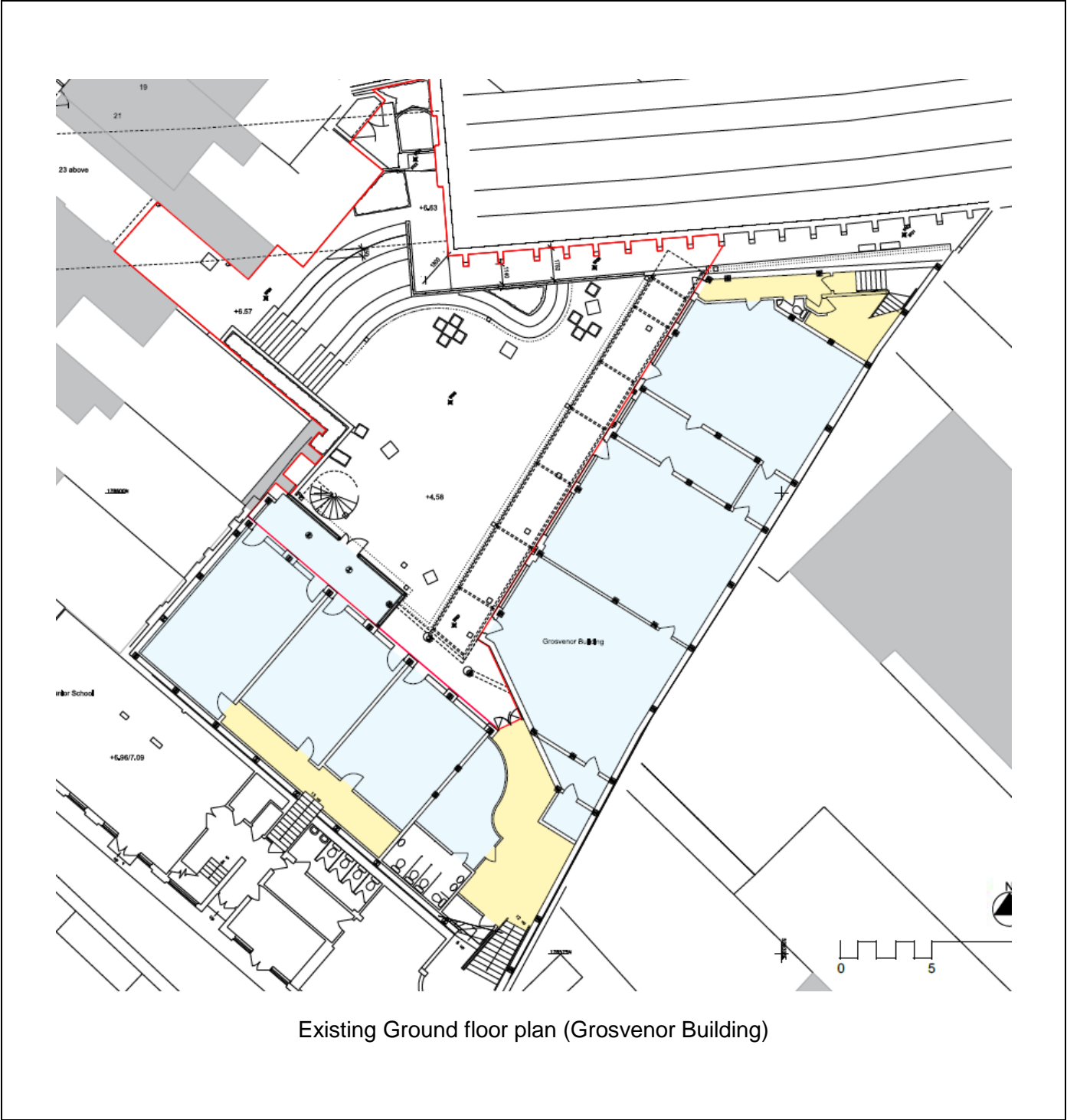
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk

10. KEY DRAWINGS





Proposal locations

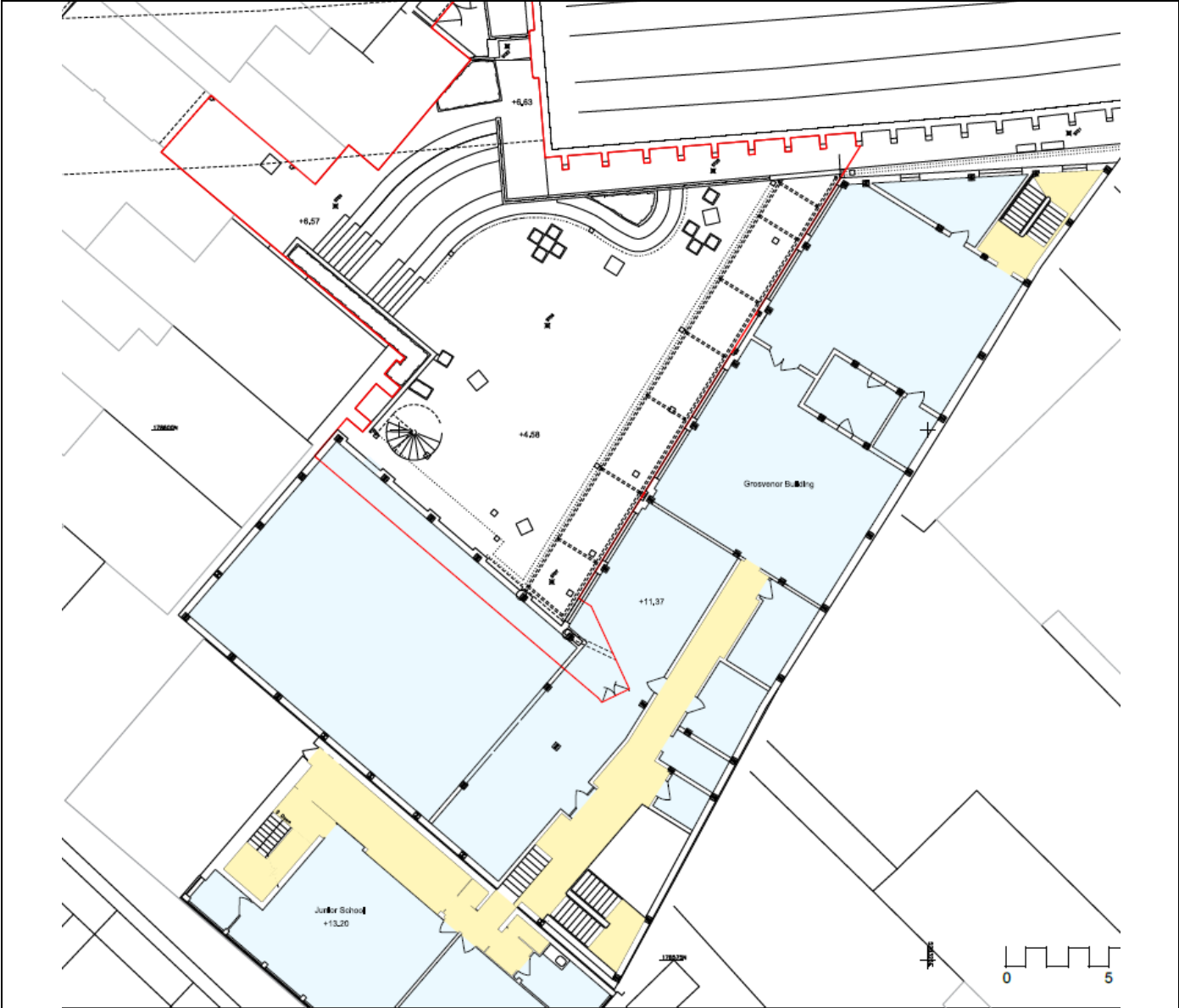


Existing Ground floor plan (Grosvenor Building)

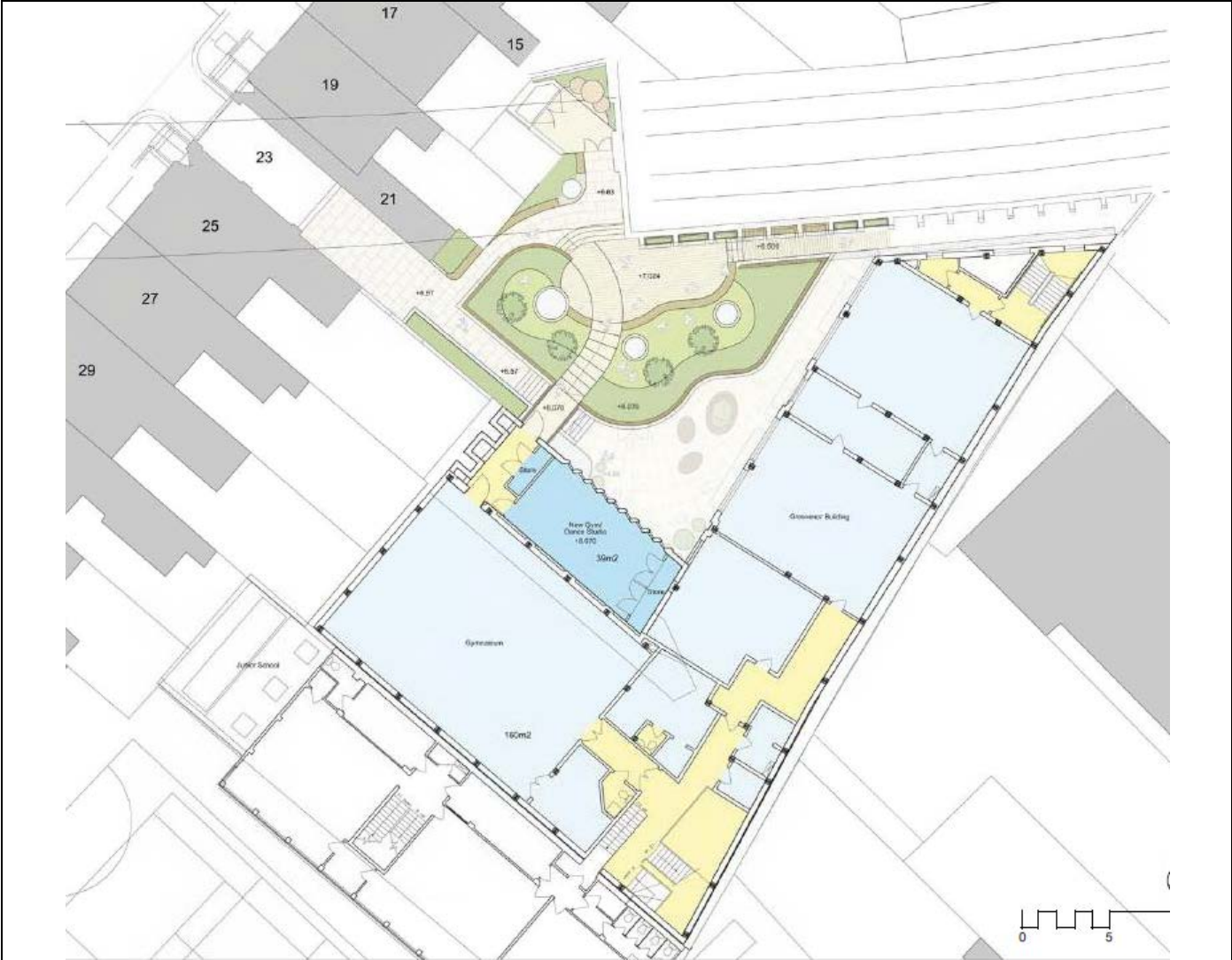


Proposed Ground floor plan (Grosvenor Building)

(Plan showing single storey Centre for Creative Learning and three storey side extension to Junior School Gym building)

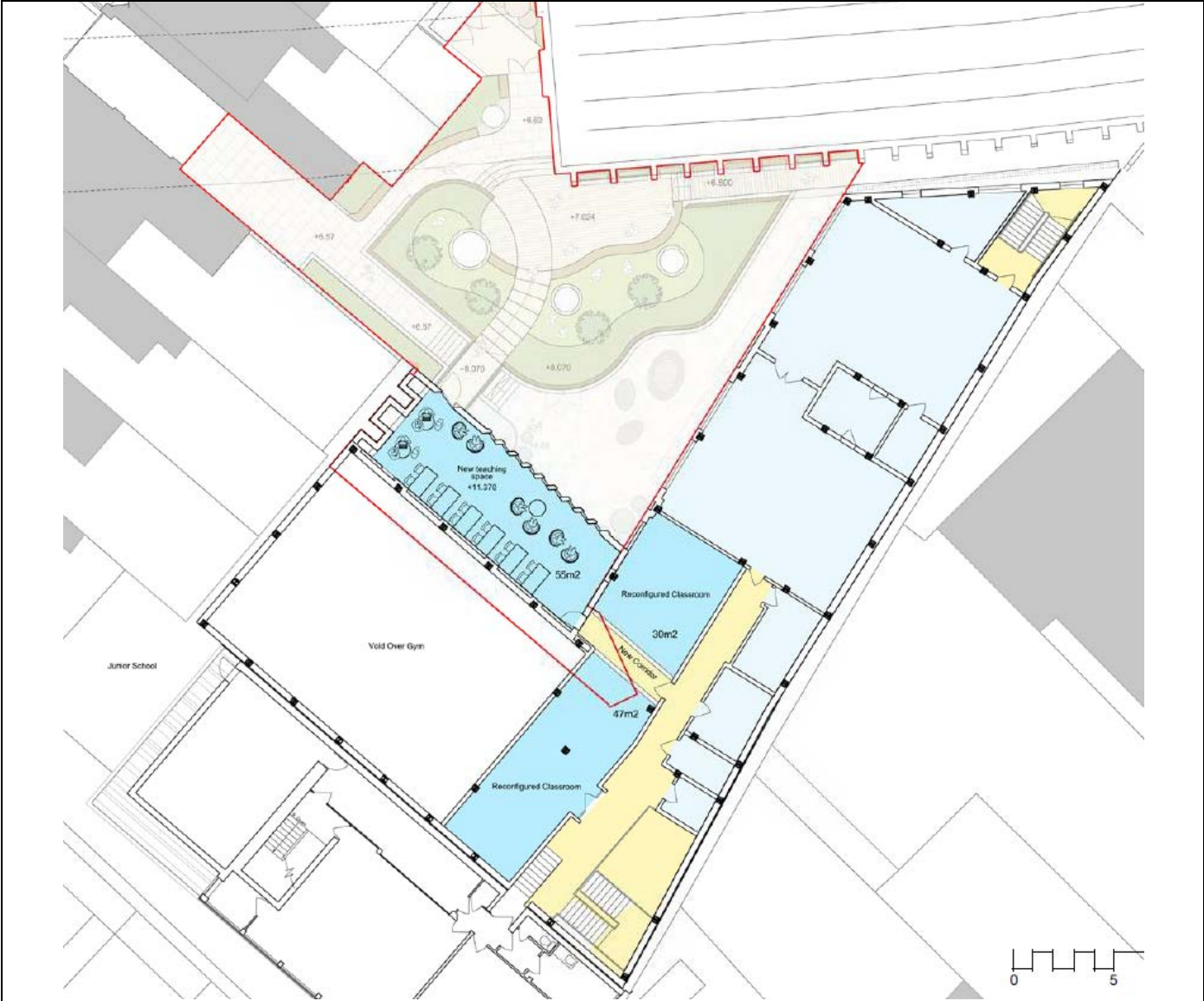


Existing First floor plan (Grosvenor Building)



Proposed First floor plan (Grosvenor Building)

(Plan showing single storey Centre for Creative Learning and three storey side extension to Junior School Gym building)

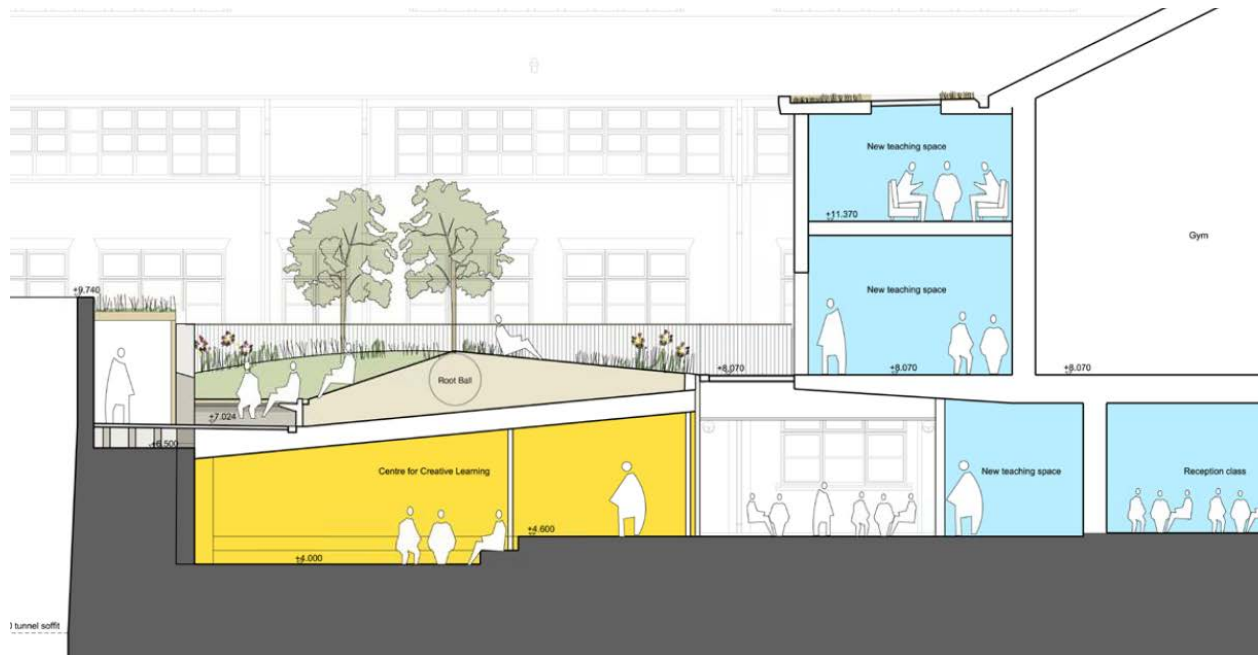


Proposed Second floor plan (Grosvenor Building)

(Plan showing single storey Centre for Creative Learning and three storey side extension to Junior School Gym building)

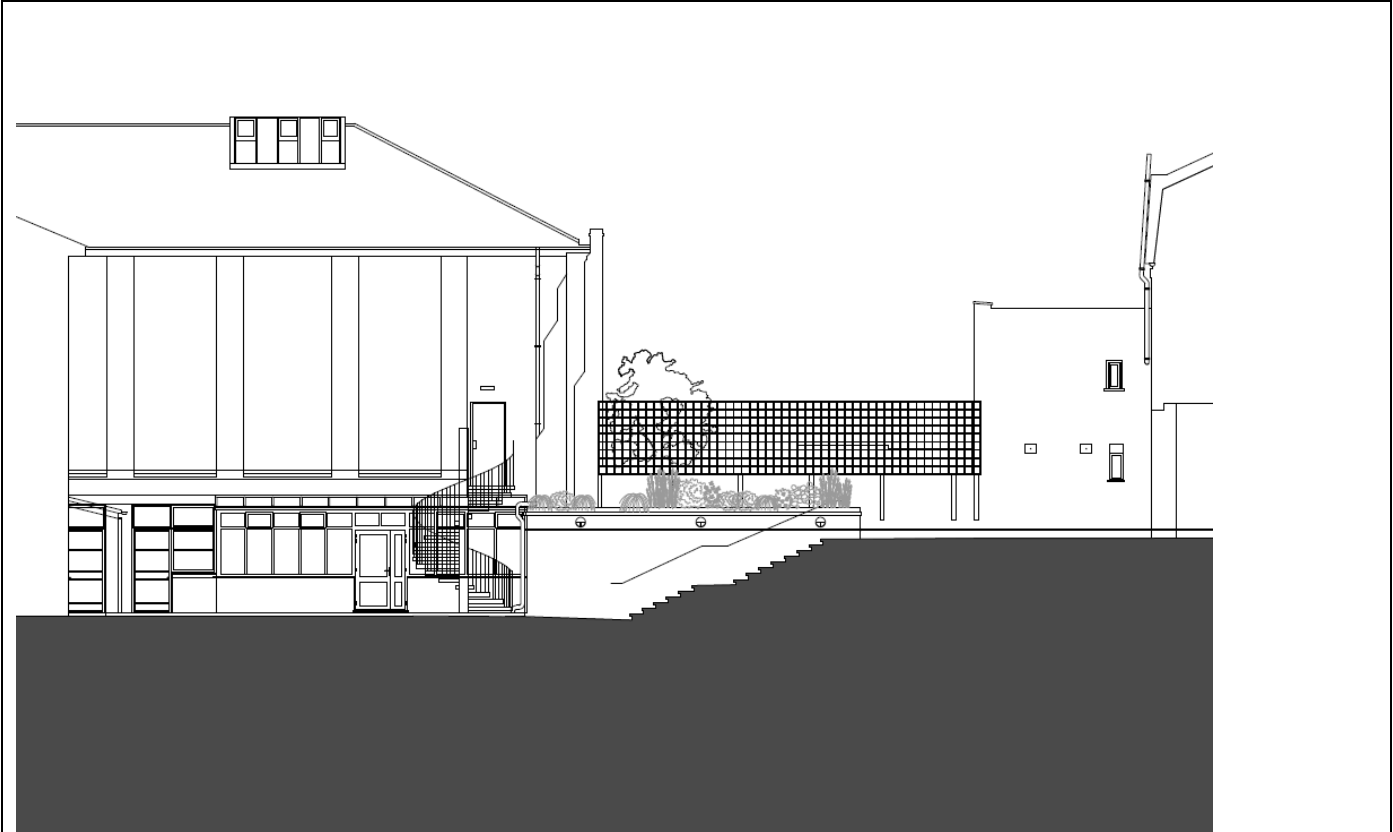


Existing section AA (Grosvenor Building)



Proposed section AA (Grosvenor Building)

(Section showing single storey Centre for Creative Learning and three storey side extension to Junior School Gym building)

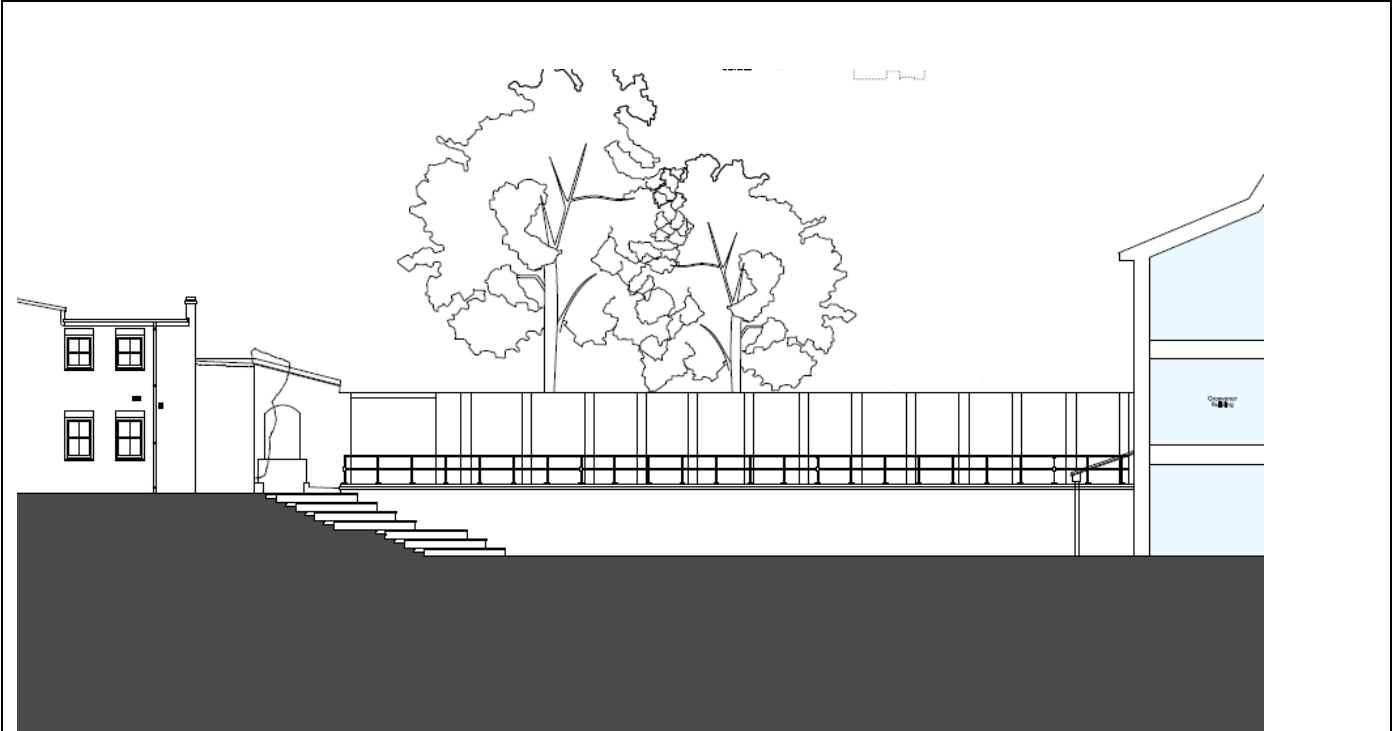


Existing North elevation (Grosvenor Building)



Proposed North elevation (Grosvenor Building)

(Section showing storage area for single storey Centre for Creative Learning and elevation of three storey side extension to Junior School Gym building)

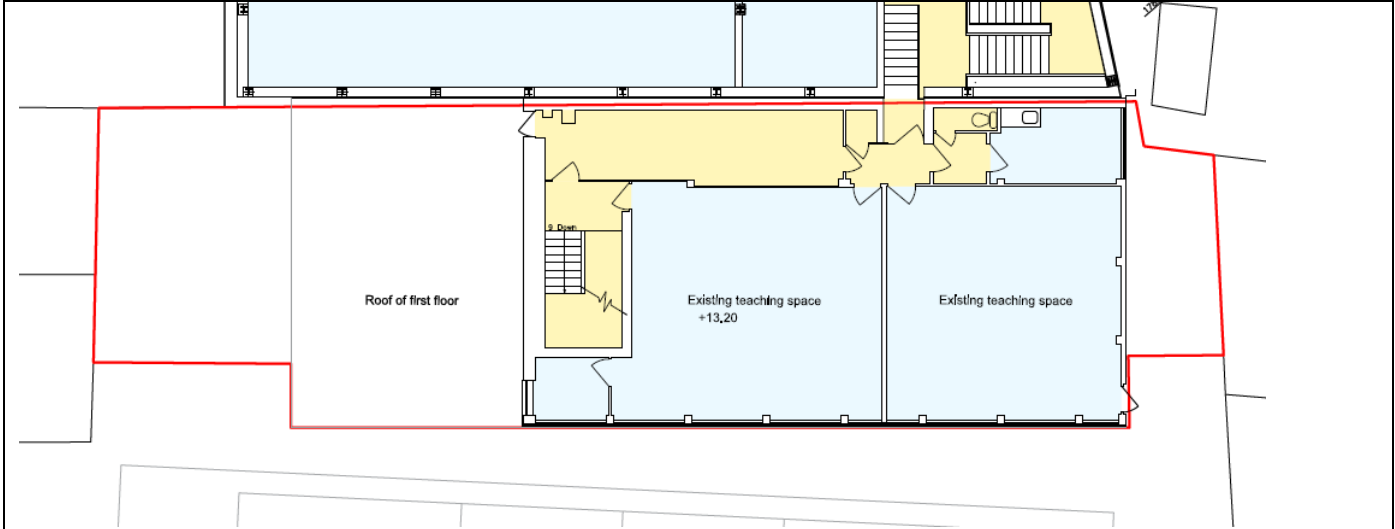


Existing section BB (Grosvenor Building)

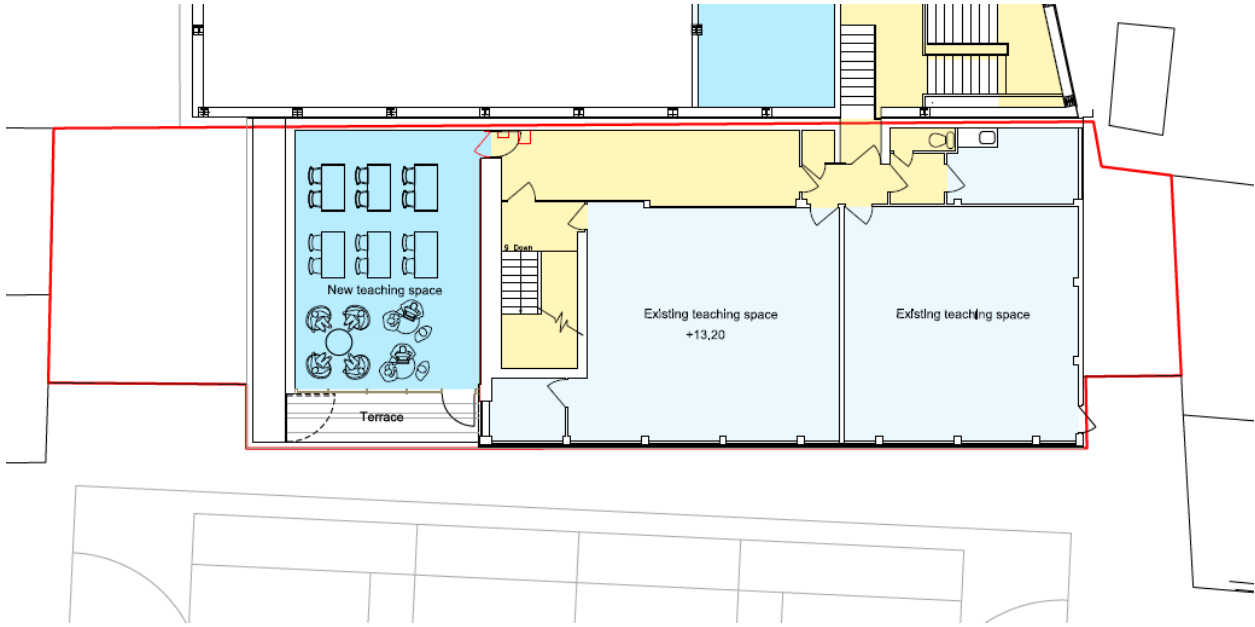


Proposed section BB (Grosvenor Building)

(Section and elevation of single storey Centre for Creative Learning)

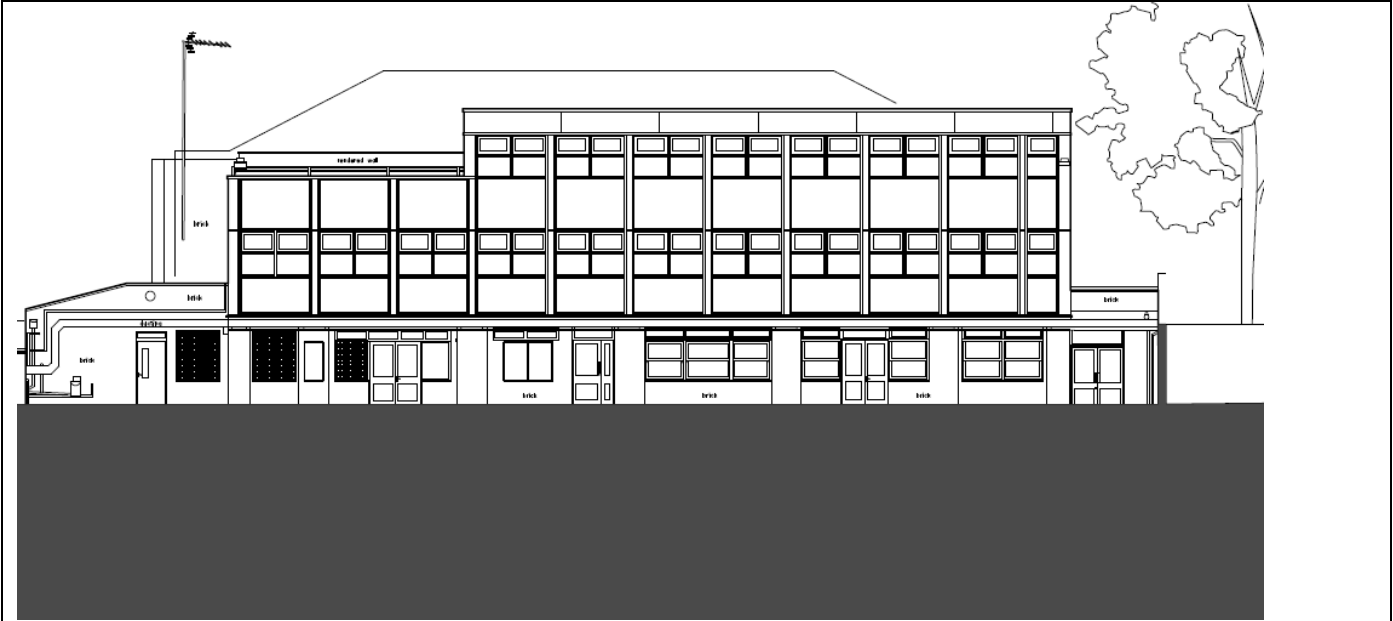


Existing Second floor (Junior School Gym Building)

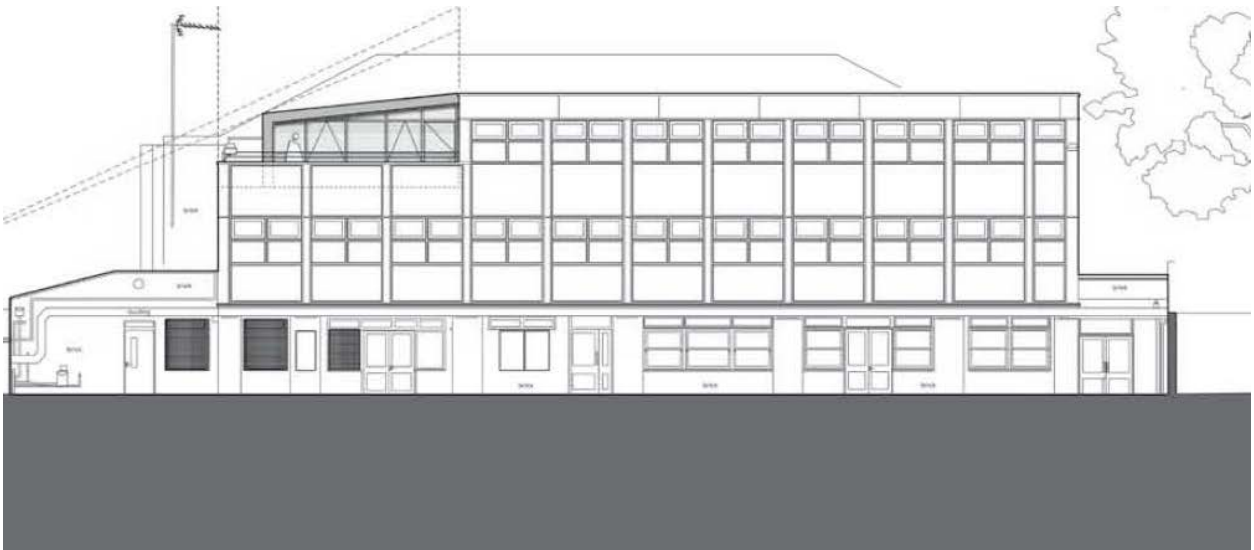


Proposed Second floor (Junior School Gym Building)

(Second floor plan showing addition to the Junior School Building)

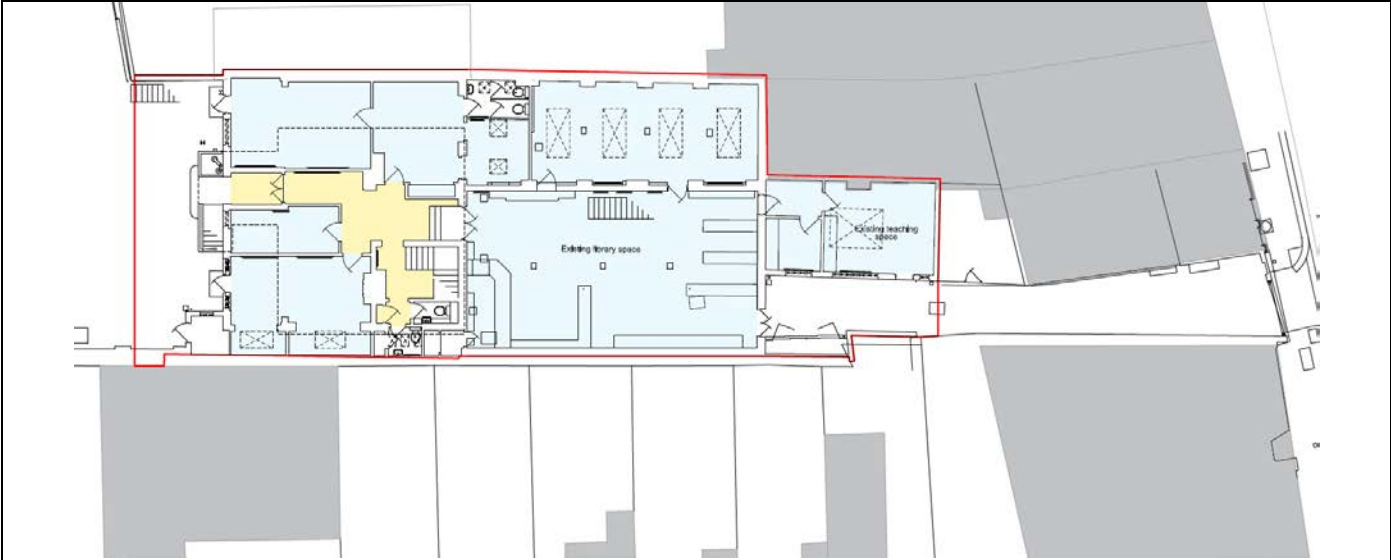


Existing West elevation (Junior School Gym Building)

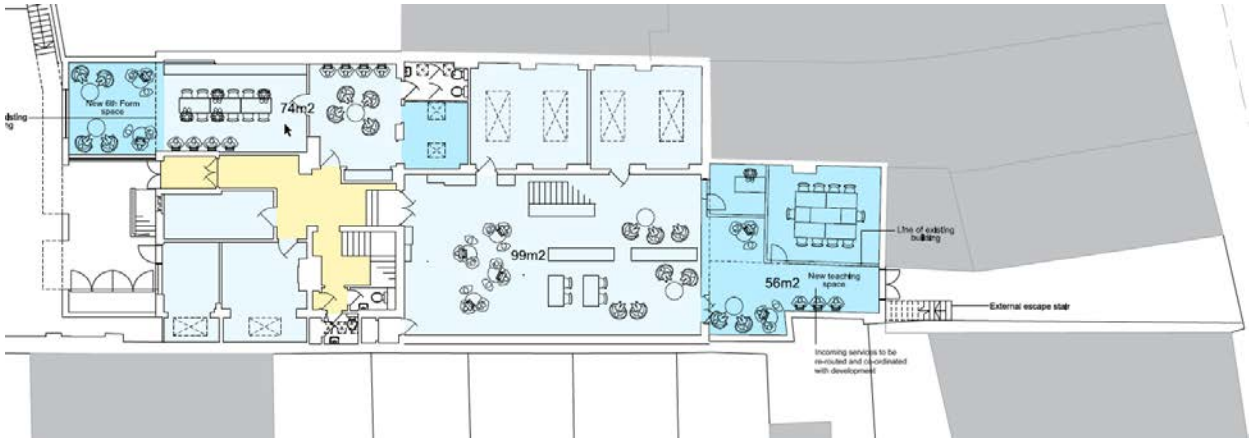


Proposed West elevation (Junior School Gym Building)

(Elevation showing second floor addition to the Junior School Building)

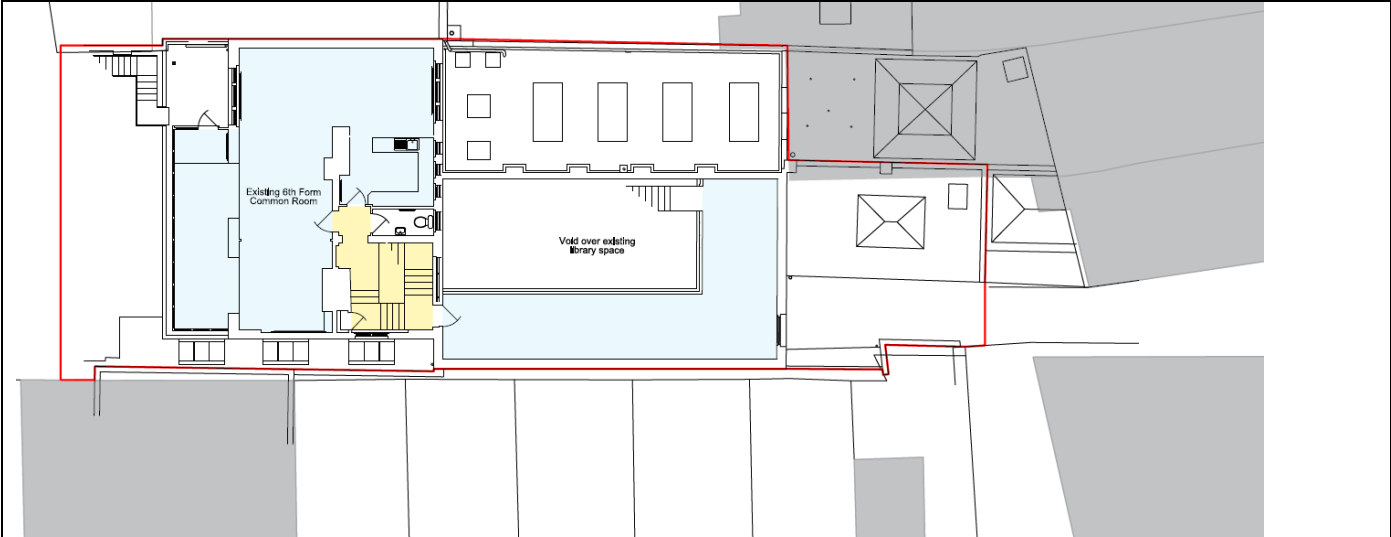


Existing Ground floor plan (Morison Building)

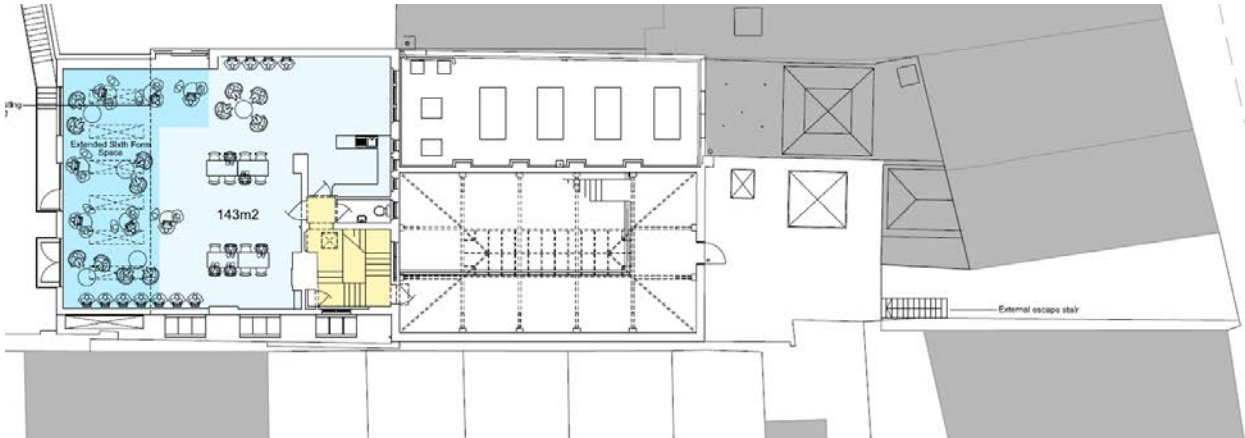


Proposed Ground floor plan (Morison Building)

(Plan showing single and two storey extensions to the Morison Building)

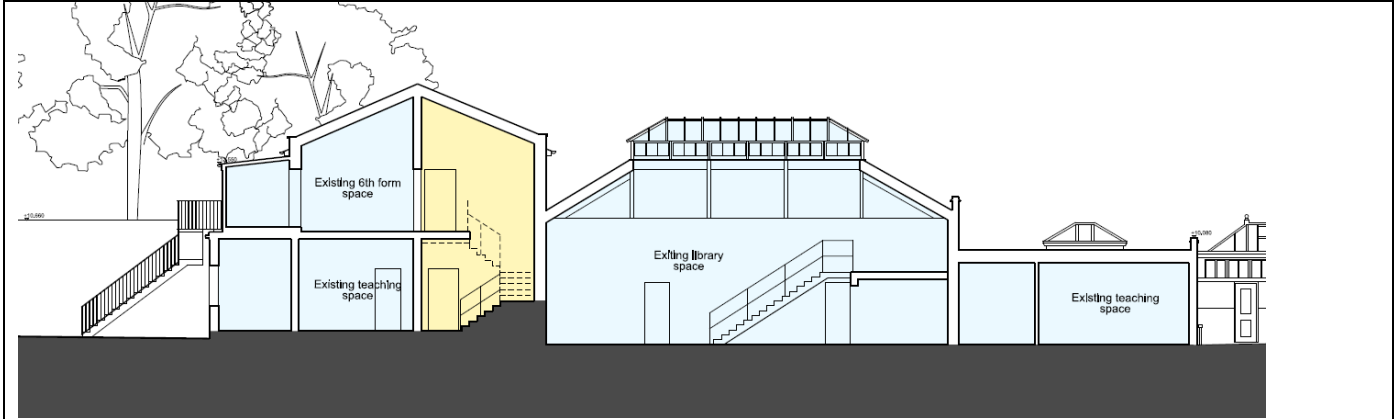


Existing First floor plan (Morison Building)

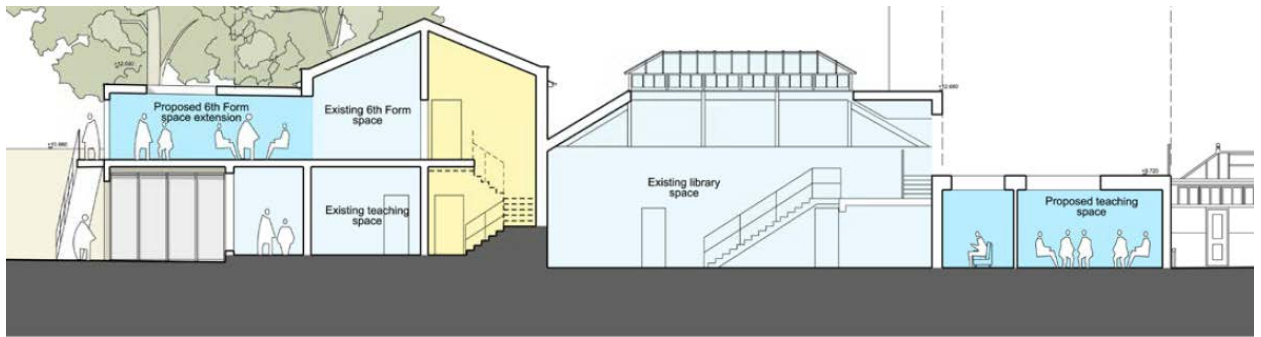


Proposed First floor plan (Morison Building)

(Plan showing single and two storey extensions to the Morison Building)



Existing Section AA (Morison Building)



Proposed Section AA (Morison Building)

(Section through single and two storey extensions to the Morison Building)

DRAFT DECISION LETTER

Address: Francis Holland School, 39 Graham Terrace, London, SW1W 8JE,

Proposal: Erection of single storey Centre for Creative Learning at lower ground floor level (to the rear of 15 to 23 Graham Terrace); three storey side extension to Junior School Gym building (to the rear of 25 Graham Terrace); second floor addition to the Junior School Building (to the rear of 31 to 33 Graham Terrace); and ground and first floor extensions to the Morison Building (accessed off Ebury Street). Excavation (to the rear of 15 to 25 Graham Terrace) and landscaping.

Reference: 16/08593/FULL

Plan Nos: 00(00)AP001; 00(20)AP001; 01(20)AP010; 01(20)AP011; 01(20)AP012; 01(20)AS020; 01(20)AE010; 01(20)AS010; 02(20)AP012; 02(20)AS010; 02(20)AE010; 03(20)AP010 A; 03(20)AP011 A; 03(20)AE010; 03(20)AS020; 03(20)AS010; 01(18)AP000; 01(18)AP001; 01(18)AP002; 01(18)AE011; 01(18)AS021; 03(18)AP002; 01(20)AP000; 01(20)AP001; 01(20)AP002; 01(90)LP000; 01(90)LP001; 01(20)AE011.

Case Officer: Aurore Manceau

Direct Tel. No. 020 7641 7013

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 (July 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 Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 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 apply to us for approval of details of the following parts of the development:

- i) Detailed drawings and materials samples in relation to the balustrades and handrail associated with the creative learning centre and landscaping.
- ii) Material sample for the window framing of the creative learning centre.
- iii) Material Sample for the window framing of the second floor extension to the junior school.
- iv) Brick sample panel for the junior school gym extension - provided on site.
- v) Brick sample panel for the northern extension of the Morison building - provided on site.

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 (July 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.** No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:
- (i) a construction programme including a 24 hour emergency contact number;
 - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
 - (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and

(vi) a scheme for recycling/disposing of waste resulting from demolition and construction works. You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 6 The proposed external lighting to be installed to the roof of the creative learning centre should be turned off between 9 pm and 7am daily.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 7 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. This landscaping scheme should include details of planter sizes, soil volume and the proposed irrigation details using sustainable water sources.

You must not start work until we have approved what you have sent us. You must then carry out the landscaping and planting within 3 months; of completing the development (or within any other time limit we agree to in writing).

If you remove any plants or find that they are dying, severely damaged or diseased within three years; of planting them, you must replace them with plants 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 (July 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)

- 8 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof and wall to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in

S38 of Westminster's City Plan (July 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43AB)

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 (July 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

You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)

3

For the avoidance of doubt the Construction Management Plan required under condition 5 shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act 1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.

4

You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

5

The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.

6

In supply the detail required for condition (C30CB and C43GA) you should include an environmental sustainability system of irrigating the planting in the roofs, planters and green walls. For more advice on this, please see the Mayor of London's supplementary planning guidance: Sustainable Design and Construction, April 2014. It will need to consider rainwater harvesting and storage or grey water filtration and storage to minimise the use of potable mains water for irrigation. However, if any features materially (significantly) affect the appearance of the outside of the buildings, this is likely to need planning permission.

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2

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.

Agenda Item 3

Item No.

3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	74 Seymour Place, London, W1H 2DF		
Proposal	Variation of condition 8 of planning permission dated 23 June 2016 (RN: 16/00727/FULL) for the Use of ground floor and basement as medical use (Class D1), installation of plant within basement, replacement of basement window with louvres and excavation to part of basement. NAMELY, to vary the opening hours to Monday to Friday 08.00 - 21.00, Saturday 09.00 - 18.00 and Sunday 09.00 - 16.00.		
Agent	Mrs Diana Bayliss		
On behalf of	Ms R. Myklalus		
Registered Number	16/09359/FULL	Date amended/ completed	29 September 2016
Date Application Received	29 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	Portman Estate		

1. RECOMMENDATION

Grant conditional permission for a temporary period of 1 year

2. SUMMARY

On 23rd June 2016 permission was granted for use of a basement and ground floor commercial unit for medical purposes (Class D1). The premises is currently vacant but has been used as either offices (Class B1) or as a clinic (Class D1) pursuant to a dual alternative use (as either offices Class B1 or medical Class D1 granted in 2003. The permission for the medical use granted in June 2016 was subject to a number of conditions including a condition (No 8) which restricted the opening to between the following hours :

Monday to Friday 08:00 and 18.00;
Saturday 09:00 and 13.00;
and not at all on Sunday.

Since permission was granted an alternative medical user has been identified. A pediatric dental practice wish to occupy the premises, but require extended opening hours to enable parents/carers to take children to the dentist outside of normal working/school hours. This application seeks to extend the opening hours to the following :

Monday to Friday 08.00 and 21.00 (an additional 3 hours);
Saturday 09.00 and 18.00 (an additional 5 hours);
and Sunday 09.00 and 16.00 (an additional 7 Hours).

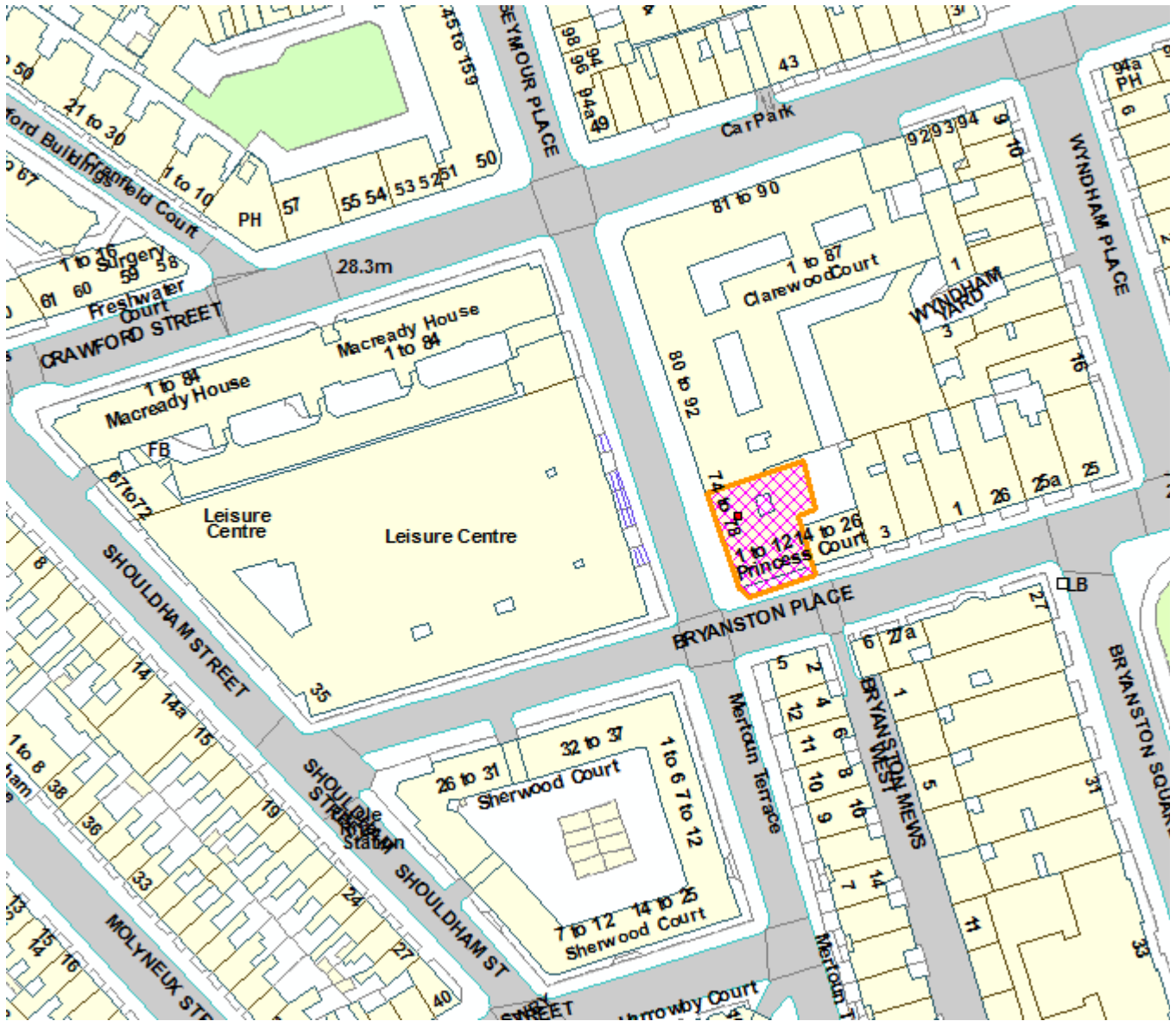
The site is located on the lower floors of Princess Court a residential mansion block comprising 7 upper floors. The site is located outside the core Central Activities Zone (CAZ) but within the wider CAZ and outside the Harley Street Special Policy Area.

An objection has been received from the managing agents of Princess Court who represent 25 long leaseholder residents in the block and from an individual resident that the proposed opening hours at the weekend and opening beyond 6pm during weekdays would result in additional noise and disturbance that would be harmful to residential amenity.

The applicant highlights that the site is directly opposite the Seymour Leisure Centre which is open on Monday to Friday 06.30 to 22.00, Saturday 07.00 to 20.00 and Sunday 08.00 to 20.00.

The applicants' argument that Seymour Place is not a wholly residential street and there is currently activity in the evenings and at weekends associated with the leisure centre is acknowledged. However the application premises is directly under a number of residential flats. In the light of this it is recommended that the proposed extended hours are permitted for a temporary period of 1 year in the first instance. This will allow the position to be monitored to ensure that the later operating hours do not result in a loss of amenity to residents.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

Objection - No Sunday opening should be allowed.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 114

Total No. of replies: 2

No. of objections: 2 raising the following:

Amenity

Additional noise nuisance to residents

Other

The conditions controlling the operation of internal plant and requiring details of louvres are necessary and should not be removed (the application initially sought to remove these conditions but was subsequently amended and conditions 3 and 12 remain unaltered).

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 Recent Relevant History

On 23 June 2016 permission was granted for: Use of ground floor and basement as medical use (Class D1), installation of plant within basement, replacement of basement window with louvres and excavation to part of basement. (16/00727/FULL)

On 5 August 2003 permission was granted for: Use of ground floor and basement areas as either offices (Class B1) and/or as a hair academy (Class D1) for a temporary period until 31 December 2022 (03/03843/FULL).

7. BACKGROUND PAPERS

1. Application form
2. Response from Marylebone Association, dated 8 October 2016
3. Letter from occupier of Flat 26, Princess Court, Bryanston Place, dated 16 October 2016
4. Letter from occupier of Strettons Chartered Surveyors, 189-203 Hoe Street, dated 26 October 2016

(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: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

DRAFT DECISION LETTER

Address: 74 Seymour Place, London, W1H 2DF

Proposal: Variation of condition 8 of planning permission dated 23 June 2016 (RN: 16/00727/FULL) for the Use of ground floor and basement as medical use (Class D1), installation of plant within basement, replacement of basement window with louvres and excavation to part of basement. NAMELY, to vary the opening hours to Monday to Friday 08.00 - 21.00, Saturday 09.00 - 18.00 and Sunday 09.00 - 16.00.

Reference: 16/09359/FULL

Plan Nos: 15/125/SK PROP 1 REV B, 15/125/SK PROP 2 REV B, Planning Compliance Report AS8757.160311.PCR.docx prepared: 11 March 2016

Case Officer: Shaun Retzback

Direct Tel. No. 020 7641 6027

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 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., , Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 (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 (July 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.

- 4 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the property. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (July 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

- 5 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

- 6 You must apply to us for approval of a servicing management plan to show how servicing will occur on a day to day basis to identify scheduling of deliveries and staffing arrangements; as well as how delivery vehicle size will be managed and how the time the delivered items spend on the highway will be minimised. You must not occupy the building until we have approved what you have sent us. You must then carry out the measures included in the management plan at all times that the property is in use.

Reason:

To ensure that goods and delivery vehicles spend the least amount of time on the highway as possible and do not cause an obstruction or a danger to highway users.

- 7 No goods delivered or collected by vehicles arriving at or departing from the building shall be left on the public highway during service deliveries.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (July 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 8 Customers shall not be permitted within the business premises before 08:00 or after 21:00 Monday to Friday, before 09:00 or after 18:00 on Saturday and before 09:00 or after 16:00 on Sunday for a temporary period of 1 year from the date of this decision. After which time customers shall not be permitted within the premises before 08.00 or after 18.00 Monday to Friday, before 09.00 or after 13.00 on Saturday, and not at all on Sunday.

Reason:

To protect the environment of people in neighbouring properties as set out in S24, S29 and S32 of Westminster's City Plan (July 2016) and ENV 6, ENV 7 and ENV 9 of our Unitary Development Plan that we adopted in January 2007. (R12AC)

- 9 All servicing must take place between 07:00 - 18:00 on Monday to Saturday and not at all on Sunday. Servicing includes loading and unloading goods from vehicles and putting rubbish outside the building. (C23DA)

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (July 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

- 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 The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

- 12 You must apply to us for approval of detailed drawings at 1:10 of the following parts of the development - new louvre at basement level. 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 approved drawings. (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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 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)

- 13 You must use the property only for medical uses. You must not use it for any other purpose, including any within Class D1 of the Town and Country Planning (Use Classes) Order 1987 as amended April 2005 (or any equivalent class in any order that may replace it). (C05AB)

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 (July 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 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work., , Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974. 24 Hour Noise Team, Environmental Health Service, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP. Phone: 020 7641 2000
Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (150AA)

- 3 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following: , , * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible; , , * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant. Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm. , , It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 4 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained. Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following: , * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings; , * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase; , * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained; , * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the

centre of particularly wide staircases where necessary;, * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

- 5 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following;
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building,
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained,
 - * Lighting - ensure luminaires can be safely accessed for replacement,
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm. Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 6 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.
- 7 Please contact our District Surveyors' Services to discuss how you can design for the inclusion of disabled people. Email: districtsurveyors@westminster.gov.uk. Phone 020 7641 7240 or 020 7641 7230. If you make a further planning application or a building regulations application which relates solely to providing access or facilities for people with disabilities, our normal planning and building control fees do not apply., , The Equality and Human Rights Commission has a range of publications to assist you, see www.equalityhumanrights.com. The Centre for Accessible Environment's 'Designing for Accessibility', 2004, price £22.50 is a useful guide, visit www.cae.org.uk. , , If you are building new homes you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk , It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.
- 8 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. (I54AA)
- 9 The development will result in changes to road access points. Any new threshold levels in the building must be suitable for the levels of neighbouring roads. If you do not plan to make changes to the road and pavement you need to send us a drawing to show the threshold and existing road levels at each access point., , If you need to change the level of the road, you must apply to our Highways section at least eight weeks before you start work. You will need to provide survey drawings showing the existing and new levels of the road between the carriageway and

the development. You will have to pay all administration, design, supervision and other costs. We will carry out any work which affects the road. For more advice, please phone 020 7641 2642. (I69AA)

- 10 Please contact our Cleansing section on 020 7641 7962 about your arrangements for storing and collecting waste. (I08AA)
- 11 The term 'clearly mark' in condition 4 means marked by a permanent wall notice or floor markings, or both. (I88AA)
- 12 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)

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.

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Item No.
4

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	All Blocks, Hallfield Estate, London, W2 6EF,		
Proposal	Mechanical extract fan installation to kitchens and bathrooms including associated internal alterations, localised external soffit insulation to ground floor level, and installation of bathroom towel-rail/radiator heating units.		
Agent	Mr John Pratley		
On behalf of	Katharine Chambers		
Registered Number	16/04961/COFUL, and 16/04962/COLBC	Date amended/ completed	14 November 2016
Date Application Received	26 May 2016		
Historic Building Grade	Unlisted		
Conservation Area	Hallfield Estate		

1. RECOMMENDATION

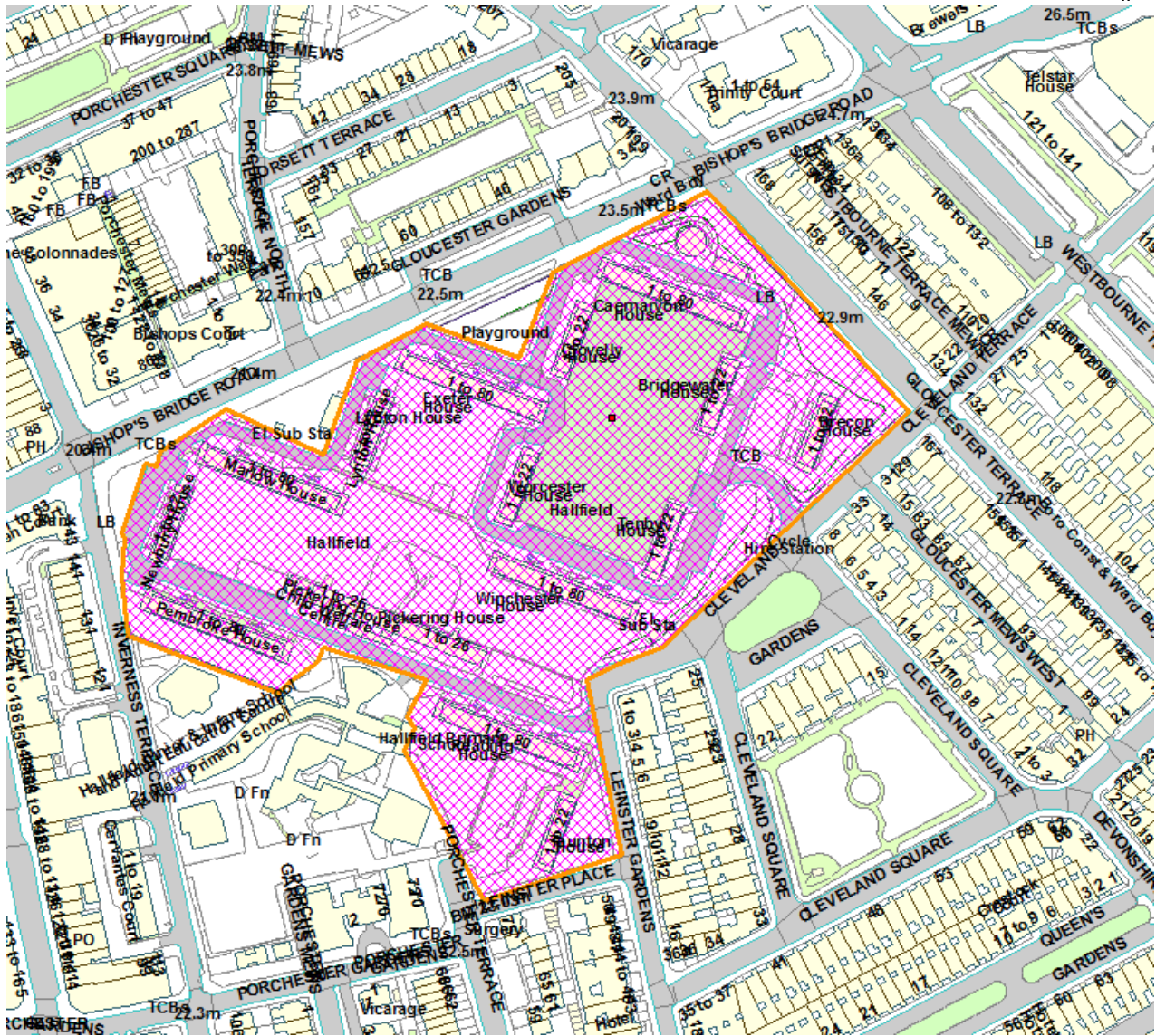
<ol style="list-style-type: none"> 1. Grant conditional permission pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992. 2. Grant conditional listed building consent. 3. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

<p>The Hallfield Estate is a mid 20th century housing estate located within the Hallfield Estate Conservation Area. The Estate comprises 13 residential blocks which are all Grade 2 listed, and other ancillary blocks. The applications relate to alterations to the residential blocks for the installation of mechanical ventilation equipment, the installation of insulation to external soffit areas at ground floor level, and other associated internal alterations.</p> <p>The key issues in this case are:</p> <ul style="list-style-type: none"> - The impact of the proposed works on the character, appearance and special interest of the listed buildings and the Hallfield Estate Conservation Area. - The impact on the amenity of surrounding residents.
--

It is considered that the proposals accord with the relevant policies in both the Core Strategy and the Unitary Development Plan. It is therefore recommended that conditional permission is granted subject to the conditions set out in the draft decision letter, and that Sub-Committee resolve to recommend to the Secretary of State that listed building consent be granted, subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS







5. CONSULTATIONS

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any comments to be reported verbally.

ENVIRONMENTAL HEALTH

State that they understand that the units will be domestic grade units and in such circumstances they would not require an acoustic report. Recommend an informative advising that the extract system should be domestic grade and manually controllable by the individual households, and that they should be properly maintained and serviced regularly.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 943

Total No. of replies: 9

No. of objections: 8

No. in support: 1

- Concern expressed about the need for the ventilation equipment, and that they may encourage unnecessary energy use.
- Concern expressed that the new double glazed windows may cause condensation issues in the absence of the ventilation equipment.
- Concern expressed about noise and loss of daylight from the external vents.
- Desire expressed to see all forthcoming works for the estate presented on one application to ensure a coherent design.
- Desire expressed to see all forthcoming works carried out together to minimise disruption.
- Concern expressed about the appearance of the vents.
- Query raised as to whether Historic England have been consulted.
- Concern expressed about the length of time the ventilation equipment may last.
- Concern expressed about CityWest Homes management of the estate.
- Statement made that CityWest Homes needs permission to access the demised premises of the leaseholders.
- Concern expressed about the internal works associated with the ventilation equipment and towel rail.
- Concern expressed that other means of insulating the communal areas should be found.
- Concern expressed that the extract vents could be a breeding ground for germs.
- Concern expressed about a perceived lack of consultation from CityWest Homes.
- Concern expressed that condensation may give rise to maintenance issues to the external balcony soffits.
- Query as to whether these works apply to all lessee properties.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

These applications relate to the residential blocks on the Hallfield Estate in Bayswater, which were constructed around 1949-1955. The estate was designed by the architectural practice Tecton, and then executed by two of its members, Lindsay Drake and Sir Denys Lasdun, after the firm split up. Lasdun in particular is one of the most respected mid 20th century architects and the estate as designed and executed is of particular architectural merit.

The residential buildings were Grade 2 listed in 2011, and all the buildings on the estate are included within the Hallfield Estate Conservation Area.

6.2 Recent Relevant History

No relevant history for these proposals

7. THE PROPOSAL

The applications propose the installation of domestic grade mechanical extract fans to the outside wall of the flats facing onto the walkways in front of the entrances to the flats and including associated internal works, and for the installation of insulation to recessed soffit areas at ground floor level of each block. CityWest Homes advise that their intention is only to install this equipment to the tenanted flats and not to the leaseholders flats, however the applications would allow for their installation to any flat on the estate as desired by the owner.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The scheme does not raise any land use considerations.

8.2 Townscape and Design

The external vent associated with the extraction equipment is 225mm x 225mm in size, with a maximum projection of 50mm from the face of the wall, and is of a neat and uncluttered design. Though noting that the installation of these features would add some cluttering element to the outside of the building, set to the face of the building at the rear of the balcony walkways, and seen in context with the numerous other flues in place along these walkways, they are considered acceptable. The applicants have advised that the external element is required instead of simply utilising an air brick, as this element projects the flats from wind and rain being blown back into the flat.

Though it is recognised that the information provided in terms of the internal works is more limited than that for the external, the internal works associated with this equipment are nonetheless considered acceptable in this case, given the modern date and character of the building. Clear details are given of the internal vent which forms part of the ventilation system, and it is considered of neat appearance. Though the comments from an objector

regarding the specific design of towel rail are noted, its detailed appearance is not considered of relevance in terms of a consideration of its implications for the character and special interest of these listed buildings.

Concern has been expressed that condensation from the vents may give rise to maintenance issues to the external balcony soffits. Though recognising that the vents do not project to the outer edge of each balcony, were they to do so this would give rise to considerably larger and more cluttering units. Boiler vents are common features within the balcony walkway areas, and it is not considered that the vents proposed would give rise to major issues in terms of maintenance.

The insulation proposed to ground floor level is discreetly sited and will not adversely affect the character and appearance of the buildings. Two specific areas are proposed to accommodate insulation. Firstly within the areas surrounding the lift shaft, which are enclosed to each block by fencing which would help screen any impression of the insulation from view. Secondly to the underside of first floor level to the open ends of each of the ten storey blocks. Around the edge of these underside areas is a lip which projects down below the level of the main area to the centre, and the insulation will not project down below the lip and as such will not unduly clutter the clean lines of these modern buildings. The insulation will be coloured to match the existing colour of the soffit areas to ensure it harmonises appropriately with the building. A comment has been made by a local resident that CityWest Homes should find other means of insulating the communal areas. However a specific proposal is set out in these applications which must be judged on its planning merits.

A query was received from a local resident regarding whether Historic England were consulted. They were not consulted on these application proposals, and were not needed to be given the limited scope of the works to these Grade 2 listed buildings.

Overall therefore, the proposals are considered acceptable in design and listed building terms, and in accordance with policies DES 1, DES 5, DES 9 and DES 10 of the UDP and policies S25 and S28 of the City Plan.

8.3 Residential Amenity

Concern has been expressed by a local resident that the external vents may adversely affect daylighting to the flats adjacent. The vents are small features however, and would not be anticipated to have any notable effect on lighting levels into or outlook from flats.

The proposals are therefore considered acceptable in residential amenity terms, and in line with policies

As such, the proposals are considered acceptable in residential amenity terms, and in accordance with policy ENV 13 of the UDP and policy S29 of the City Plan.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The proposals do not affect the access arrangements to these proposals.

8.7 Other UDP/Westminster Policy Considerations

The noise of plant equipment can be an issue against which a planning application could be considered, an issue which is considered under Unitary Development Plan policy ENV 6, and a local resident has raised concerns about the potential for a noise nuisance from these units. The applicants however have confirmed that the equipment is domestic grade ventilation equipment, and the Environmental Health team advise that in such circumstances they would not require an acoustic report, with no objection raised to the proposals. They request an informative to be added regarding the equipment and the need for it to be properly maintained and serviced, which is included on the draft decision letter.

As such, the proposals are considered acceptable in these terms, and in accordance with policy ENV 7 of the UDP and policy S32 of the City Plan.

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

These proposals raise no other environmental considerations.

8.12 Other Issues

Concerns were raised by several local residents about a perceived lack of need for the ventilation equipment. Whilst noting these concerns, it is recognised that CityWest Homes have identified issues with regards condensation in a number of flats within the estate, and have proposed these works as a means of seeking to address these issues. Whilst noting these concerns, given the known issues on the estate, and that the planning merits of these current application proposals are considered to be acceptable, it is not considered that these concerns are sustainable.

Concerns were also raised that the equipment could give rise to unnecessary energy use, however this would be a private matter between CityWest Homes and the leaseholders or tenants, and could not be considered as a reason for refusal of these current application proposals.

A concern has been expressed about these proposals coming forward in a separate application to CityWest Homes other current proposals to replace windows across the estate. Though noting this concern, these are two separate and distinct proposals, and can be considered on their own planning merits.

Issues have also been raised by local residents regarding whether the ventilation equipment is proposed to be installed to either tenanted, leaseholder owned or both types of flat across the estate, and about the implications of leaseholders not having ventilation equipment at the point that CityWest Homes install double glazing to their flat. The applicants state that their intention is to install the equipment to tenanted properties only. Notwithstanding this however, these applications allow for the installation of the equipment across the estate, on a flat by flat basis, and as such should leaseholders desire to install the equipment then they could do so without further applications being required. Though this raises the point that the equipment will not be installed to every single flat in a unified manner, nonetheless these are considered small external units that have a relatively low visual impact upon the overall appearance of each building, and as such its piecemeal installation across the estate is not considered contentious.

A local resident has also expressed concern that the ventilation equipment may last for less than 3 and a half years. Though noting this concern, this would be a maintenance issue for CityWest Homes to address, and the application could not be considered unacceptable on grounds of this concern.

A local resident has also stated that CityWest Homes needs permission to access the demised premises of the leaseholders, however this would be a private matter between CityWest Homes and any leaseholder.

Concern was raised that the extract vents could be a breeding ground for germs, however this is not an issue against which planning applications could be considered.

Concern was raised by a local resident regarding CityWest Homes management of the estate. Concern also raised about a perceived lack of consultation from CityWest Homes on these proposals. All relevant consultations have been carried out as a standard part of the application process, and the concerns expressed from residents about CityWest Homes are not relevant to the planning merits of these current proposals.

9. BACKGROUND PAPERS

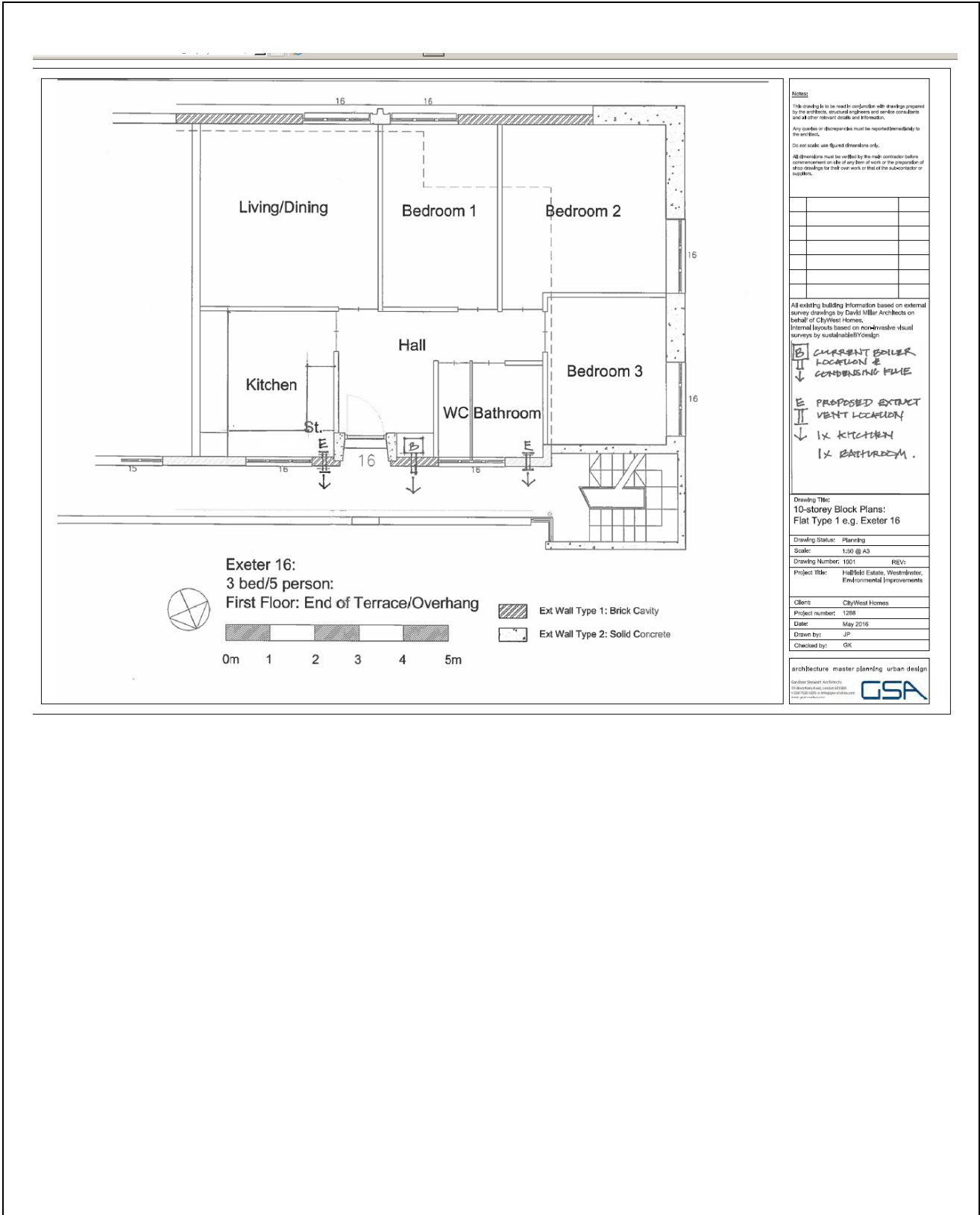
1. Application form.
2. Response from Environmental Health, dated 8 November 2016.
3. Letter from Chairman of Hallfield Residents Association dated 21 July 2016.
4. Letter from occupier of 22 Taunton House, Hallfield Estate, dated 5 July 2016.
5. Letter from occupier of 16 Brecon House, Hallfield Estate, dated 13 July 2016.
6. Letter from occupier of 24 Caernarvon House, Hallfield, dated 6 July 2016.

7. Letter from occupier of 68 Reading House, Hallfield Estate, dated 9 July 2016.
8. Letters from occupier of 40 Exeter House, Hallfield estate, dated 2 July 2016 and 14 November 2016.
9. Letter from occupier of 60 Winchester House, Hallfield Estate, dated 11 July 2016.
10. Letter from occupier of 3 Bridgewater House, Hallfield Estate, dated 27 July 2016.

(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: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk

10. KEY DRAWINGS





Notes

This drawing is to be read in conjunction with drawings prepared by the architect, structural engineers and service consultants and all other relevant details and information.

Any queries or discrepancies must be reported immediately to the architect.

Do not scale: use figured dimensions only.

All dimensions must be verified by the main contractor before commencement on site of any form of work or the preparation of shop drawings for their own work or that of the subcontractor or suppliers.

All existing building information based on external survey drawings by David Miller Architects on behalf of CityWest Homes.

Internal layouts based on non-invasive visual surveys by sustainabledBYdesign

NEW EXTRACT VENT CEILING TO BE LOCATED WITH 300MM FROM EXIST. BOILER FLUES & UNCLEWANT SOFFIT.

Drawing Title:
10-storey Block:
Open Deck Elevation

Drawing Status: Planning
Scale: 1:50 @ A3
Drawing Number: 1008 REV:
Project Title: Hillfield Estate, Westminster, Environmental Improvements
Client: CityWest Homes
Project number: 125
Date: May 2016
Drawn by: JP
Checked by: GK

architecture master planning urban design
REGISTERED ARCHITECTS
10 BATHURST STREET, LONDON W1D 7AY
TEL: 020 7460 1000 FAX: 020 7460 1001
WWW.CSA.CO.UK



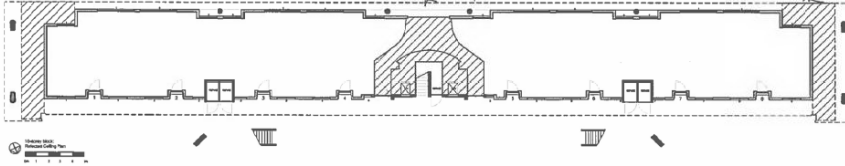
Example of External Vent



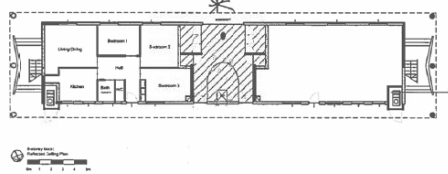
Example of Internal Vent



10-STORY BLOCK: GROUND FLOOR
 REFLECTED CEILING PLAN
 STICKING AREAS FOR SOFFIT INSULATION BOARDS FEATURED
 - AT EACH OVERHUNG END ELEVATION & CENTRAL STORE.



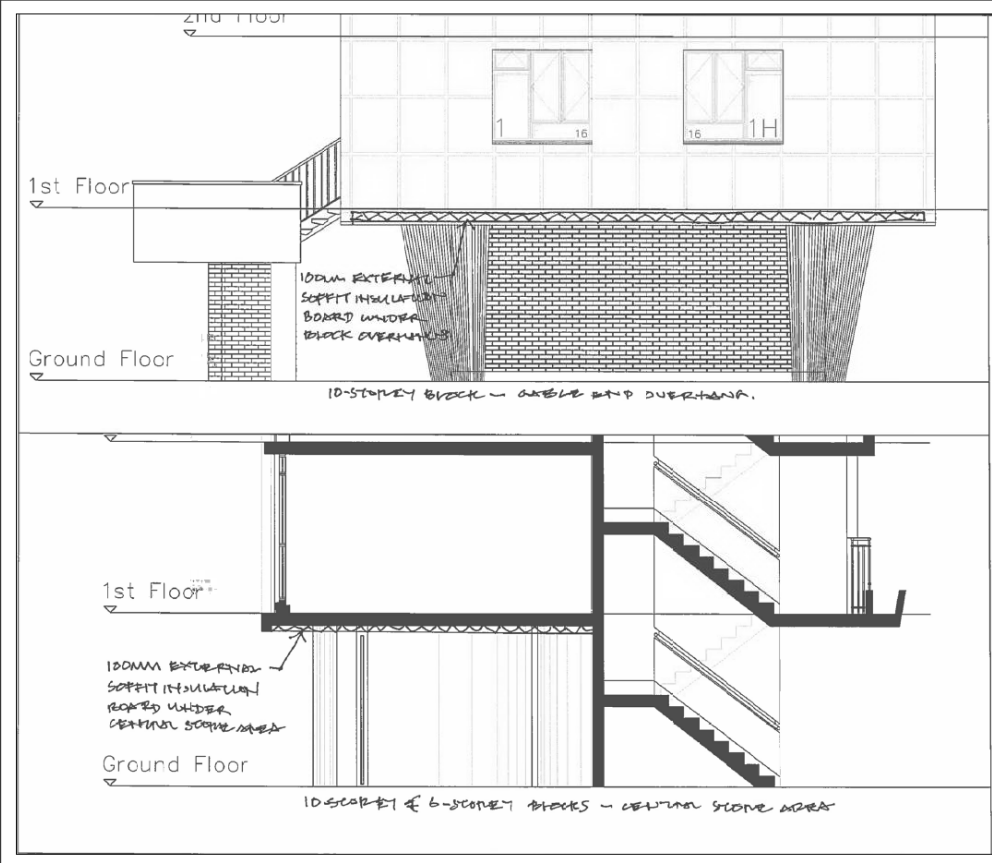
6-STORY BLOCK: GROUND FLOOR
 REFLECTED CEILING PLAN
 SOFFIT INSULATION IN CENTRAL STORE AREA CHLT.



NOTES:
 This drawing is to be read in conjunction with drawings prepared by the architect, structural engineers and service consultants and all other relevant details and information.
 Any queries or discrepancies must be reported immediately to the architect.
 Do not scale any figured dimensions only.
 All dimensions must be called by the main contractor before commencement on site of any form of work or the preparation of any drawings for their own work or that of the subcontractor or supplier.

All existing building information based on external survey drawings by David Miller Architects on behalf of CityWest Homes.
 Internal layouts based on non-invasive visual surveys by sustainableBYDesign.

Drawing Title: External Soffit Insulation Plans	
Drawing Status: Planning	
Scale: 1:50 @ A3	
Drawing Number: 1011 REV:0	
Project Title: Hillside Estate, Westminster, Environmental Improvements	
Client: CityWest Homes	
Project number: 1288	
Date: May 2016	
Drawn by: JP	
Checked by: GK	
architecture master planning urban design	
<small>David Miller Architects 20 Macquarie Street, Level 20/21 Sydney NSW 2000 www.davidmillerarchitects.com.au</small> 	



Notes:
 This drawing is to read in conjunction with drawings prepared by the architect, structural engineers and service engineers and all other relevant details and information.
 Any queries or discrepancies must be reported immediately to the architect.
 Do not scale on figure dimensions only.
 All dimensions must be verified by the main contractor before commencement on site of any item of work or the preparation of shop drawings for their own work or that of the subcontractor or supplier.

All existing building information based on external survey drawings by David Miller Architects on behalf of CityWest Homes.
 Internal layouts based on non-invasive visual surveys by sustainableBYdesign

Drawing Title: External Soffit Insulation: Elevation & Section	
Drawing Status:	Planning
Scale:	1:50 @ A3
Drawing Number:	1012 REV:
Project Title:	Hallfield Estate, Westminster, Environmental Improvements
Client:	CityWest Homes
Project number:	1255
Date:	May 2016
Drawn by:	JP
Checked by:	GK

architecture master planning urban design
 David Miller Architects
 1000 Market Street, London W1P 6PL
 020 7425 1234 • www.dma.co.uk

DRAFT DECISION LETTER

- Address:** All Blocks, Hallfield Estate, London, W2 6EF
- Proposal:** Mechanical extract fan installation to kitchens and bathrooms, localised external soffit insulation to ground floor level, and installation of bathroom towel-rail/radiator heating units.
- Reference:** 16/04961/COFUL
- Plan Nos:** 20002 - block plan, 20001 - location plan, 1001, 1004, 003, 1002, 1006, 001, 002, 005, 006, 011, 1003, 1007, 1008, 004, 007, 008, 009, 012, 1005, 1009, 1010, 1011, 1012, 010, Site Photo of Ground Floor Soffit Area, Email from John Pratley dated 14th November 2016, Existing Ste Photo of Vent, Hallfield Estate Environmental Improvement Works Report dated July 2015, Design and Access Statement dated 26th May 2016, Outline Specification sheet from Gardner Stewart Architects dated 23rd May 2016, emails from John Pratley dated 18th November 2016
- Case Officer:** Alistair Taylor **Direct Tel. No.** 020 7641 2979

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 Hallfield Estate 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 external elements of the vents shall be formed in a dark red metal, and shall be maintained in that colour 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 Hallfield Estate 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 You must apply to us for approval of a plan drawing showing the location of the soffit insulation to ground floor level in context with the building and in context with the upstand around the edge of the soffit. 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 drawings. (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 Hallfield Estate 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 soffit insulation shall be finished in render to underside and upstand/edge which shall match the colour of the existing painted finish to the existing undersides of the balcony decks adjacent

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 Hallfield Estate 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 (July 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 You are advised that the extract system should be domestic grade equipment and manually controllable by the individual households, and it should be properly maintained and serviced regularly.
- 3 With regards to condition 4, you should ensure that the metal cover for the external element of the ventilation system as closely as possible matches the colour of the existing brickwork adjacent

DRAFT DECISION LETTER

- Address:** All Blocks, Hallfield Estate, London, W2 6EF
- Proposal:** Mechanical extract fan installation to kitchens and bathrooms, localised external soffit insulation to ground floor level, and installation of bathroom towel-rail/radiator heating units.
- Reference:** ~~16/01482/CO/FULL~~
16/01482/CO/FULL
- Plan Nos:** 20002 - block plan, 20001 - location plan, 1001, 1004, 003, 1002, 1006, 001, 002, 005, 006, 011, 1003, 1007, 1008, 004, 007, 008, 009, 012, 1005, 1009, 1010, 1011, 1012, 010, Site Photo of Ground Floor Soffit Area, Email from John Pratley dated 14th November 2016, Existing Ste Photo of Vent, Hallfield Estate Environmental Improvement Works Report dated July 2015, Design and Access Statement dated 26th May 2016, Outline Specification sheet from Gardner Stewart Architects dated 23rd May 2016, emails from John Pratley dated 18th November 2016
- Case Officer:** Alistair Taylor **Direct Tel. No.** 020 7641 2979

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:
To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 The external elements of the vents shall be formed in a dark red metal, and shall be maintained in that colour thereafter

Reason:
To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary

Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 4 You must apply to us for approval of a plan drawing showing the location of the soffit insulation to ground floor level in context with the building and in context with the upstand around the edge of the soffit. 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 5 The soffit insulation shall be finished in render to underside and upstand/edge which shall match the colour of the existing painted finish to the existing undersides of the balcony decks adjacent

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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 sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 With regards to condition 3, you should ensure that the metal cover for the external element of the ventilation system as closely as possible matches the colour of the existing brickwork adjacent

Item No.
4

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.

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Agenda Item 5

Item No.

5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Warwick	
Subject of Report	93-95 Charlwood Street, London, SW1V 4PB,		
Proposal	Use of part of the ground and lower ground floors of No. 93 as a three bedroom flat (Class C3) and use of part of the ground floor as retail (Class A1). Creation of light wells and associated railings and steps to Nos. 93 and 95, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults. Replacement of rear window with double doors to rear of No. 93.		
Agent	Harper Planning Consultants Ltd		
On behalf of	Mr R Kenlock		
Registered Number	16/06554/FULL	Date amended/ completed	28 September 2016
Date Application Received	12 July 2016		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Refuse permission – loss of retail and associated harm to the vitality and viability of the Lupus Street Local Centre.
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2. SUMMARY

Nos. 93 and 95 Charlwood Street are unlisted buildings located in the Pimlico Conservation Area. The site forms part of non-core frontage within the Lupus Street Local Shopping Centre. At ground floor, No. 93 Charlwood Street is in use as a café, known as 'My Café'. The lower ground floor of Nos. 93 and 95 Charlwood Street are currently in use as a residential flat.
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On 29 September 2015 planning permission was granted for the use of the lower ground floor of Nos. 93 and 95 as two flats, creation of lightwells and associated railings on the Charlwood Street frontage, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults.

This latest application is for the use of part of the ground and lower ground floors of No. 93 as a three bedroom flat (Class C3) and use of part of the ground floor as retail (Class A1). The application also proposes the same external works as the extant 2015 permission.
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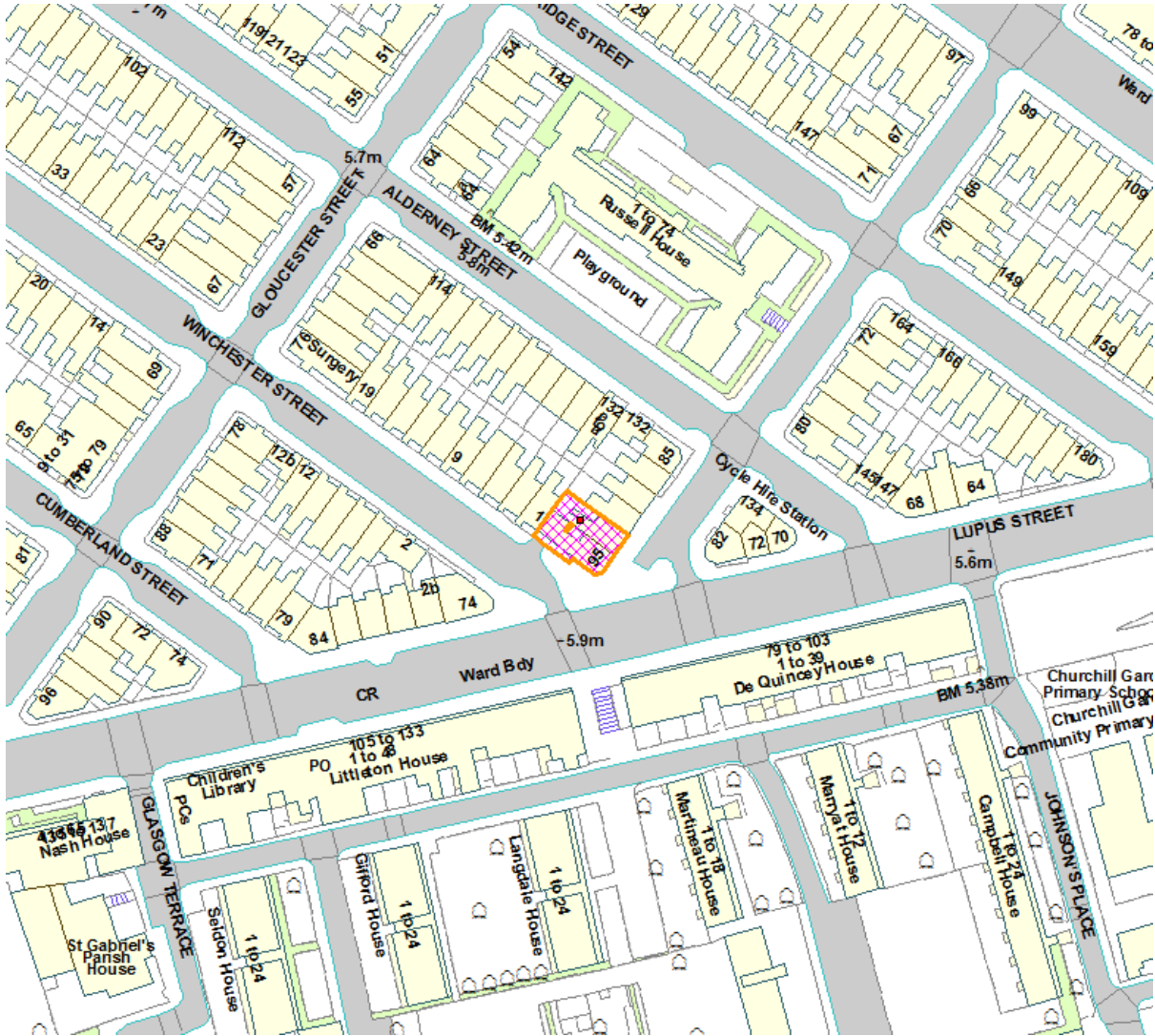
The key issues in the determination of this application are:

- The impact of the proposals on vitality and viability of the Lupus Street Local Shopping Centre;
- The impact of the proposals upon the character and appearance of the Pimlico Conservation Area;
- The impact of the proposals on the amenity of neighbouring occupiers.

A number of objections have been received from residents who object to the loss of the existing café at No. 93 Charlwood Street (My Café) as they consider it contributes positively to the local area and is the hub of the local community. A number of letters of support have also been received from residents who consider the café to have an adverse effect on the local area in terms of noise, smells, and rubbish.

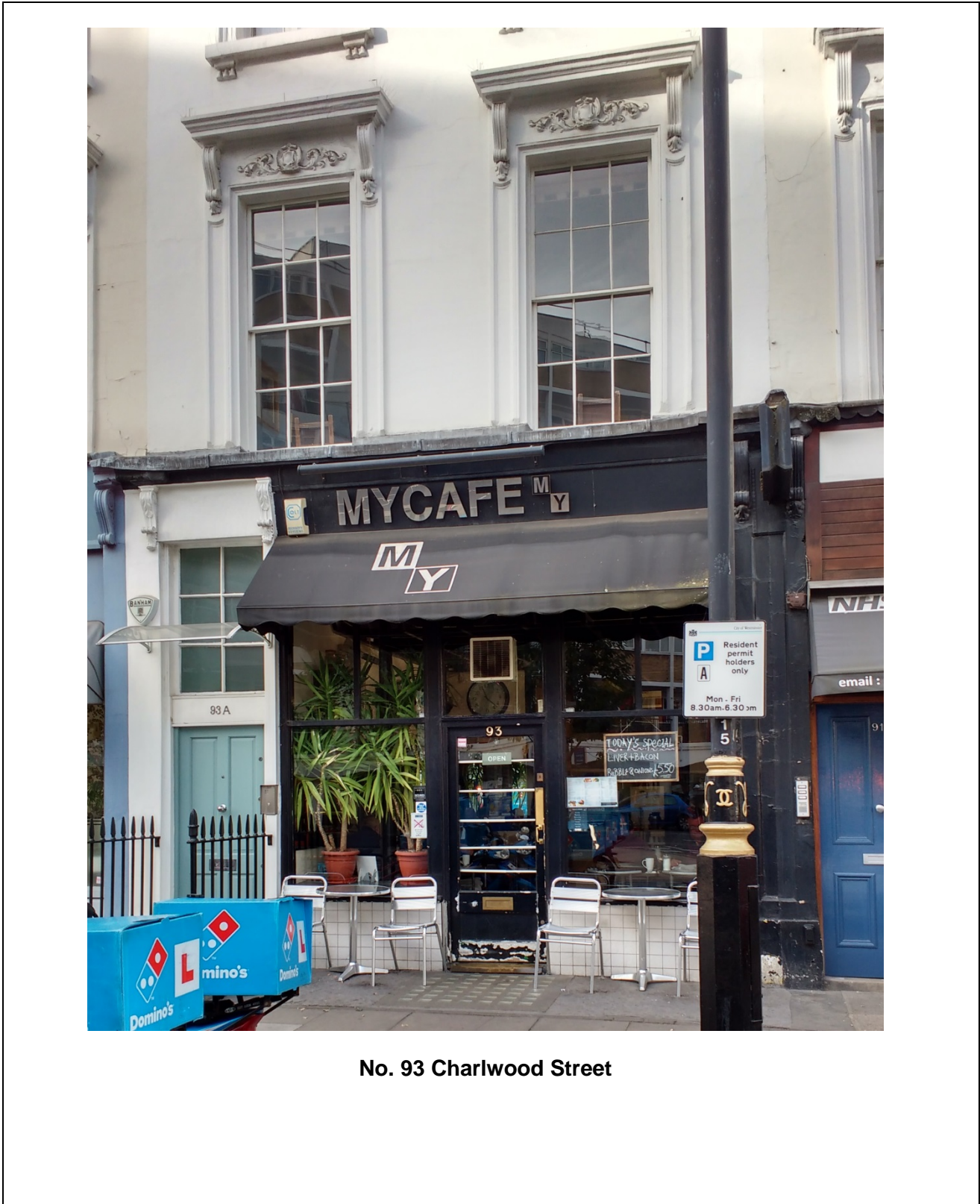
The proposals would result in the loss of 36 square metres of ground floor non-A1 retail floorspace and provide a smaller ground floor A1 retail unit of 22 square metres. The loss of ground floor non-A1 retail floorspace and the resultant smaller retail unit will have a harmful effect on the vitality and viability of the Lupus Street Local Shopping Centre. This would not meet policy S21 of Westminster's City Plan: Strategic Policies (November 2016) and the aims of policy SS7 of the Unitary Development Plan (January 2007) which aims to safeguard and strengthen those urban local centres which offer a range of everyday community shopping.

3. LOCATION PLAN



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4. PHOTOGRAPHS



No. 93 Charlwood Street



Nos. 95 and 93 Charlwood Street

5. CONSULTATIONS

WESTMINSTER SOCIETY:

No objection.

HIGHWAY PLANNING MANAGER:

Objection: no car or cycle parking provided.

CLEANSING MANGER:

No objection subject to condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 167

Total No. of replies: 13

No. of objections: 9 (including 3 from one resident and 2 from another)

No. in support: 4

N.B. one resident stated support but objected to the proposal in the body of their comment. This reply is identified as an objection in the above figures.

Objections from neighbouring residents on some or all of the following grounds:

- The loss of the café use is opposed as the existing business is well used, well liked and is considered to be an asset to the community. There are few comparable businesses within the area. It is a social hub for a variety of residents and visitors to Pimlico;
- The proposed residual commercial unit would be unviable given the limited floorspace it would provide.

Support from neighbouring residents on some or all of the following grounds:

- The proposed lightwells would improve the quality of the residential accommodation at lower ground floor level;
- The proposals would improve the visual appearance of the building and area;
- The existing café use impacts negatively on the amenity enjoyed by neighbours in terms of noise, smells, waste, and increased loitering;
- Planning permission has not been granted for the café use; rather the use became lawful by virtue of the length of time it had been in existence. Consequently, the premise has not been designed for making hot food and the extractor is unsuitable;
- There are alternative café uses nearby which better serve residents such as the Pimlico Library café on Lupus Street which can be accessed by wheelchair.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site relates to two unlisted buildings located in the Pimlico Conservation Area, they are noted within the conservation area audit as 'unlisted buildings of merit'. The site is located on the corner of Charlwood Street, Lupus Street and Winchester Street, and forms part of non-core frontage within the Lupus Street Local Shopping Centre

At ground floor, No. 93 Charlwood Street is in use as a café, known as 'My Café'. The lower ground floor of Nos. 93 and 95 Charlwood Street are currently in use as a single self-contained residential flat.

6.2 Recent Relevant History

Nos. 93 and 95 Charlwood Street

On 29 September 2015 planning permission was granted for the 'use of the lower ground floor of Nos. 93 and 95 as two flats, creation of lightwells and associated railings on the Charlwood Street frontage, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults.'

On 27 November 2014 planning permission was refused for the 'use of the lower ground floor Nos. 93 and 95 including the infill extension of the lightwells and vaults and associated works to the Charlwood Street and Lupus Street elevations, to create two residential units (1 x 1 bed and 1 x 2 bed) (Class C3)' on the grounds of visual harm and the poor standard of the proposed living environments.

No. 93 Charlwood Street

On 18 June 2009 a Certificate of Lawful Development (Existing) was issued for the 'use of ground floor as a cafe serving hot food (Class A3).'

On 15 April 2009 planning permission was refused for the 'installation of an extract duct to rear to discharge over roof of No. 1b Winchester Street' on the grounds of harm to residential amenity (noise) and harm to the visual appearance of the building.

7. THE PROPOSAL

Planning permission is sought for the use of part of the ground and lower ground floors of Nos. 93 as a three bedroom flat (Class C3) and use of part of the ground floor as retail (Class A1). External works include the creation of light wells and associated railings and steps to Nos. 93 and 95, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults; and replacement of a rear window with double doors to the rear of No. 93.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The existing and proposed land uses are summarised below:

Table 1. Existing and Proposed Land Uses

Use	Existing (sqm GIA)	Proposed (sqm GIA)	Change (sqm GIA)
Café (Class A3)	58	0	-58
Retail (Class A1)	0	22	+22
Class A1/A3	58	22	-36
Residential (Class C3)	70*	106	+36
Total	128	128	0

*Figure for lower ground floor flat with extant permission at No. 93 Charlwood.

Proposed Retail Use

Objections have been received from residents concerned with the loss of the existing café (My Café). The café forms part of the Lupus Street Local Shopping Centre and objectors consider the café to be a valuable facility that positively contributes to the character and function of the area and is the hub of the local community.

The site forms part of non-core frontage within the Lupus Street Local Shopping Centre. Policy S21 of the City Plan states 'existing non-A1 retail uses, and uses occupying shop-type premises within designated shopping centres will be protected from changing to uses that do not serve visiting members of the public'.

Policy SS7 of the UDP relates to Local Centres and its aim is to safeguard shopping facilities for local residents in order to maintain a range of local shops and protect the character and function of the local shopping area. Therefore, the focus of this policy is to protect retail uses. However, the City Council acknowledges the role of service uses such as cafés in supporting the character and function of Local Centres, and this is indicated in the reasoned justification for this policy.

The proposals would result in the loss of 36 square metres (sqm) of ground floor non-A1 retail floorspace and provide a smaller ground floor A1 retail unit of 22 sqm. Whilst the principle of a retail unit within a Local Centre is supported by the aforementioned policies, in this case, the resultant ground floor retail unit (22 sqm) is significantly reduced in size in comparison to the existing ground floor café (58 sqm).

Concern has been raised by objectors regarding the viability of this new unit given its limited size. The application is supported with a letter from a letting agent who is of the opinion the unit would be viable because other small retail units are let within the area. The planning statement also notes planning permission has been granted for small retail units elsewhere in Pimlico. The smallest of these was for a unit of some 35 sqm. The applicant

also refers to five other nearby units with small retail spaces ranging from some 24 sqm to 32 sqm, although there is no planning history for each of these.

The existing ground floor café comprises of 58 sqm of non-A1 retail floorspace. The proposed ground floor retail unit would comprise of 22 sqm of floorspace, with a tradable area of 16sqm. No storage area is provided in the new unit. Whilst the application is supported by way of an opinion from a local letting agent and a supporting planning statement which asserts the premise would be viable, it is not considered that any detailed evidence has been submitted to substantiate the assertion. All other examples of existing small retail units cited by the applicant are all larger in size than this proposal. It is also understood that no tenant or particular retailer has been secured at this stage.

Given the limited size of the proposed retail unit, and in the absence of substantive evidence to support the applicant's assertions, it is considered that the loss of ground floor non-A1 retail floorspace and the resultant smaller retail unit will have a harmful effect on the vitality and viability of the Lupus Street Local Shopping Centre. A unit of this size would limit the number of retailers that would be able to trade from the premises by such a degree that the unit may be unviable, and consequently could be left vacant. This is because a retail unit without sufficient storage areas and with limited tradable floorspace would not be a particular attractive proposition for many retailers. Furthermore, if an operator for the small retail unit was secured, the type of retail services that could be provided is likely to be significantly limited in comparison to the existing café use, which provides a service to residents, visitors, and workers in the Lupus Street Shopping Centre, thereby supporting its vitality and viability.

The proposals would result in the loss of 36 square metres of ground floor non-A1 retail floorspace and provide a smaller ground floor A1 retail unit of 22 square metres. The loss of ground floor non-A1 retail floorspace and the resultant smaller retail unit will have a harmful effect on the vitality and viability of the Lupus Street Local Shopping Centre. This would not meet policy S21 of Westminster's City Plan: Strategic Policies (November 2016) and the aims of policy SS7 of the Unitary Development Plan (January 2007) which aims to safeguard and strengthen local centres which offer a range of everyday community shopping.

Proposed Residential Use

The rear of the ground floor of No. 93 is proposed to be converted to residential use to provide additional residential floorspace for the basement flat. The enlargement of this flat would improve its living environment and would provide a three bedroom 'family sized' unit. The improvement and enlargement of residential units, particularly to create 'family sized' units, is supported by the City Plan and UDP.

The proposal would not alter the residential flat with extant planning permission on the lower ground floor of No. 95.

8.2 Townscape and Design

The design changes proposed in this application all benefit from the extant planning permission. These include the installation of railings at street level which are required to guard the proposed lightwells to the buildings, the installation of a new external staircase

within the proposed lightwell to the Charlwood Street frontage of No. 95, alterations to vaults to enlarge living areas, replacement of a window with a door to the rear elevation of No. 93 at lower ground floor level and a replacement pavement light on Winchester Street.

The lightwells proposed are considered to replicate historic lightwells that are a feature within the Pimlico Conservation Area and would be consistent with the lightwells and railings found at No. 86 Charlwood Street and opposite at No. 74 Lupus Street. The small extension underneath the pavement bridge is discreet and not overly visible from street level. The principle of a replacement pavement light and rear opening is acceptable subject to conditions securing further details. The proposals are considered to comply with Policy S28 of the City Plan and policies DES 1 and DES 5 of the UDP.

8.3 Residential Amenity

It is not considered that the proposals will give rise to any significant amenity concerns.

A number of letters of support have been received from residents who consider the loss of the existing café would improve residential amenity with regard to noise, smells, and rubbish. An A1 retail unit would not require ventilation or extraction equipment, and therefore would likely have less impact on neighbours in terms of noise and smells.

Had the proposal been considered acceptable, a condition would have been recommended to ensure the residential unit would be of such a standard that it protects residents within from external noise.

8.4 Transportation/Parking

Vaults

The proposal involves lowering the floor level to the vaults underneath the highway. The Highways Planner Manager does not object to this aspect of the scheme, although, had the proposals been considered acceptable, an informative would have been added informing the applicant technical approval for the works would be required.

Lightwell

Given the existing railings on the terrace and the width of the pavement, the Highway Planning Manager has confirmed the works would not obstruct pedestrians.

Car Parking

The Highways Planning Manager objects on the grounds no off-street parking is provided for the residential units contrary to UDP policy TRANS 23. Whilst it is acknowledged parking levels are high in this area, the proposal here would create no additional units in comparison to the extant permission. It was not previously considered the additional residential unit granted consent in 2015 would be detrimental to parking levels to justify refusal.

Cycle Parking

The Highways Planning Manager objects to the lack of secure cycle parking contrary to the London Plan. Had the proposals been considered acceptable, it is considered that cycle parking could be accommodated within the flat or within the lightwell area, and would have been secured by condition.

Waste

The drawings submitted do not include the provision for storage of waste and recyclable materials. Had the proposals been considered acceptable, this would have been secured by condition.

8.5 Economic Considerations

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

8.6 Access

There is no level access to the existing café and no alterations are proposed to the retail entrance in this application.

8.7 Other UDP/Westminster Policy Considerations

Not 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 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

Asset of Community Value

The City Council has received an asset of community value (ACV) nomination by the Churchill Gardens Neighbourhood Forum in respect of My Café, 93 Charlwood Street. The nomination has been validated and is being considered and the City Council is due to make a decision on this before the 11 January 2017.

It is not considered that this nomination affects the material planning considerations and adopted policies taken into consideration in determination of this application.

9. BACKGROUND PAPERS

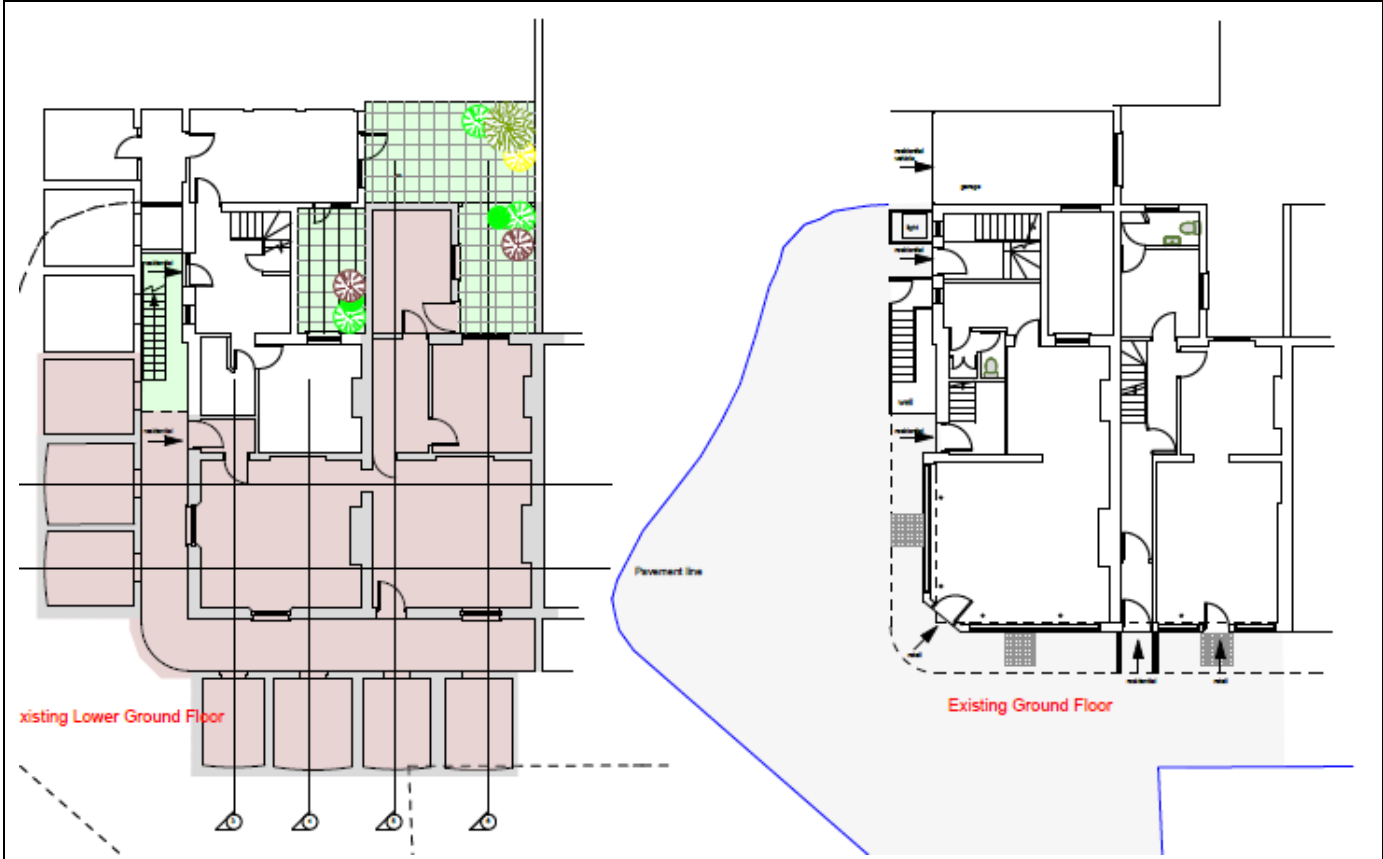
1. Application form
2. Letters (x2) from Westminster Society, dated 9 August 2016 and 25 October 2016
3. Memorandum from Cleansing Manager, dated 16 August 2016
4. Memorandum from Highways Planning Manager, dated 10 October 2016
5. Email from Policy, Performance & Communications Department, dated 18 November 2016
6. Letter from occupier of 52 Keats House, Churchill Gardens, dated 9 August 2016
7. Letter from occupier of 74 Lupus Street, dated 11 August 2016
8. Letter from occupier of 110 Alderney Street, dated 15 August 2016
9. Letters (x3) from occupier of 3 Langdale House, Churchill Gardens, dated (x2) 18 August 2016 and 30 September 2016
10. Letter from occupier of 44 Tothill House, Page Street, dated 19 August 2016
11. Letters (x2) from Co-founder Churchill Gardens Neighbourhood Forum and occupier of 63 Shelley House, dated 22 August 2016 and 1 October 2016
12. Letter from occupier of 93A Charlwood Street, dated 14 October 2016
13. Letter from occupier of Flat 407, Howard House, Dolphin Square, dated 18 October 2016
14. Letter from occupier of 176A Cambridge Street, dated 18 October 2016
15. Letter from occupier of 1B Winchester Street, dated 19 October 2016

Selected relevant drawings

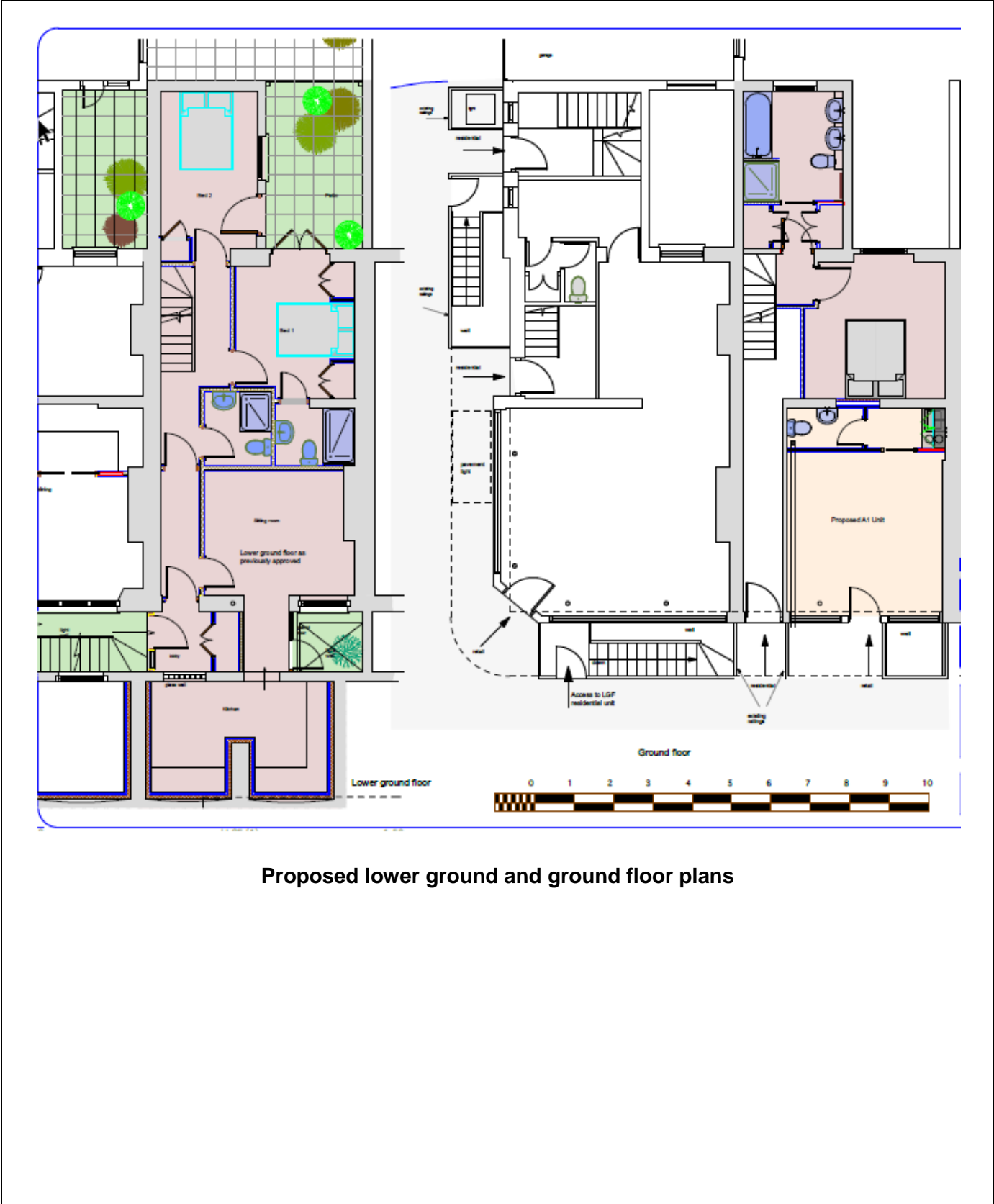
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk

10. KEY DRAWINGS



Existing lower ground and ground floor plans





Existing elevation Winchester Street
95 Charwood Street



Existing elevation Charwood Street
93-95 Charwood Street



Proposed elevation Winchester Street
95 Charwood Street as approved under
planning consent 15/05600/FULL



Proposed elevation Charwood Street
93-95 Charwood Street as approved under
planning consent 15/05600/FULL

Existing and proposed elevations

DRAFT DECISION LETTER

Address: 93-95 Charlwood Street, London, SW1V 4PB,

Proposal: Use of part of the ground and lower ground floors of Nos. 93 as a three bedroom flat (Class C3) and use of part of the ground floor as retail (Class A1). Creation of light wells and associated railings and steps to Nos. 93 and 95, replacement pavement light on the Winchester Street frontage and associated works to the pavement vaults. Replacement of rear window with double doors to rear of No. 93.

Reference: 16/06554/FULL

Plan Nos: Site Location Plan; 15/2028/01 rev B; 15/2018/20 rev A; 15/2018/21; 15/2018/22 rev A; Letter from Dautons Commercial; Planning Statement (Harper Planning).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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

Your development would lead to the loss of ground floor non-A1 retail floorspace and a resultant smaller retail unit which will have a harmful effect on the vitality and viability of the Lupus Street Local Shopping Centre. This would not meet policy S21 of Westminster's City Plan: Strategic Policies (November 2016) and the aims of policy SS7 of the Unitary Development Plan (January 2007) which aims to safeguard and strengthen those urban local centres which offer a range of everyday community shopping.

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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.

Item No.
6

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 th December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	Noel Coward Theatre, 85-89 St Martin's Lane, London, WC2N 4AU,		
Proposal	Replacement of existing marble floor in entrance lobby with new design.		
Agent	Aedas RHWL Ltd		
On behalf of	Delfont Mackintosh Theatres		
Registered Number	16/08263/LBC	Date amended/ completed	6 September 2016
Date Application Received	26 August 2016		
Historic Building Grade	Grade II listed building		
Conservation Area	Covent Garden		

1. RECOMMENDATION

<ol style="list-style-type: none"> 1. Grant conditional Listed Building Consent. 2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.
--

2. SUMMARY

<p>The Noel Coward Theatre is a Grade II listed theatre fronting St Martin's Lane, within the Covent Garden Conservation Area. Formerly known as The Albery and originally as The New Theatre, it was designed by William G. Sprague and built in 1903 for Charles Wyndham to complement the Wyndham's Theatre next door (Grade II* listed), also by the same architect.</p> <p>It is proposed to remove the existing plain white marble flooring from the main entrance lobby and the two adjoining corner exit lobbies, and to replace it with a new marble floor to a new, more elaborate design. The central outer draught lobby would retain its existing floor as it forms part of the design of the external steps.</p> <p>The existing floor is thought to be the original for this space, and contributes to the internal character of the lobby. Its plain design is thought to be a deliberate intention, to focus theatre-goers' attention upwards to the more elaborately designed walls and ceilings, and to the stairs up to the auditorium and bars on the upper floors.</p> <p>The floor in its existing state however is in a poor condition with many cracked or already replaced tiles. Most of the newer tiles are a poor match tonally with the originals. The replacement of the existing</p>
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floor is therefore, whilst regrettable, considered to be acceptable in principle.

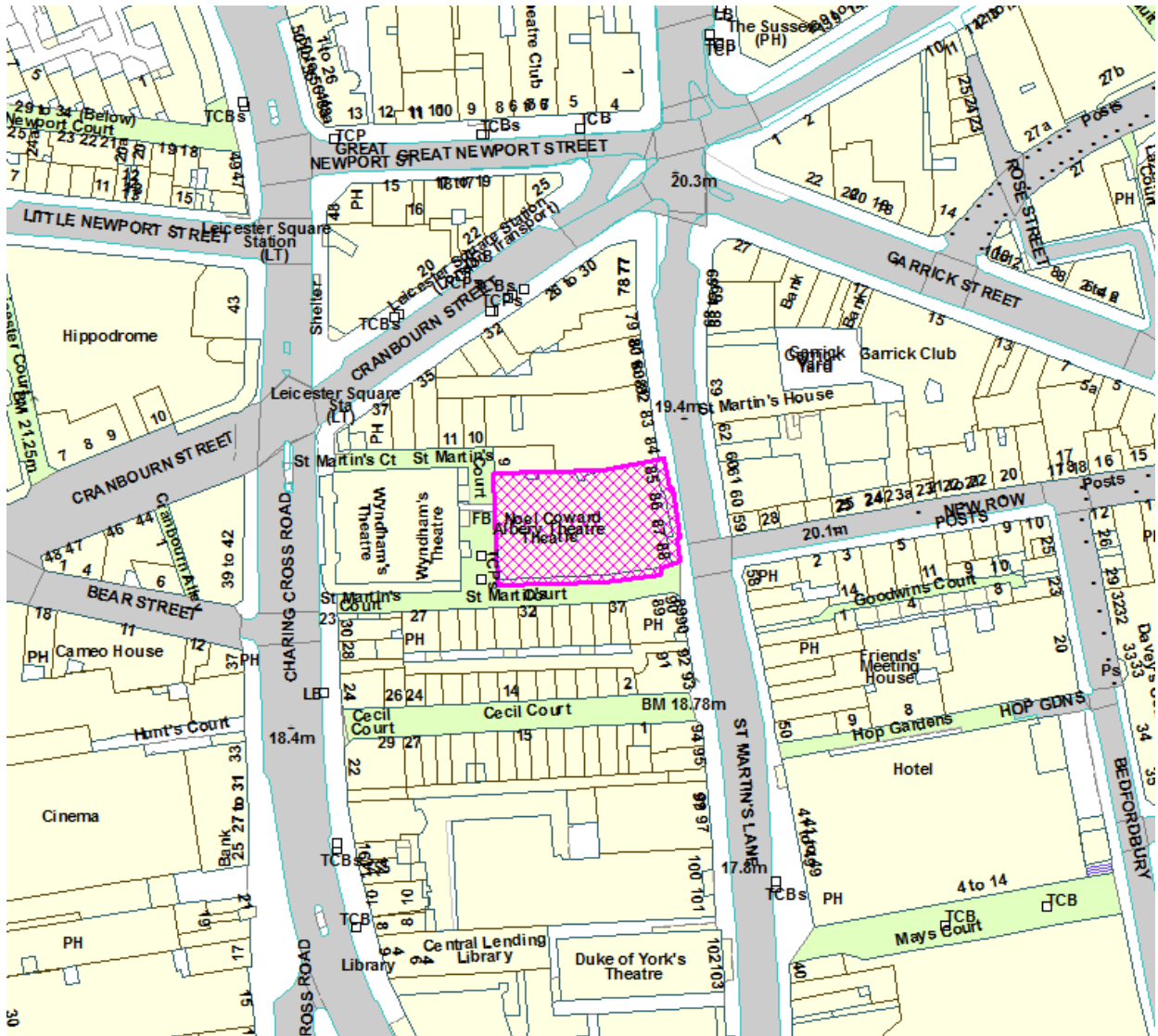
Rather than replace the floor 'like-for-like' with a new matching plain floor, the applicant wishes to introduce an element of design. This would include a 'checker' pattern formed from small green inlay tiles at the corners of the main white marble tiles. Around the outside of the room would be a narrow red and green border (also formed of marble tiles). The red and green tones proposed have been selected to complement the design scheme for the room.

The proposal has been amended during the course of the application in response to concerns raised by the Theatre's Trust and by officers regarding the previously proposed central 'signature' motif and the previous thickness of the surrounding border. The Trust otherwise were supportive of the proposals.

Whilst the proposed new floor would represent a departure from the original design scheme for this room, it remains a relatively simple design and, as amended, avoids any overt prominence within the room. It would carry its own high quality of architectural design, and would relate well to the more elaborate designs of the walls and ceilings, and the rest of the theatre beyond.

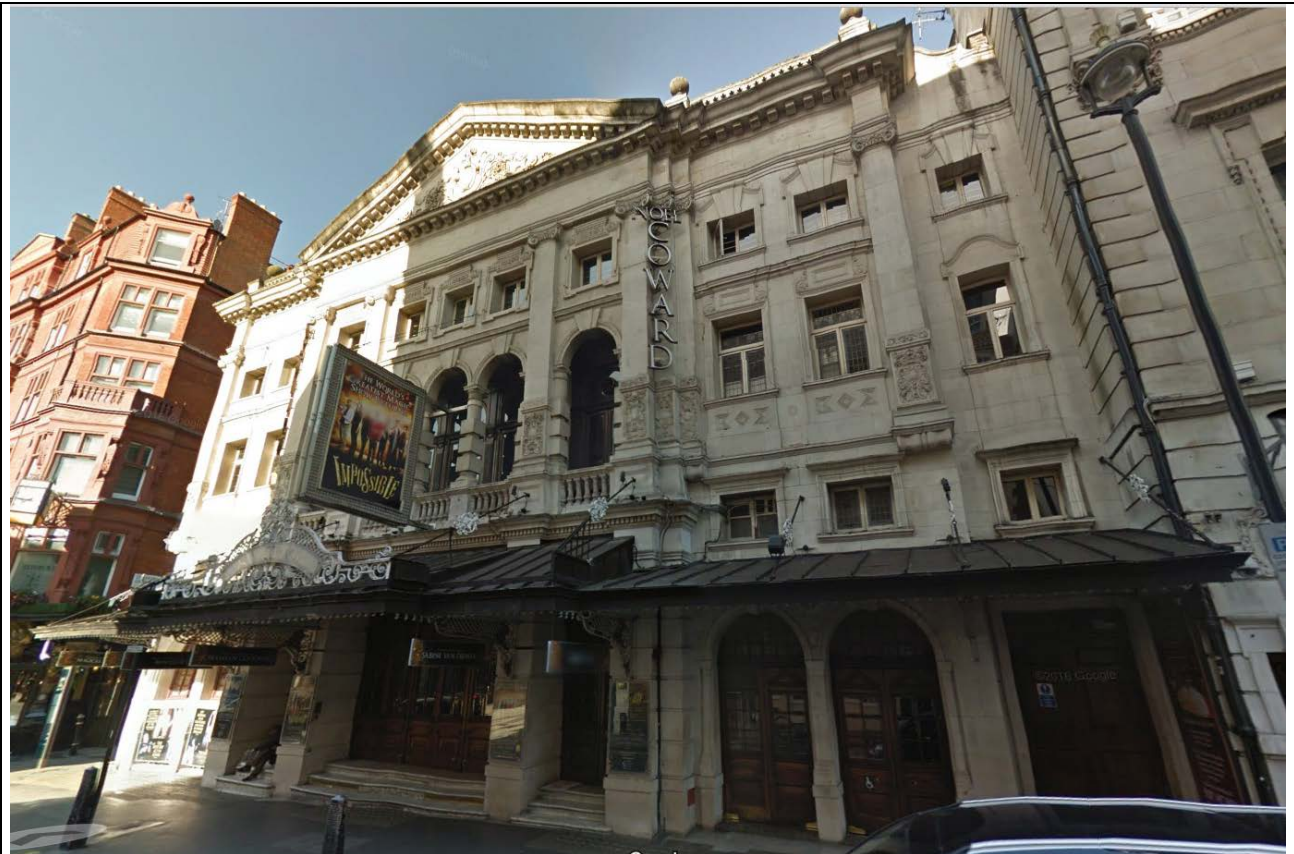
For the above reasons, the proposals are considered to preserve the special architectural and historic interest of the listed building, and comply with relevant national and local policies, in particular policies DES 5 (Alterations and Extensions) and DES 10 (Listed Buildings) of the Unitary Development Plan, and Section 12 of the National Planning Policy Framework.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Noel Coward Theatre, 85-89 St Martin's Lane



Entrance lobby



Entrance lobby

5. CONSULTATIONS

THEATRES TRUST:

The Theatres Trust does not object to the application.

The Trust welcomes this proposal in principle as we actively encourage theatre owners to invest in their theatre buildings and ensure they are properly maintained and upgraded to meet current building standards and the expectations of audiences and staff.

This proposal seeks to replace the marble floor in the foyer due to the extent of the broken, patched, and damaged tiles. We note the proposed floor will use marble tiles of a similar size and material to the existing floor, and will be generally laid in a similar diagonal pattern. The dominant colour of the new floor will be crème, which will complement the existing colour scheme on the walls, ceiling and in the auditorium, as will the red and green marble threshold strip proposed around the edge of the floor, which will help delineate the room.

However, we do have hesitations about the proposed signature feature in the centre of the floor as it will likely compete with the ceiling pattern and other decorative features in what is a reasonably small space. A plain floor omitting the logo would be preferable as it would be more in keeping with Sprague's original design for the foyer, though we do recognise that use of Noel Coward's signature is part of the branding of the theatre.

With this in mind, the Theatres Trust does support granting listed building consent.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 0

Total No. of replies: Any responses to be reported verbally.

6. BACKGROUND PAPERS

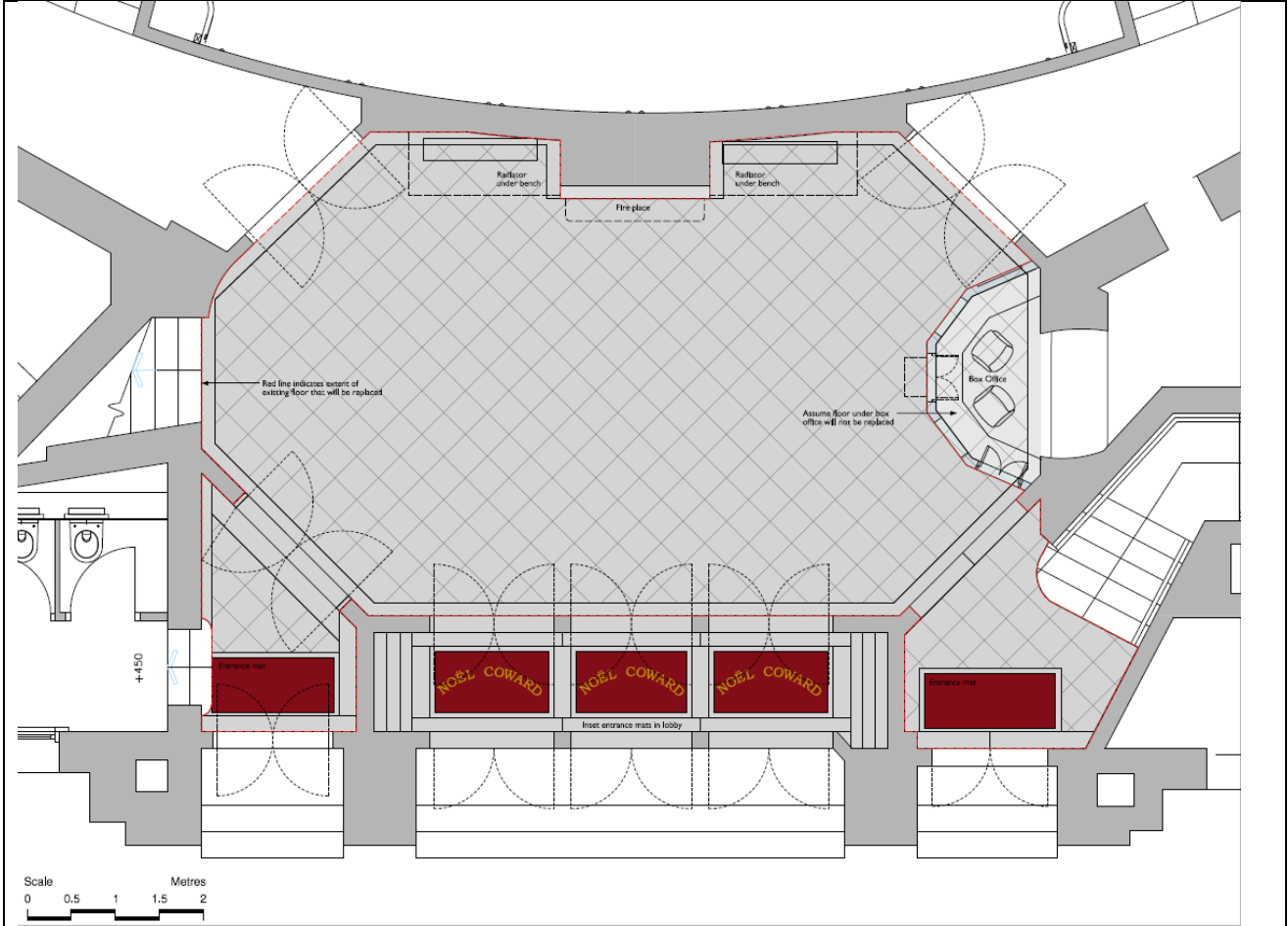
1. Application form
2. Response from Theatres Trust, dated 6 October 2016
3. Letter from occupier of The Theatres Trust, 22 Charing Cross Road, dated 6 October 2016

Selected relevant drawings

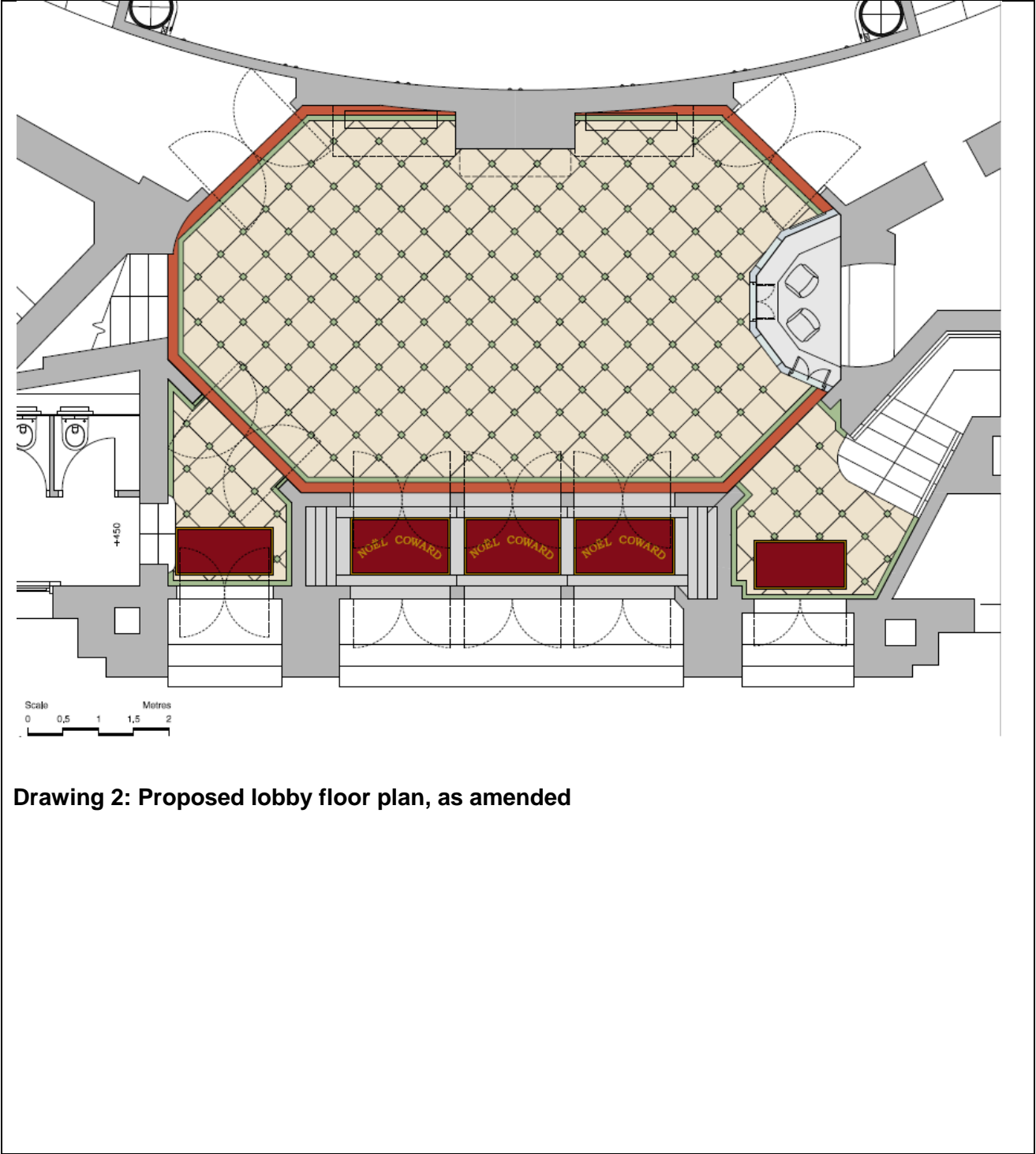
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk.

7. KEY DRAWINGS



Drawing 1: Existing lobby floor plan



Drawing 2: Proposed lobby floor plan, as amended

DRAFT DECISION LETTER

Address: Noel Coward Theatre, 85-89 St Martin's Lane, London, WC2N 4AU,

Proposal: Replacement of existing marble floor in entrance lobby with new design.

Reference: 16/08263/LBC

Plan Nos: 111044e_A_00_001; 11044e-A-SK-100; 11044e-A-SK-105 A; Design and access statement dated August 2016 (excluding superseded 11044e-A-SK-105).

Case Officer: Andrew Barber **Direct Tel. No.** 020 7641 7708

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 and improvements inside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27BA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

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 (July 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 paragraph 2.3 and 2.4 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. (I59AA)

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.

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Item No.
7

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 12 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	2 Montagu Mews West, London, W1H 2EE		
Proposal	Alterations including the erection of a single storey roof extension with roof terrace to the front of the building. Excavation of a basement and two light wells to rear of the property with cast iron balustrades and relocation of garden stair to rear of the property.		
Agent	Patalab Architecture		
On behalf of	Mr & Mrs Ian Barclay		
Registered Number	16/08455/FULL	Date amended/ completed	22 September 2016
Date Application Received	2 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	Portman Estate		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application premises is a 2 x storey residential mews building at the southern end of the mews close to the entrance from George Street. The rear of the site backs onto properties on the eastern side of Bryanston Square. The building is not listed but lies within the Portman Estate Conservation Area.

There are two aspects to the application:

- i) Erection of a 2nd floor roof extension and provision of a front terrace and;
- ii) Excavation of a lower ground floor/ basement.

The extensions would provide additional floorspace to an existing single family dwellinghouse.

On 3 November 2105 permission was granted for a 2nd floor roof extension. The roof extension as proposed remains the same as previously permitted.

The key issue for consideration is the impact that the excavation of a basement would have on the amenities of neighbouring residents and the impact on the character and appearance of the Portman Estate Conservation Area.

The proposed basement is contained below the footprint of the existing dwelling with the exception of two small rear lightwells. The lightwells will be enclosed by cast iron balustrades. The works also include repositioning of a rear staircase leading to the rear garden.

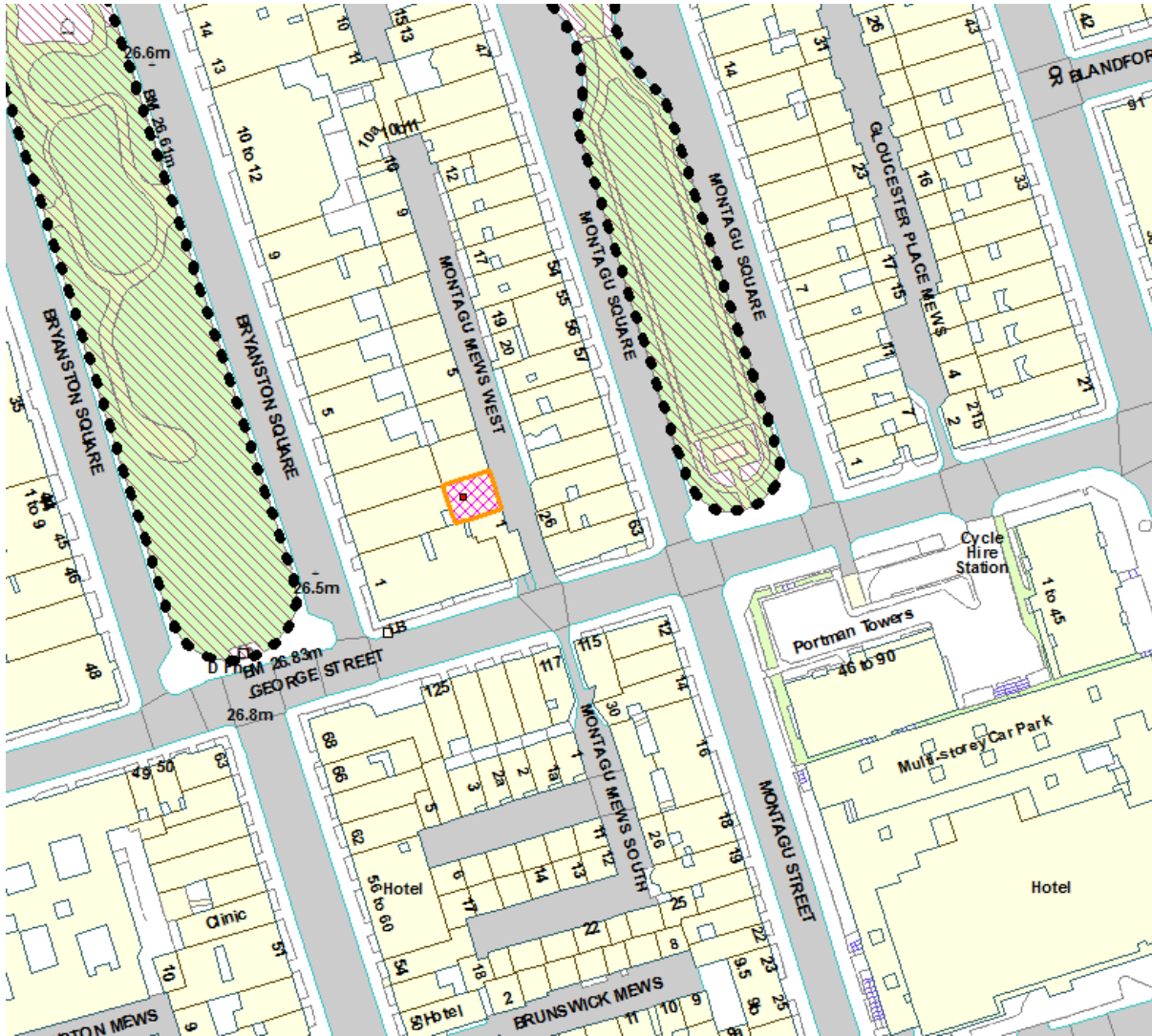
Objections have been received from the Marylebone Association and from two individual residents. The objection from the Marylebone Association is on design grounds, that the rear dormer window should be aligned with the existing fenestration at ground and first floors. The objections from two flats at 61 Monatgu Square raise amenity concerns. Namely loss of light and privacy.

As stated the roof extension proposed remains as previously permitted in November 2015. This permission is extant and firmly establishes the principle an additional floor and roof terrace. The objections are not therefore sustainable.

With regards to the new basement this needs to be assessed against City Plan policy CM28. The policy seeks to control the depth and size of new basements. The policy requires basements to be single storey only and not extend beyond more than 50% of a garden. The proposed basement complies with the policy. As stated with the exception of the small rear lightwells the basement does not project beyond the footprint of the existing building. It would not therefore adversely impact on residential amenity or the character and appearance of the Conservation Area.

The proposal complies with the policies set out in the Unitary Development Plan (UDP) and Westminster' City Plan and is therefore recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Photograph 1. Front elevation of property



Photograph 2. Existing rear garden



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

The dormer window to the rear of the roof extension should be aligned with the existing fenestration at ground and first floor levels.

BUILDING CONTROL

No objection

ENVIRONMENTAL HEALTH

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 51, Total No. of replies: 2

No. of objections: 2

Objections cite loss of privacy and loss of daylight and sunlight.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND PAPERS

1. Application form
2. Memorandum from Environmental Health, dated 5 October 2016
3. Response from Marylebone Association, dated 28 September 2016
4. Letter from occupier of Flat 2, 61 Montagu Square, London, dated 19 October 2016
5. Letter from occupier of Flat 1, 61 Montagu Square, London, dated 19 October 2016
6. Memorandum from District Surveyor dated 25 November 2016.

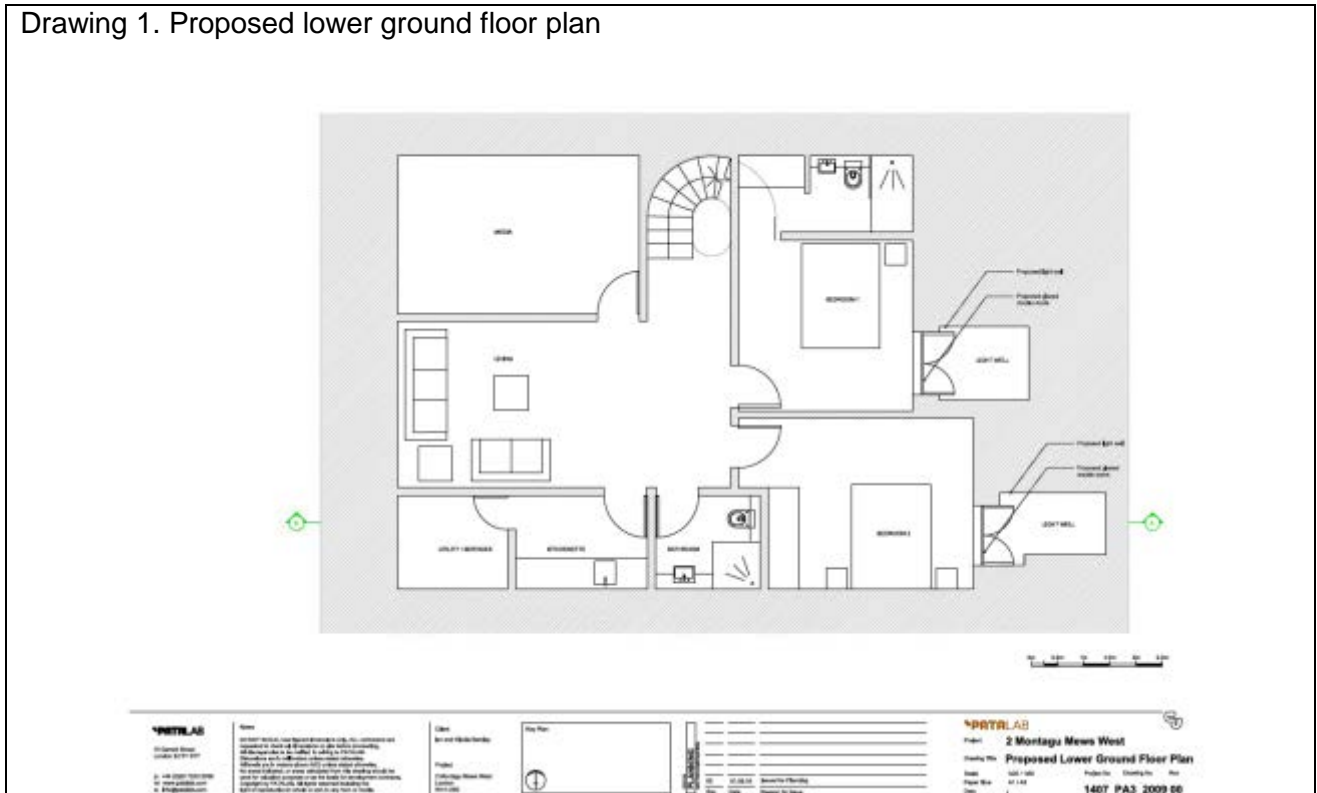
Selected relevant drawings

(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: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

7. KEY DRAWINGS

Drawing 1. Proposed lower ground floor plan



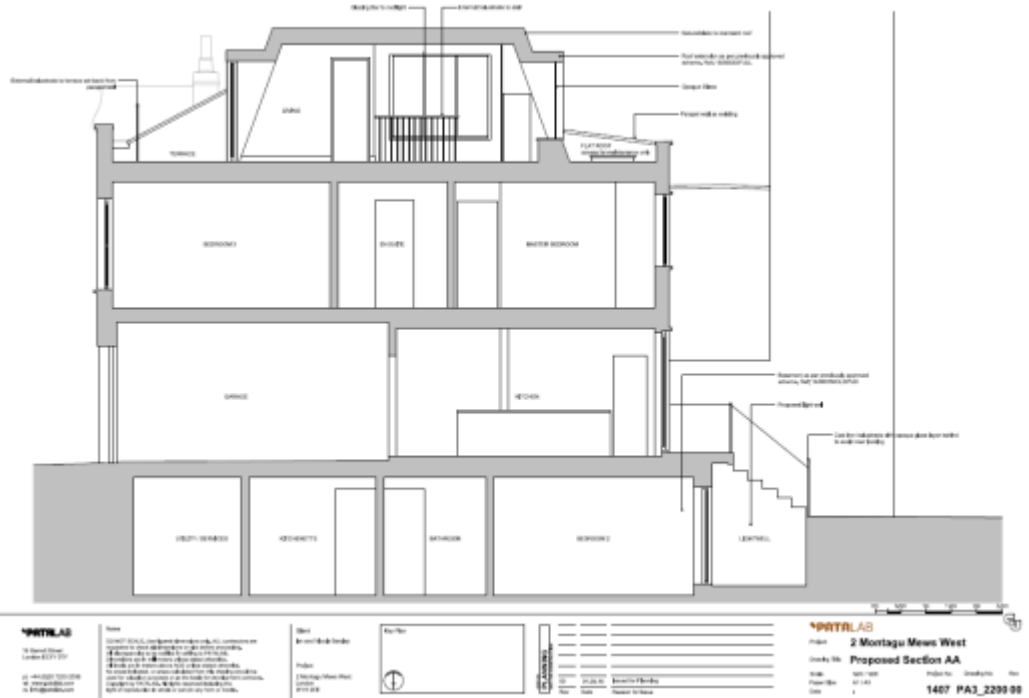
Drawing 2. Proposed front elevation



Drawing 3. Proposed rear elevation



Drawing 4. Proposed section AA



DRAFT DECISION LETTER

Address: 2 Montagu Mews West, London, W1H 2EE

Proposal: Alterations including the erection of a single storey roof extension with roof terrace to the front of the building. Excavation of a basement and two light wells to rear of the property with cast iron balustrades and relocation of garden stair to rear of the property.

Reference: 16/08455/FULL

Plan Nos: PA3_2009 00; PA3_201 00; PA3_2011 00; PA3_2012 00; PA3_2013 00; PA3_2100 00; PA3_2110 00; PA3_2200 00; PA3_2210 00; PA3-2010 00.

Case Officer: Lindsay Jenkins

Direct Tel. No. 020 7641 5707

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 (July 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 Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 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 glass that you put in the windows in the western and southern elevation of the roof extension must not be clear glass, and you must fix it 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 part 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. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 5 The area indicated as 'Flat Roof' on the proposed second floor plan drawing no. PA3_2012 00 must only be used for maintenance or to escape in an emergency. It must not be used as a roof terrace or for sitting out.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 6 You must not use the roof of the permitted extension as a balcony or for any other purpose. You can however use the roof to escape in an emergency. (C21CA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of

Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 7 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme,

The installation of a privacy screen (at least 1.8m tall) to the southern boundary of the second floor (front) terrace.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 8 You must not form any windows or other openings (other than those shown on the plans) in the outside walls of the roof extension hereby approved without our permission. This is despite the provisions of Class A of Part 1 of Schedule 2 to the Town and Country Planning General Permitted Development Order (England) 2015 (or any order that may replace it). (C21EB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 9 Prior to the commencement of any demolition or construction on site the applicant shall provide 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. (C11CA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

Informatives:

- 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 (July 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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974., ,
24 Hour Noise Team,
Environmental Health Service,
Westminster City Hall,
64 Victoria Street,
London,
SW1E 6QP, ,
Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 4 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This

commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

5 With reference to condition 9 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.

6 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

7 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.,

* Window cleaning - where possible, install windows that can be cleaned safely from within the building.,

* Internal atria - design these spaces so that glazing can be safely cleaned and maintained.

* Lighting - ensure luminaires can be safely accessed for replacement.,

* Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission)., More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for

planning permission. (I80CB)

- 8 Regulation 12 of the Workplace (Health, Safety and Welfare) Regulations 1992 requires that every floor in a workplace shall be constructed in such a way which makes it suitable for use. Floors which are likely to get wet or to be subject to spillages must be of a type which does not become unduly slippery. A slip-resistant coating must be applied where necessary. You must also ensure that floors have effective means of drainage where necessary. The flooring must be fitted correctly and properly maintained. Regulation 6 (4)(a) Schedule 1(d) states that a place of work should possess suitable and sufficient means for preventing a fall. You must therefore ensure the following;
- * Stairs are constructed to help prevent a fall on the staircase; you must consider stair rises and treads as well as any landings;
 - * Stairs have appropriately highlighted grip nosing so as to differentiate each step and provide sufficient grip to help prevent a fall on the staircase;;
 - * Any changes of level, such as a step between floors, which are not obvious, are marked to make them conspicuous. The markings must be fitted correctly and properly maintained;;
 - * Any staircases are constructed so that they are wide enough in order to provide sufficient handrails, and that these are installed correctly and properly maintained. Additional handrails should be provided down the centre of particularly wide staircases where necessary;;
 - * Stairs are suitably and sufficiently lit, and lit in such a way that shadows are not cast over the main part of the treads.

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.

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Agenda Item 8

Item No.

8

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Little Venice	
Subject of Report	5 Maida Avenue, London, W2 1TF		
Proposal	Erection of two storey rear extension at lower ground and ground floor levels, including a single storey infill extension.		
Agent	Mr Barnaby Gunning		
On behalf of	Mr & Mrs Simon Walker		
Registered Number	16/09049/FULL	Date amended/ completed	20 September 2016
Date Application Received	20 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site is a three storey mid terrace residential dwellinghouse located on the southern side of Maida Avenue. It is not listed or subject to any article 4 directions but is located within the Maida Vale Conservation Area

Planning permission is sought for the erection of two storey rear extension at lower ground and ground floor levels, including a single storey infill extension.

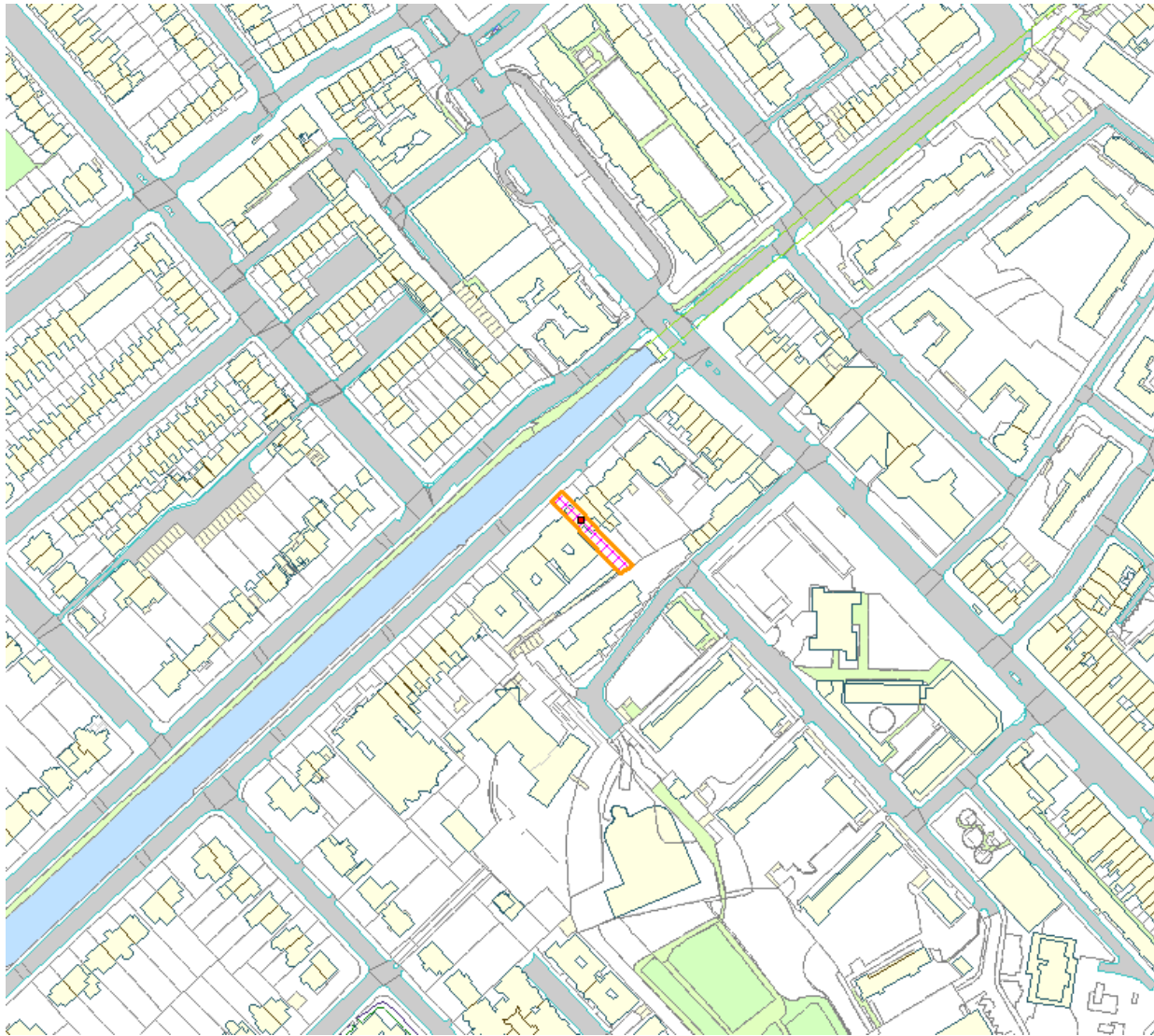
Objections have been received from 13 neighbours to the proposal on design amenity and structural disturbance grounds.

The key issues in this case are:

- The impact of the proposal on the character and appearance of the Maida Vale Conservation Area.
- The impact of the proposal on the amenity of neighbouring residents.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan: Strategic Policies adopted in November 2013 (the City Plan). As such, it is recommended that planning permission is granted, subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of Infill Extension Location



Rear of Existing Closet Wing

5. CONSULTATIONS

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

Any response to be reported verbally.

BUILDING CONTROL

Structural method statement is satisfactory.

ENVIRONMENTAL HEALTH:

No objection

HIGHWAYS PLANNING MANAGER

No objection

ARBORICULTURAL SECTION

No objection subject to landscaping and tree protection conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 45; Total No. of Replies: 13

13 objections and one letter from the board of Aubrey Douglas Ltd, the owners of Douglas House. The objections were on one or all of the following grounds;

Design

- Any change will be out of keeping with the other mansion blocks, the road and conservation area.
- Design and scale out of keeping with the conservation area.
- Proposal is large and out of keeping with neighbourhood

Amenity

- Loss of light.
- Loss of privacy
- Use of flat roof as balcony
- Sense of enclosure.

Other

- Impact on drainage, disturbance of watercourse and foundations of the neighbouring mansion block.

The letter from the board of Aubrey Douglas Ltd. states that it had not given its authority to any person to submit comments on the application on its behalf regarding the planning application (One objection purports to be from Aubrey Douglas Ltd) and to state that all objectors had been invited to a meeting to explain the application.

ADVERTISEMENT / SITE NOTICE: Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a 3 storey mid terrace residential dwelling located on the southern side of Maida Avenue and though it is not listed or subject to any article 4 directions it is located within the Maida Vale Conservation Area

6.2 Recent Relevant History

13/12887/FULL

Erection of two storey rear extension including excavation to garden to create additional habitable living space at lower ground floor level.

Application Refused 5 December 2014

7. THE PROPOSAL

Planning permission is sought for the erection of a two storey rear extension at lower ground and ground floor levels. The proposal has been amended during the course of its consideration to remove the balustrade to the rear of the flat roof of the infill extension.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The enlargement of the existing dwellinghouse would accord with Policy H3 in the UDP and Policy S14 in the City Plan. Accordingly the proposal is acceptable in land use terms.

8.2 Townscape and Design

A number of objectors are concerned with the design of the proposed extension.

The building forms part of a short terrace with front and rear gardens. The rear of the application site is surrounded by mature trees and vegetation. However, it is overlooked by the properties which form part of Douglas House to the west. The rear of 5 Maida Avenue comprises a 3-4 storey rear closet wing and the basement is largely obscured and contained within a rear lightwell between the closet wing and the neighbouring mansion block. The rear garden is located between lower ground and ground floor levels and is accessed via a short external staircase from the closet wing.

The ground and lower ground floor extension will project 3.6 metres from the rear face of the closet wing and be fully glazed on the rear a side elevations. The lower ground floor infill will only be appreciated by its obscure glazed flat roof and shallow rear elevation; the majority of the structure is contained within the garden level. From ground floor level an external staircase with glass balustrade is proposed.

UDP policy DES 5 seeks to ensure the highest standards of design in alterations and extensions. It specifically states that development should not visually dominate the existing building, be in scale with the existing building and its surroundings and reflect the style and detailing of the host building. Furthermore DES 9 seeks to preserve or enhance the character and appearance of Conservation Areas and states in Part (c) that alterations or extensions to unlisted buildings can, in locally appropriate situations, use modern or other atypical facing materials or innovative forms of building design.

The infill extension at lower ground floor level is not contentious in design terms and is considered to be in accordance with DES 5. Given the limited visibility of the rear of the building, especially at this level given the high boundary wall adjacent to Douglas House, its discreet location and the lightweight nature of the structure the impact on the character and appearance of the Conservation Area is considered to be limited. Furthermore due to its scale and positioning the extension is not considered to be visually dominant.

The 2 storey ground and lower ground floor extension is considered to be appropriate in terms of its form, scale and detailed design. The extension is of a lightweight design, is subservient in scale and is not considered to compete with the host building, therefore is in accordance with UDP Policy DES 5. This setting is appropriate for modern additions and it is considered that the detailed design of the extension allows for the interpretation of the original plan form of the building to remain; therefore being in accordance with DES 9. Due to the change in levels the external staircase is not considered to add visual clutter due to its scale and design in relation with the context of the design of the extensions. Additionally the proposal is in keeping with similar schemes that have been permitted to buildings in the immediate setting, including no.4 Maida Avenue (RN: 10/05004/FULL).

The design and quality of the extensions are of a high standard. Given the simple design, subordinate scale and limited views private views from surrounding neighbouring buildings. In this particular circumstance, the proposal would not detrimentally impact on the character and appearance of the Maida Vale Conservation Area and is considered acceptable in design terms.

Given the above, the proposed development would be consistent with policy S28 of the City Plan and policies DES 1, DES 5 and DES 9 of the UDP.

8.3 Residential Amenity

A number of objections to the proposal have been received from residents of Douglas House which lies to the south west of the site on the grounds of loss of daylight. There is a lightwell to Douglas House at the boundary with 5 Maida Avenue which drops down to basement level therefore the basement windows would be vulnerable to any significant increase in height at this boundary. However, the height of the boundary would remain the same in the proposal. The infill extension then raises less than 10cm in height inside this boundary. The extension at upper ground floor level projecting from the closet wing is approximately 2.5 metres from the boundary. Therefore there would be no significant impact on Douglas House in terms of loss of daylight/sunlight or sense of enclosure.

In terms of impact on 4 Maida Avenue to the north east of the site the addition would have a modest projection along this boundary of just over 3.5 metres and would project

approximately 1.2 metres in height above the existing trellis. Given this modest projection above the existing trellis, the proposed development would not result in unacceptable loss of light or outlook for the occupants of 5 Maida Avenue.

Objections have been received on the grounds of overlooking from the flat roof of the infill extension. This seems to have been due to a misconception that this flat roof was to be used as a terrace which may have in turn been due to the addition of a balustrade in the original submission to the edge of the flat roof. This balustrade has since been removed from the drawings. The proposal does not include the use of any of the extensions flat roofs as terraces and this will be ensured through the recommended conditions.

There are steps including a landing from the projecting extension to the garden level. Although this might afford some fleeting overlooking when occupiers use the staircase there is insufficient space for people to dwell on these stairs or landing area and therefore it is not considered sustainable to refuse the proposal on loss of privacy grounds.

Given the above, the proposed development would be consistent with policy S29 of the City Plan and policy ENV 13 of the UDP.

8.4 Transportation/Parking

Not applicable as no additional units are being created or parking affected.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

No changes to access are proposed.

8.7 Other UDP/Westminster Policy Considerations

Basement Policy

A number of objectors are concerned with the structural impact of the proposed extension and other issues related to basement development. Although a Construction Management Plan and Structural Methodology has been submitted, the proposal involves the extension of a lower ground floor involving some minor excavation within the rear garden and not the construction of a basement as defined within the City Plan. Therefore the City Councils basement policies are not relevant to this application.

Tree Protection

Although not a requirement for development of this scale, the applicant has submitted a construction management plan that indicates and Olive tree and other soft landscaping will be lost from the front garden. The proposed development may also impact protected trees in the rear garden of this and neighbouring sites. On this basis, conditions are recommended requiring replacement planting and tree protection measures.

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 relevant for development of this scale.

9. BACKGROUND PAPERS

1. Application form
2. Response from Building Control - Development Planning, dated 10 October 2016
3. Response from Arboricultural Section, dated 4th November 2016
4. Response from Highways Planning dated 17th October 2016
5. Letter from occupier of 4 Douglas House, 6 Maida Avenue, dated 20 October 2016
6. Letter from occupier of the coach house,, 2 Maida avenue, dated 21 October 2016
7. Letter from occupier of 3 Douglas House, 6 Maida Ave, dated 10 October 2016
8. Letter from occupier of 12 Douglas House, 6 Maida Avenue, dated 26 October 2016
9. Letter from occupier of 5a Douglas House, 6 Maida Avenue, dated 22 October 2016
10. Letter from occupier of 3 Stafford House, Maida Avenue, dated 23 October 2016
11. Letter from occupier of Flat 1A, Douglas House, Maida Avenue, dated 20 October 2016
12. Letter from occupier of 12 Douglas House, 6 Maida Avenue, dated 27 October 2016
13. Letter from occupier of 9A Douglas House, 6 Maida Avenue, dated 20 October 2016
14. Letter from occupier of 3 Parklands Close, Barnet, dated 23 October 2016
15. Letter from occupier of Flat 2 Stafford House, 1 Maida Avenue, dated 2 November 2016
16. Letter from occupier of 3a Douglas House, 6 Maida Avenue, dated 21 October 2016
17. Letter from occupier of 10A Douglas House, 6 Maida Avenue, dated 21 October 2016
18. Letter from occupier of 8 Stafford House, Maida Avenue, dated 23 October 2016

(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: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk.

10. KEY DRAWINGS

Existing Section AA

Existing Section CC

Existing Section DD

Existing Elevations/Sections

Proposed Section AA

Proposed Section CC

Proposed Section DD

Proposed Southwest Elevation

Proposed Elevations/Sections

Legend:

- Existing Structure
- Proposed Structure
- Existing Windows
- Proposed Windows
- Existing Doors
- Proposed Doors
- Existing Balconies
- Proposed Balconies
- Existing Stairs
- Proposed Stairs
- Existing Ramps
- Proposed Ramps

Title Block:

Project Name: [REDACTED]
 Client: [REDACTED]
 Architect: [REDACTED]
 Date: [REDACTED]



Visualisation of Proposed Extensions (Douglas House to left)

DRAFT DECISION LETTER

Address: 5 Maida Avenue, London, W2 1TF

Proposal: Erection of two storey rear extension at lower ground and ground floor levels.

Reference: 16/09049/FULL

Plan Nos: 248_G_010RevD; 248_G_012RevC; 248_G_013RevC; 248_G_015RevA;,
248_G_100RevD; 248_G_110RevD; 248_G_111RevD; 248_G_112RevD;
248_G_113RevD; Design and Access Statement.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

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 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

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)

- 4 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 Maida Vale 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 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 Maida Vale 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 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 1 year 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 5 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 and its contribution to biodiversity and the local environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

- 7 **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 make sure that the trees on the site are adequately protected during building works. This is 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. (R31AC)

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.

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Item No.
9

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 th December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Tachbrook	
Subject of Report	14 Moreton Terrace, London, SW1V 2NX,		
Proposal	Erection of a new mansard roof extension and modifications to openings at lower ground floor.		
Agent	DIZarchitects Ltd		
On behalf of	Mr & Mrs Going		
Registered Number	16/08195/FULL	Date amended/ completed	26 August 2016
Date Application Received	26 August 2016		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Refuse permission – design grounds.

2. SUMMARY

14 Moreton Terrace is a mid-terrace property comprising basement, ground and two upper floors located within the Pimlico Conservation Area. The property is in residential use as a single-family dwellinghouse.

Permission is sought for the erection of a new mansard roof extension and modifications to openings at lower ground floor.

The key issues for consideration are:

- The impact on the character and appearance of the building and the Pimlico Conservation Area;
- The impact on the amenity of neighbouring residential properties.

In 2003 planning permission was refused for the erection of a single-storey mansard roof extension. It was considered that the proposed mansard by reason of its bulk and height were unacceptable in principle, and would adversely affect the character and appearance of this building, the terrace and the Pimlico Conservation Area and would fail to either preserve or enhance that character and appearance.

Four letters of support and 12 objections have been received from neighbouring residents. The objections are raised on design grounds. The increased height and bulk of the property is not considered to give rise to an unacceptable loss of amenity to residents. However, the extension is considered to have an impact on the character of the conservation area and on the unbroken row of five properties with London (butterfly) roofs. Similarly to the 2003 decision, the scheme is considered unacceptable in design grounds and is recommended for refusal.

4. PHOTOGRAPHS



14 Moreton Terrace



Current roofline

5. CONSULTATIONS

COUNCILLOR ANGELA HARVEY:

Supports this application because the adjoining houses 16, 18, and 20 have mansards and committee recently approved a mansard at no.6 Moreton Terrace.

WESTMINSTER SOCIETY:

No objection

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 50

Total No. of replies: 17

No. of objections: 13

No. in support: 4

Four letters of support on the following grounds (including a letter from The Moreton Triangle Residents Association):

- Precedent already set due to mansards at the neighbouring properties of 16, 18 and 20;
- A mansard built in accordance with WCC guidelines would enhance the street and conservation area;
- The building is not listed.
- Permission recently granted for a mansard at No.6.

12 letters of objection on the following grounds:

- A mansard roof extension would harm the character and appearance of the terrace, unified roofline, butterfly roof, the conservation area, and unspoilt street;
- There is a different character to the West and East side of the street;
- Proposal is contrary to Council design policies;
- Planning permission for a similar proposal was refused in 2003.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

14 Moreton Terrace is a mid-terrace property comprising basement, ground and two upper floors located within the Pimlico Conservation Area. The property is in residential use as a single-family dwellinghouse.

6.2 Recent Relevant History

On 20th March 2003 planning permission for the erection of a single storey mansard roof extension was refused on the grounds that the extensions bulk and height was unacceptable in principle, and would adversely affect the character and appearance of this building, the terrace and the Pimlico Conservation Area. (RN: 02/09716/FULL)

6 Moreton Terrace

An application was reported to Planning Committee on 4 October 2016 with an officer's recommendation for refusal on design grounds: 'Because of its location, massing and the loss of the historic roof form, the proposed mansard would harm the appearance of this building and the terrace and would fail to maintain or improve (preserve or enhance) the character and appearance (visual amenity) of the Pimlico Conservation Area.

Committee resolved that against the recommendation the application be granted due to the terrace already containing a large number of mansard roofs, it was considered that the proposed mansard roof and loss of the existing butterfly roof would not harm the character or appearance of the building or the Pimlico Conservation Area. (16/06491/FULL).

7. THE PROPOSAL

Permission is sought for the erection of a third floor mansard roof extension to provide additional habitable accommodation and modifications to openings at lower ground floor level.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal would increase the size of an existing single family dwellinghouse and is considered acceptable in land use terms.

8.2 Townscape and Design

12 letters of objection have been received raising design concerns referring to the loss of the run of butterfly roof, the disruption of the roof line, and the harm to the terrace and the Pimlico Conservation Area.

4 letters of support have also been received, primarily raising the issue that they consider a precedent has been set due to mansards at the neighbouring properties of 16, 18 and 20, as well as a mansard recently approved at no.6.

Under policy DES 6 of the UDP, roof extensions are only acceptable where the majority of houses in a group already have them and infilling would achieve a greater uniformity of roofline. In this instance no. 6-12 forms part of a group with the adjoining properties to the north, the terraced houses at nos. 14-18 step forward and have different design details (nos. 16 and 18 have mansard extensions). Although nos. 2a and 2-4 are of a different character to the rest of the terrace in terms of their footprint, roofs and façade design (2-4 is a 1960s infill), they have a consistent parapet height with nos. 6-18.

There is a currently unbroken row of properties with London (butterfly) roofs, which define a unifying pattern to the rear elevation of this group when viewed from both the small mews behind and from high level views from surrounding properties within the conservation area. Nos. 2a through to 14 are identified in the Pimlico Conservation Area Audit as being unacceptable for roof extensions. The host building exhibits a completed and balanced composition which an additional storey would interrupt. The proposal for a

mansard extension at no. 14 would also harm the character and appearance of the group, which would be contrary to DES 6 (iii).

Although the applicant refers to a recently approved mansard extension at no.6, this is not thought to set a precedent as no. 6-12 forms part of a group with the adjoining properties to the north, the terraced houses at nos. 14-18 step forward and have different design details.

The principle of a mansard roof extension at the application building is considered contrary to policy. The fact that the building is not listed or that the detailed design of the mansard extension is in line with Council guidance are not considered relevant given this in principle position.

The additional space will not create an additional residential housing unit but will increase the size of an existing single family dwelling; this is not considered a reason to overcome the harm that would be caused.

The proposed works would result in harm to the visual amenity of the terrace and would harm the character and appearance (visual amenity) to the Pimlico Conservation Area. As required by para 134 of the NPPF, this harm, which is considered less than substantial, is not mitigated by substantial public benefits.

The proposal are contrary to paragraph 134 in Chapter 12 of the NPPF, strategic policies S25 and S28, UDP policies DES 1, DES 5, DES 6 and DES 9 and the Council's guidance.

8.3 Residential Amenity

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of development.

Given the distance between the application site and the properties on the other side of Moreton Terrace and those to the rear of Moreton Place, it is not considered that the proposal will cause a significant loss of daylight and sunlight or increased sense of enclosure to those properties.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

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

8.6 Access

Not applicable.

8.7 Other UDP/Westminster Policy Considerations

Not 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 Environmental Impact Assessment

Not applicable.

8.12 Other Issues

Not applicable.

9. BACKGROUND PAPERS

1. Application form
2. Email from Councillor Angela Harvey dated 29 November 2016
3. Response from Westminster Society dated 13 September 2016
4. Letter from Moreton Triangle Residents Association and occupier of 25 Moreton Place dated 10 October 2016
5. Letter from occupier of 21 Moreton Terrace dated 12 September 2016
6. Letter from occupier of 17 Moreton Terrace, dated 16 September 2016
7. Letter from occupier of 2 Moreton Terrace dated 16 September 2016
8. Letter from occupier of 5 Lansdowne Mews 0dated 19 September 2016
9. Letter from occupier of 34 Great James Street dated 21 September 2016
10. Letter on behalf of occupiers of 10 Moreton Terrace dated 22 September 2016
11. Letter from occupier of 84 St Georges Square dated 23 September 2016
12. Letter from occupier of 15 Moreton Terrace dated 24 September 2016
13. Letter from occupier of 5 Lansdowne Mews dated 28 September 2016
14. Letter from occupier of 19 Cumberland St dated 30 September 2016
15. Letter from occupier of 2 Moreton Terrace dated 30 September 2016
16. Letter on behalf of occupier of 44 Moreton Street dated 2 October 2016
17. Letter from occupier of 38 Teneure Road East dated 6 October 2016
18. Letter from occupier of Flat 1, 2 Moreton Place dated 7 October 2016
19. Letter from Arthur Campbell- Walter (address unknown) dated 22 September 2016

Selected relevant drawings

(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 ddorward@westminster.gov.uk

10. KEY DRAWINGS



EXISTING STREET SCENE



PROPOSED STREET SCENE



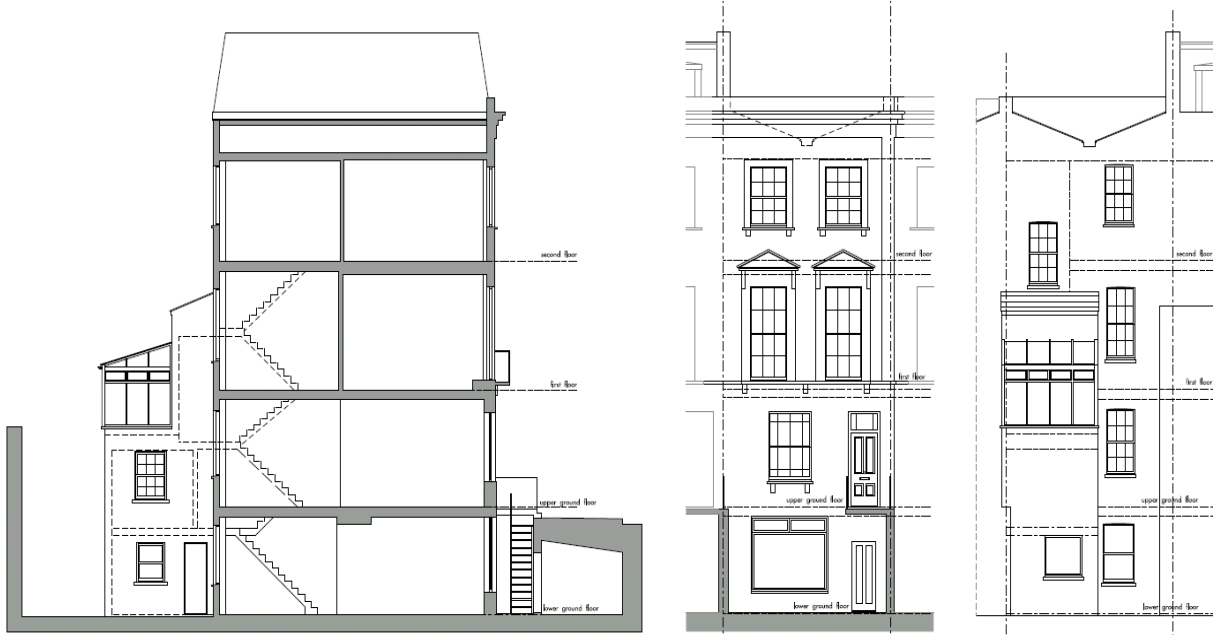
DP4
architects

14th Lodge, 38
Castledar Park
London NW10J
T: +44 (0)20 893 7579
F: +44 (0)20 346 8184
E: info@dp4arch.com
www.dp4arch.com

REV	DESCRIPTION	DATE
A	ISSUED FOR PLANNING	28.07.2016

14 Moreton Terrace, London	
PROJECT	EXISTING & PROPOSED STREET SCENE
SCALE	1:100 @ A3
DESIGNER	ML
DATE	JULY 2016
REVISION	A
CLIENT NO.	00P030

Existing and proposed elevations



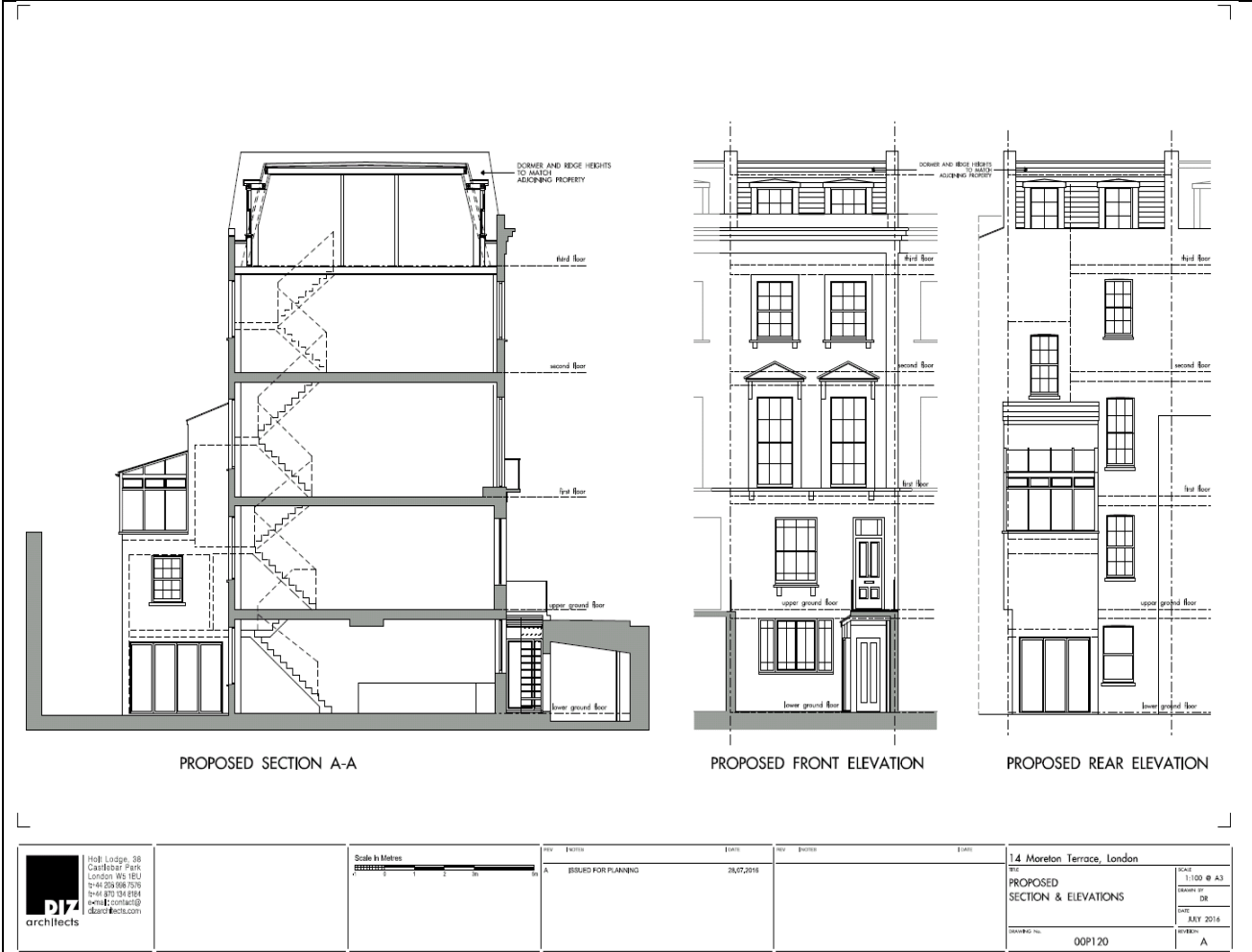
EXISTING SECTION A-A

EXISTING FRONT ELEVATION

EXISTING REAR ELEVATION

<p>Hob, Lodge, 88 Cantuar Park London W5 1EU t: +44 (0)20 898 7376 f: +44 (0)20 898 8184 e: info@contact@dizarchitects.com</p>	<p>Scale in Metres</p>	REV	DATE	REV	DATE	<p>14 Moreton Terrace, London</p>	SCALE
		A	BUILD FOR PLANNING	25/07/2016			
							DESIGNER
							00PO20
							REVISION
							A

Existing section



Proposed section

DRAFT DECISION LETTER

Address: 14 Moreton Terrace, London, SW1V 2NX,

Proposal: Erection of a new mansard roof extension and modifications to openings at lower ground floor.

Reference: 16/08195/FULL

Plan Nos: Site location plan; 00P010 Rev A; 00P020 Rev A; 00P030 Rev A; 00P110 Rev A; Design and access statement.

Case Officer: Seana McCaffrey

Direct Tel. No. 020 7641 1091

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

- 1 Because of its location, massing and the loss of the historic roof form, the proposed mansard would harm the appearance of this building and the terrace and would fail to maintain or improve (preserve or enhance) the character and appearance (visual amenity) of the Pimlico Conservation Area. This would not meet the tests in Chapter 12 of the NPPF, S25 and S28 of Westminster's City Plan: Strategic Policies (July 2016) and DES 1, DES 5, DES 6 and DES 9 and paras 10.108 to 10.128 of our UDP that we adopted in January 2007. (X16AC)

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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.

Item No.
9

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Item No.
10

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 13 December 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	44 South Eaton Place, London, SW1W 9JJ		
Proposal	Demolition of later additions to rear elevation and construction of new three storey extension with lower ground conservatory.		
Agent	Mittleman Associates Ltd		
On behalf of	Mrs Munira Al Misnad		
Registered Number	16/05872/FULL	Date amended/ completed	22 June 2016
Date Application Received	22 June 2016		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

44 South Eaton Place is an unlisted stock brick and stucco, 19th century terraced townhouse, located within the Belgravia Conservation Area. It is four storeys over basement, with mansard roof storey and is located within and contributes positively to the character of the Belgravia conservation area.

The application is for rear extensions from lower ground to first floor level. Large, full-width extensions are proposed at lower ground and ground floor levels, with an additional conservatory at lower ground and a half width extension at first floor level with canted bay to the rear. This would cut across and extend out beyond the line of the existing closet wing.

The property already has substantial rear extensions and permission was refused in 2013 for larger rear extensions at this property which were poorly detailed and resulted in a full width extension at first floor level (RN: 13/05236). However, the current scheme would no longer extend across the full width of the rear elevation at first floor and the new extension will be the same depth as those permitted to the adjoining property at no. 42 which has large extensions of similar design to those now proposed on this site. A number of nearby properties also have substantial extensions of various designs, meaning there is little consistency to the rear elevations of the terrace.

Following officer advice, the proposals have been amended, so that the extension at first level does not

include the previously proposed obscure glazed link, which was considered to be an uncharacteristic and unsympathetic detail. As proposed, the new extensions will not project out beyond the line of extensions permitted to no 42. They will also be in stock brick with timber windows, matching the existing materials to the rear elevation of the terrace. As such, given the location to the rear and the lack of consistency or discernible rhythm of extensions to the rear elevation of this terrace, on balance, these proposals are now considered acceptable in design terms and accord with the advice set out in Unitary Development Plan policies DES 5 (alterations and extensions) and DES 9 (conservation areas).

An objection has been received from the adjoining residential occupiers at 46 South Eaton Place on the grounds that the proposals would result in a loss of light to their rear windows, particularly the kitchen at ground floor level and living room at first floor. Accordingly, the applicant has carried out an assessment on surrounding properties based on the various numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice".

The BRE guidelines suggest that a 27% Vertical Sky Component (VSC) is indicative of a 'good level' of daylight. The BRE guidelines state that daylight levels may be adversely affected if the VSC measured at the centre of an existing main window is less than 27% and less than 0.8 times its former value. Should windows achieve sufficient levels of VSC they are seen as compliant in terms of daylight. Of the 54 windows tested at 40, 42, 46 and 48 South Eaton Place, one transgression is noted to a window at basement level at 46 South Eaton Place, with a reduction in VSC of 28%. The affected window is a non-habitable room, used for storage, located beneath the rear external staircase. Accordingly, the transgression is not considered to cause an unacceptable loss of amenity and it would not be sustainable to withhold planning permission for this reason.

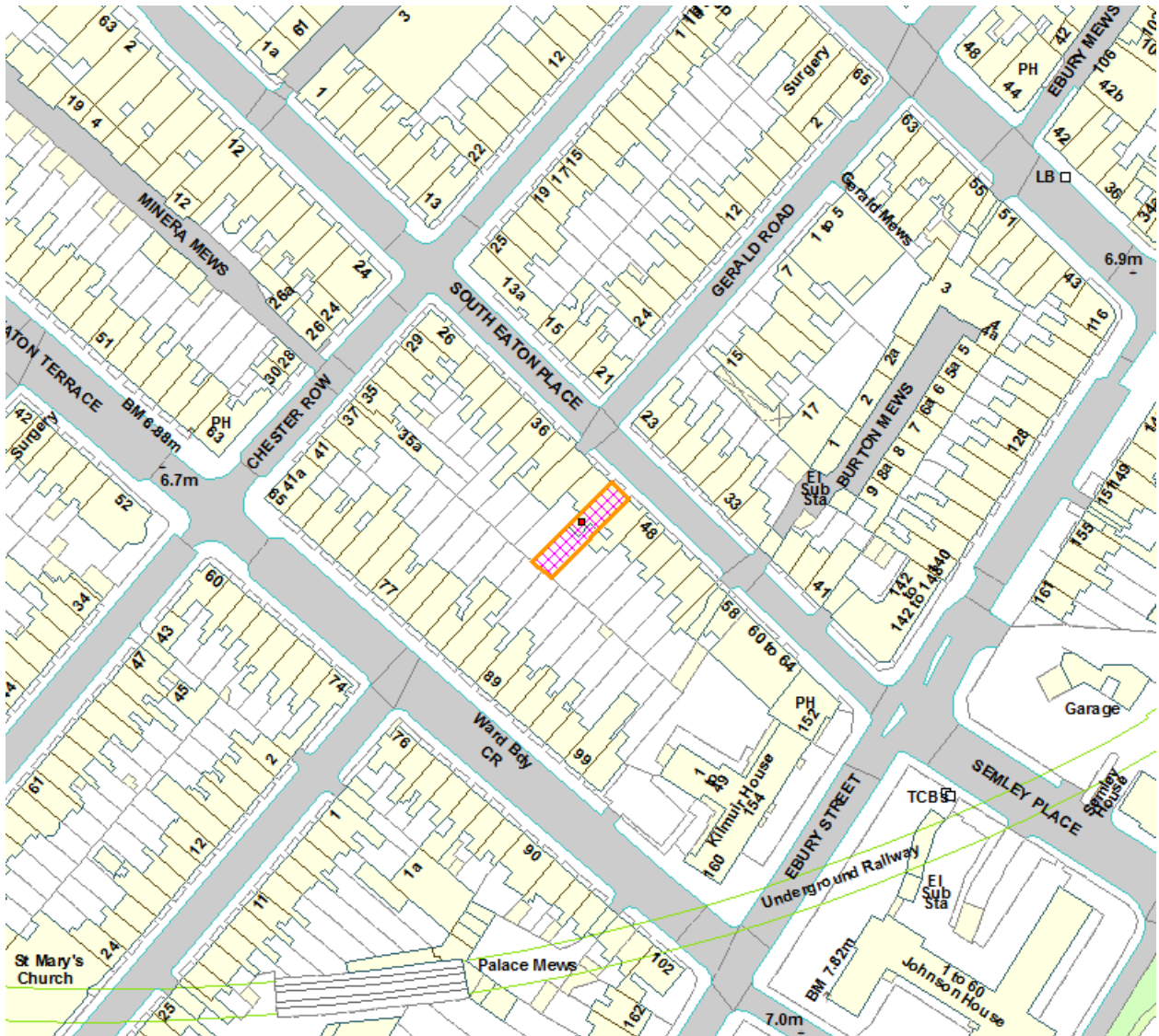
In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window wall faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. All 48 windows will continue to meet and exceed the BRE's target criteria. Therefore, the proposed development is fully compliant with the BRE guidelines for sunlight.

The proposed extensions are likely to be noticeable from the rear window at ground floor level serving the kitchen and first floor window serving a living room. However, both rooms are dual aspect and it is considered that the proposals would not lead to a material increase in sense of enclosure. As such it is not considered that refusal for this reason could be sustained.

The objector has also raised concerns that the first floor extension would overlook their garden, causing a reduction in privacy. To address this, a condition has been attached ensuring that the glass put in the window on the east elevation must not be clear glass and that it must be fixed permanently shut.

The proposal is considered to comply with the Council's policies in relation to design, conservation, amenity and transport as set out in Westminster's City Plan: Strategic Policies (the City Plan) and the Unitary Development Plan (UDP). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



44 South Eaton Place



Rear elevation of 44 South Eaton Place (taken from neighbouring rear garden at 46)

5. CONSULTATIONS**BELGRAVIA RESIDENTS ASSOCIATION**

Any response to be reported verbally.

BELGRAVIA NEIGHBOURHOOD FORUM

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 4

Total No. of replies: 2

No. of objections: 2 (2 replies from neighbour at 46 South Eaton Place)

No. in support: 0

Objection from the occupiers of the neighbouring property at 46 South Eaton Place, raising objection on the grounds of loss of light and overlooking.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. RECENT RELEVANT HISTORY85/03275/FULL

Extensions and internal alterations- revised drawings

Application Granted 25 October 1985

13/05236/FULL

Erection of rear extensions at lower ground and first floor levels, build up of boundary walls at lower ground floor level with No's 42 and 46 South Eaton Place and minor excavation to garden area.

Application Refused 27 August 2013

7. BACKGROUND PAPERS

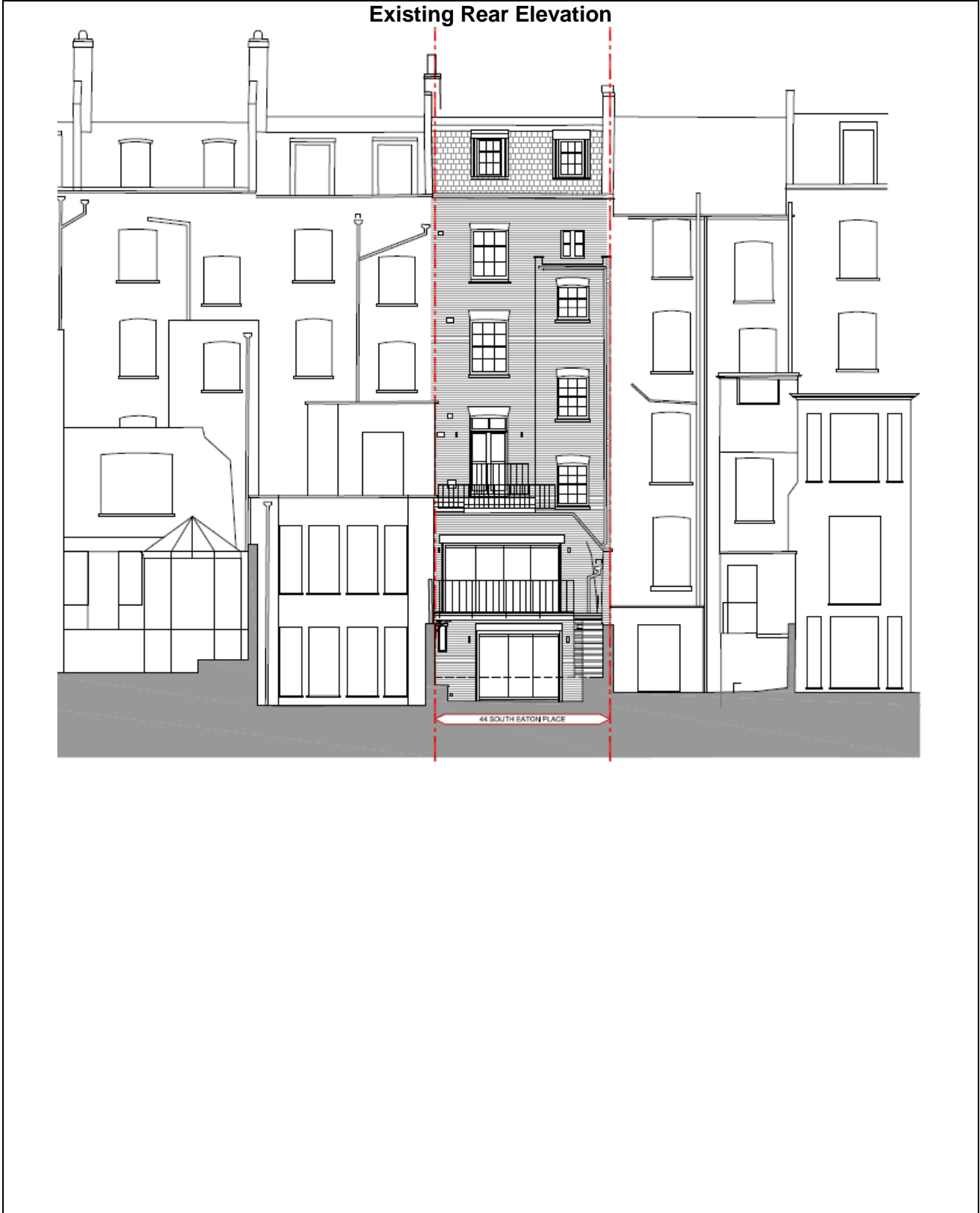
1. Application form
2. Letters from occupier of 46 South Eaton Place dated 14 July and 29 November 2016

Selected relevant drawings

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

<p>IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT DDORWARD@WESTMINSTER.GOV.UK</p>

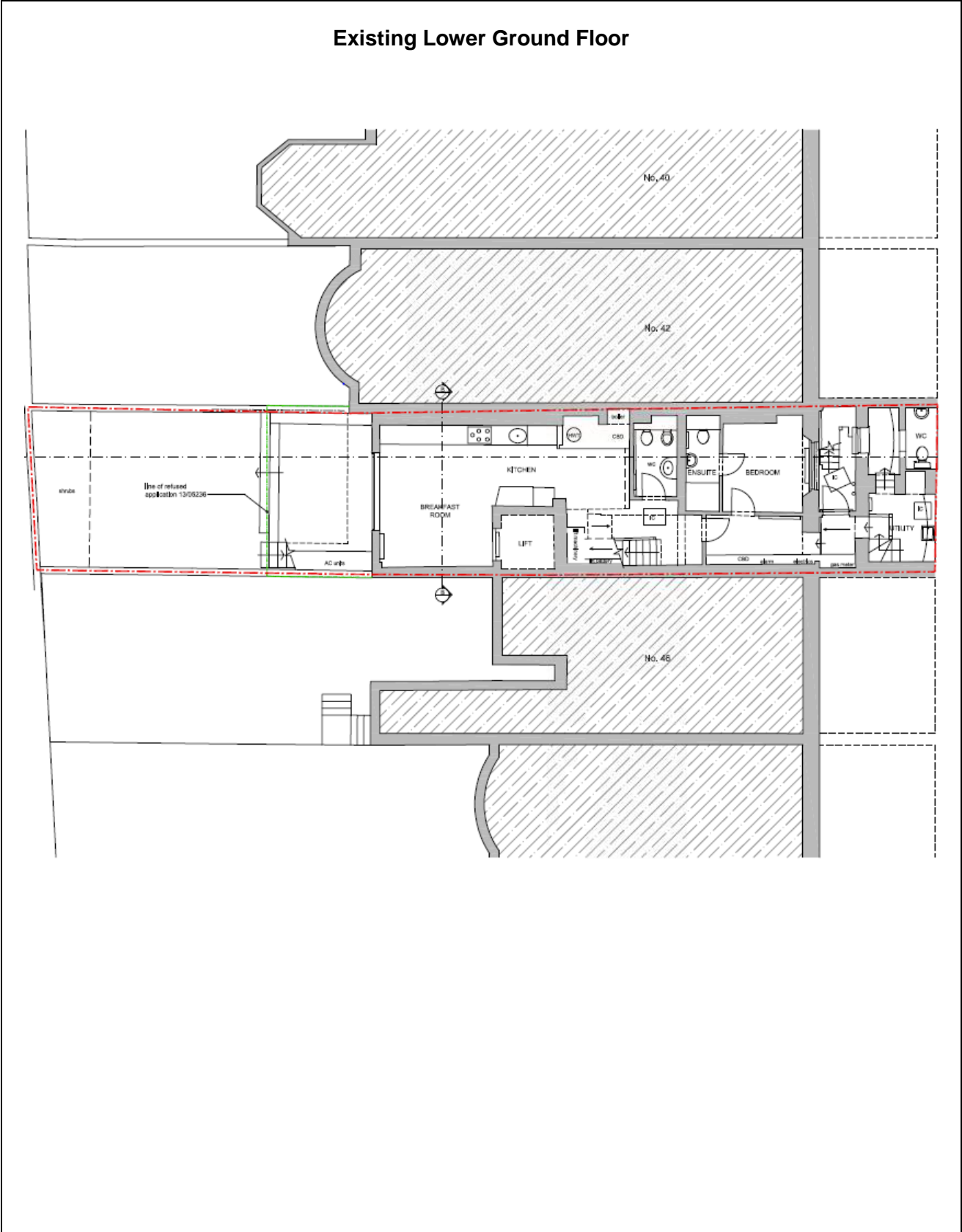
8. KEY DRAWINGS



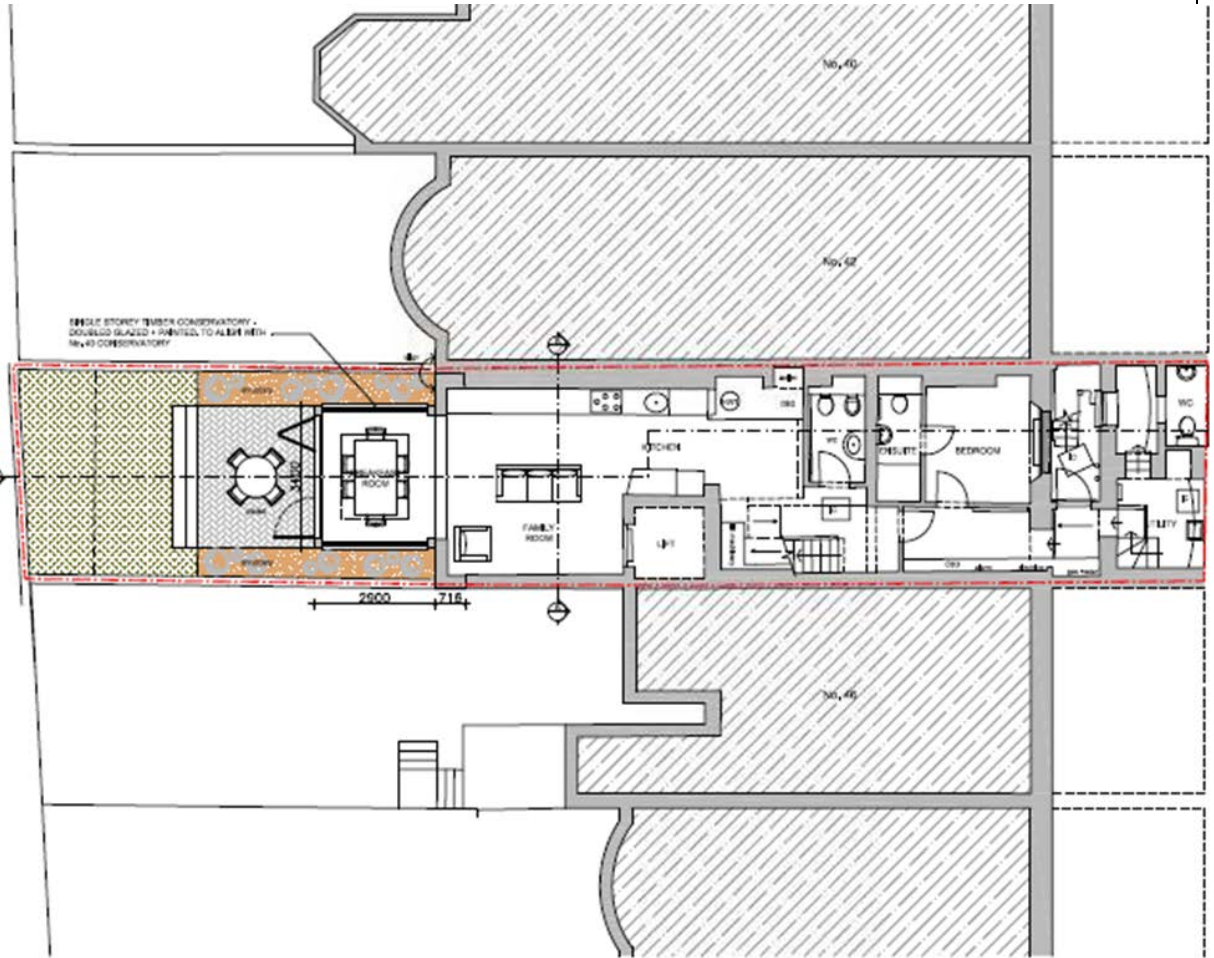
Proposed Rear Elevation



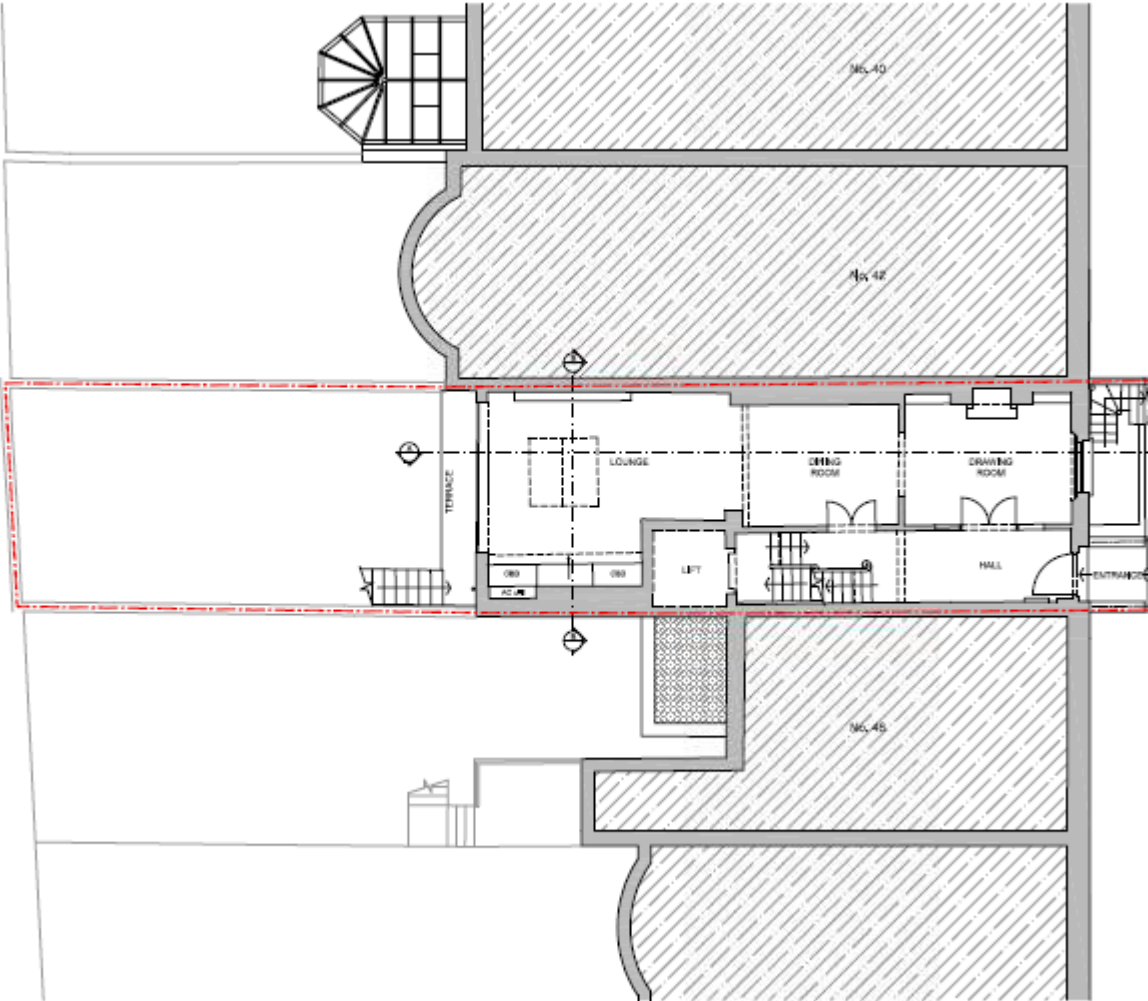
Existing Lower Ground Floor



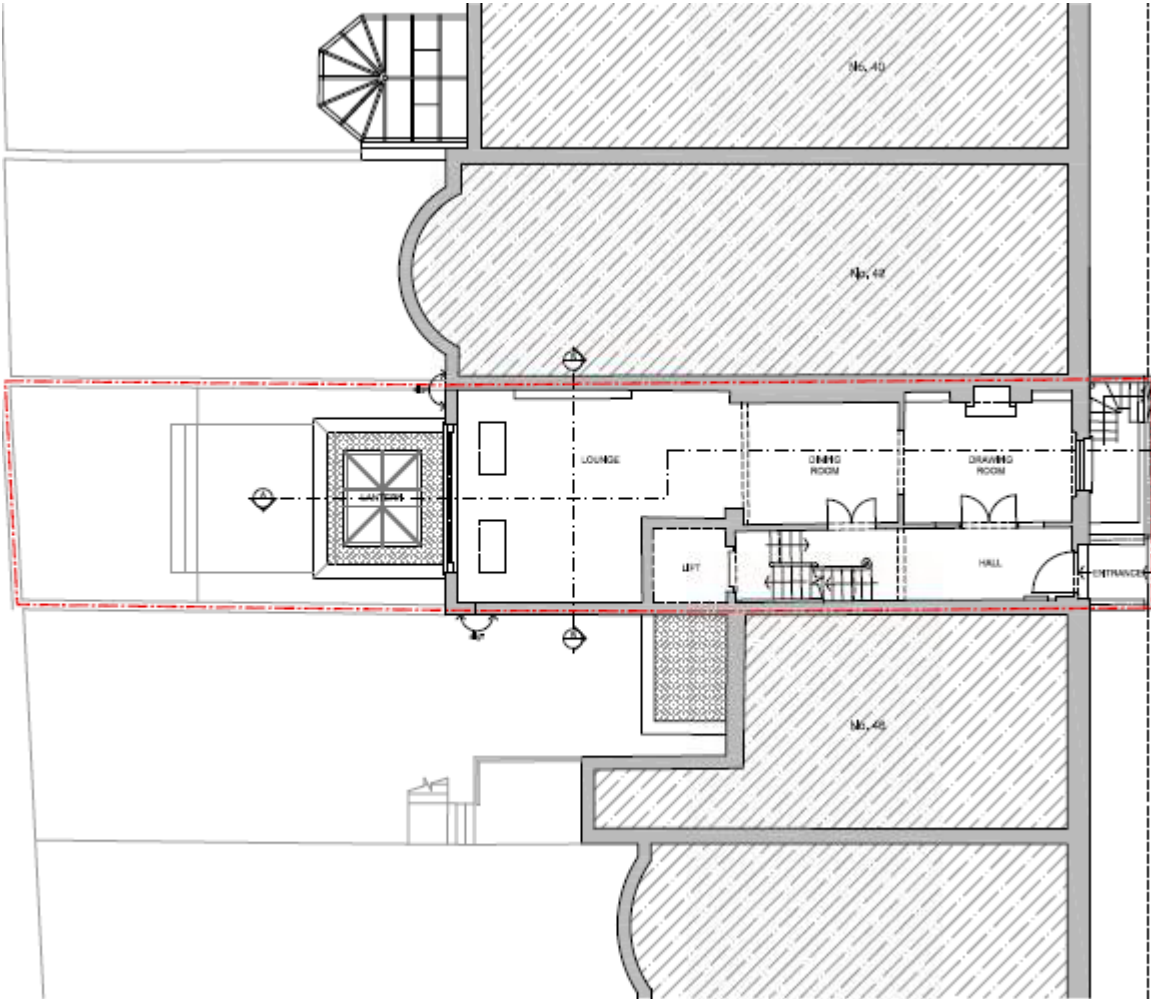
Proposed Lower Ground Floor



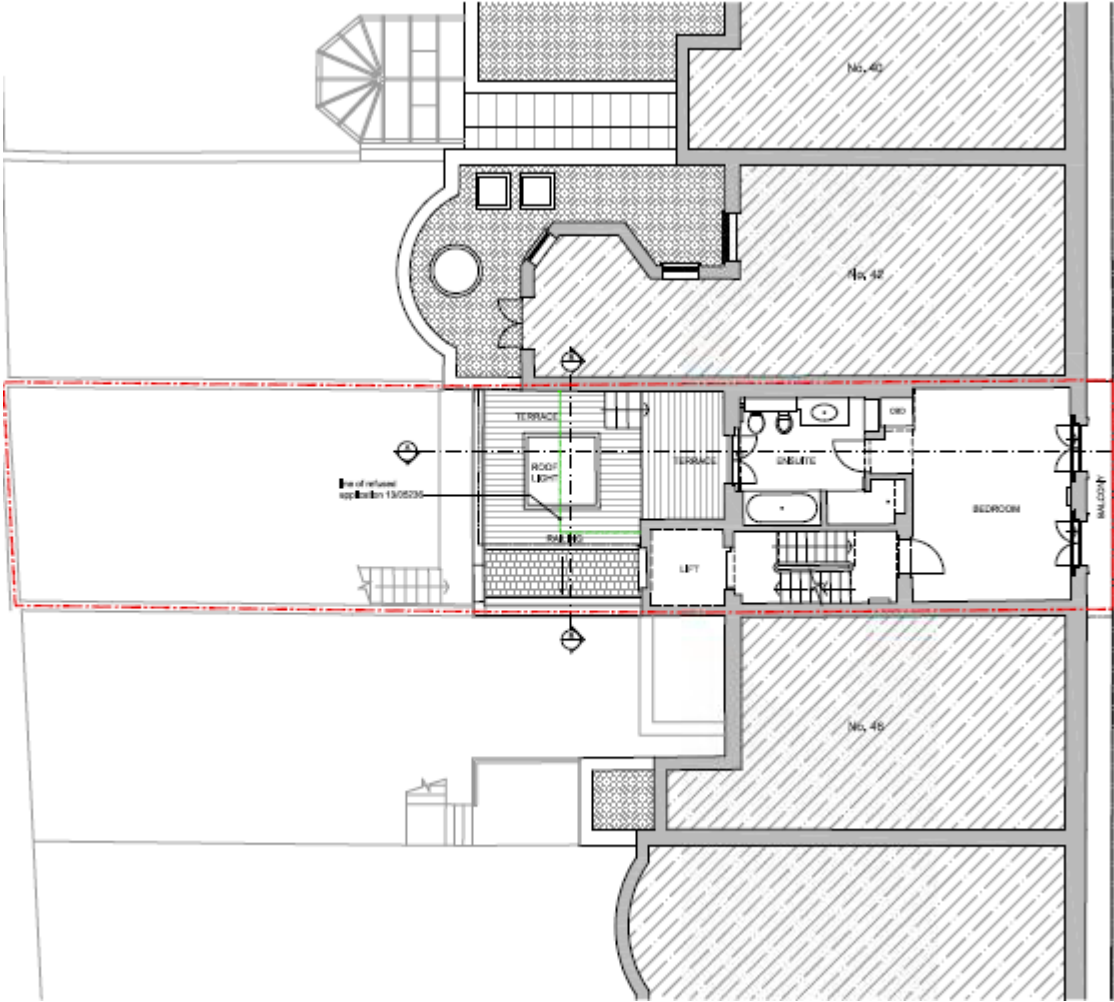
Existing Ground Floor



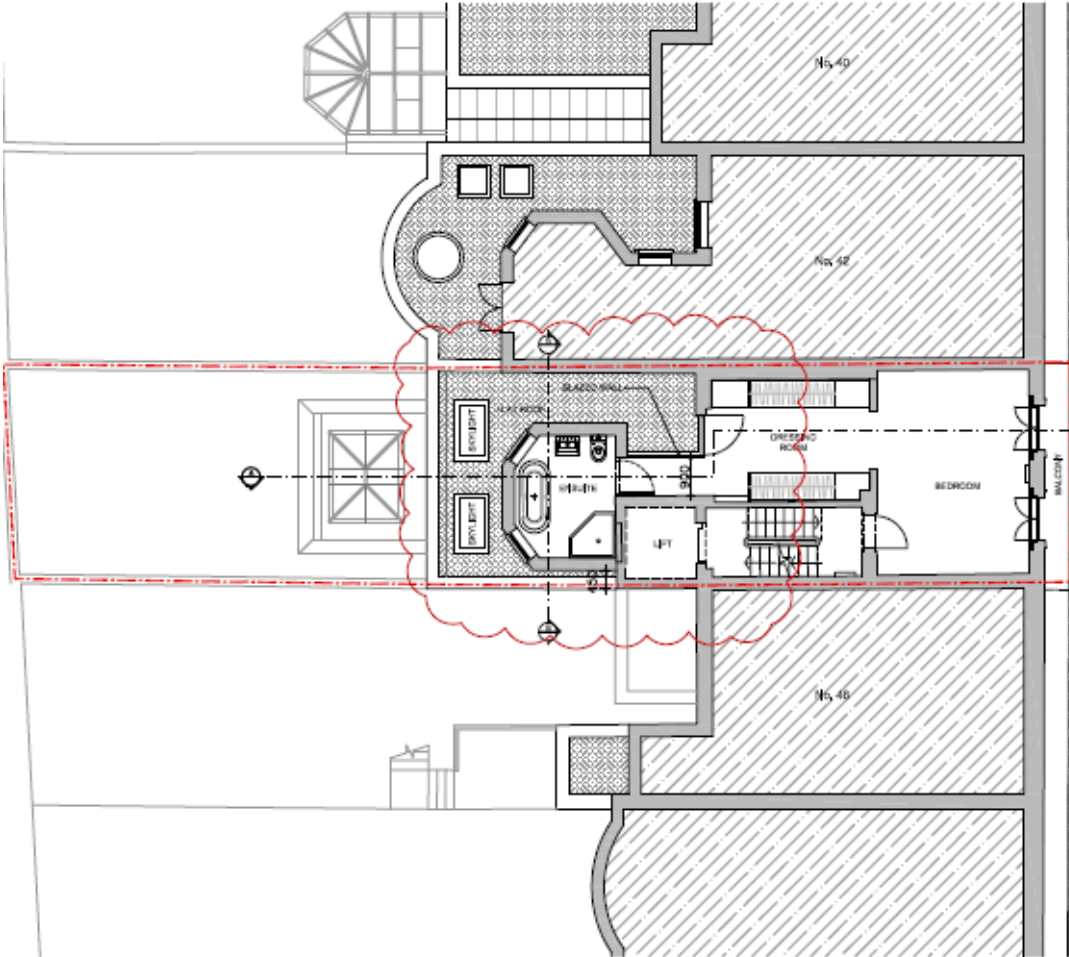
Proposed Ground Floor

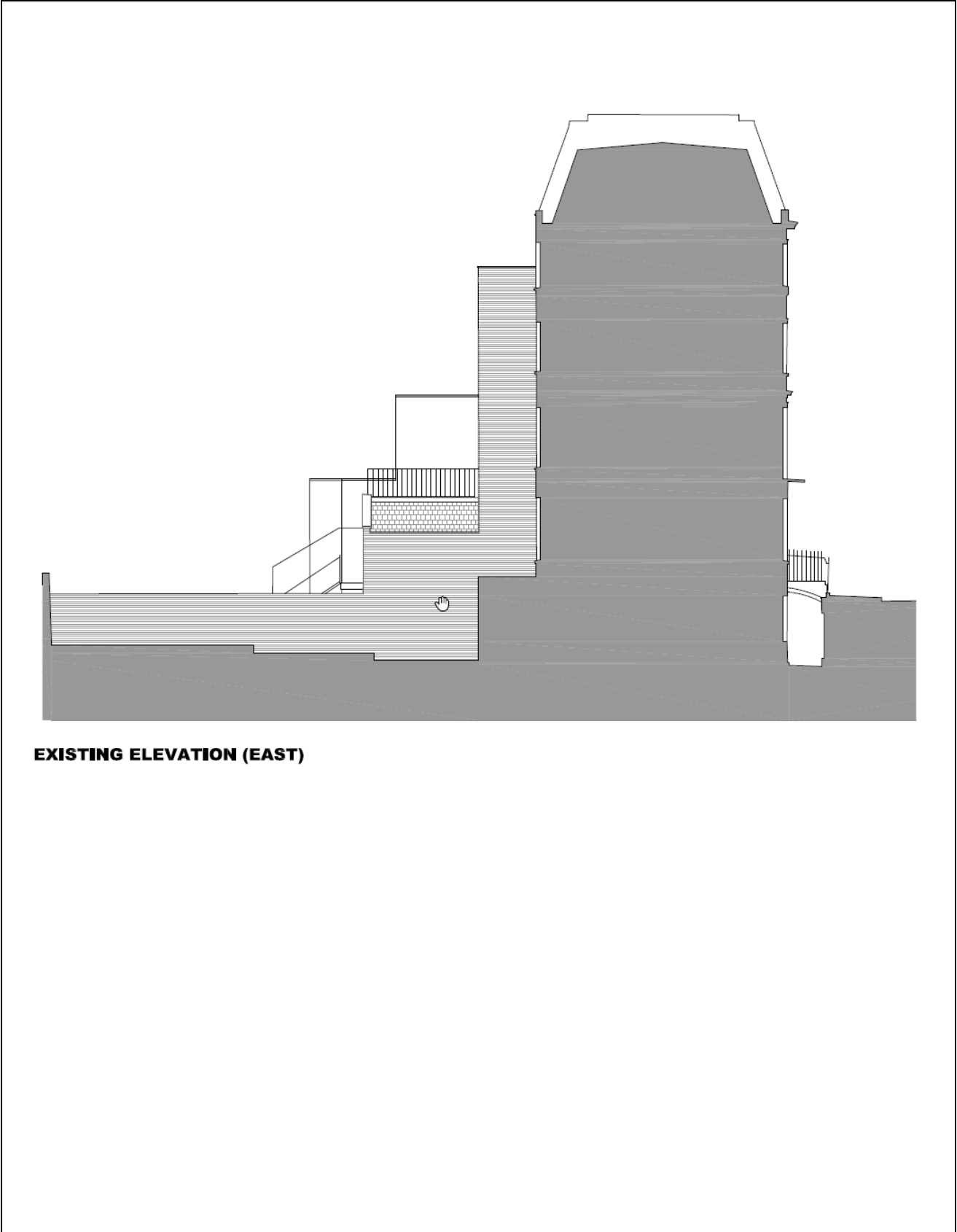


Existing First Floor Plan



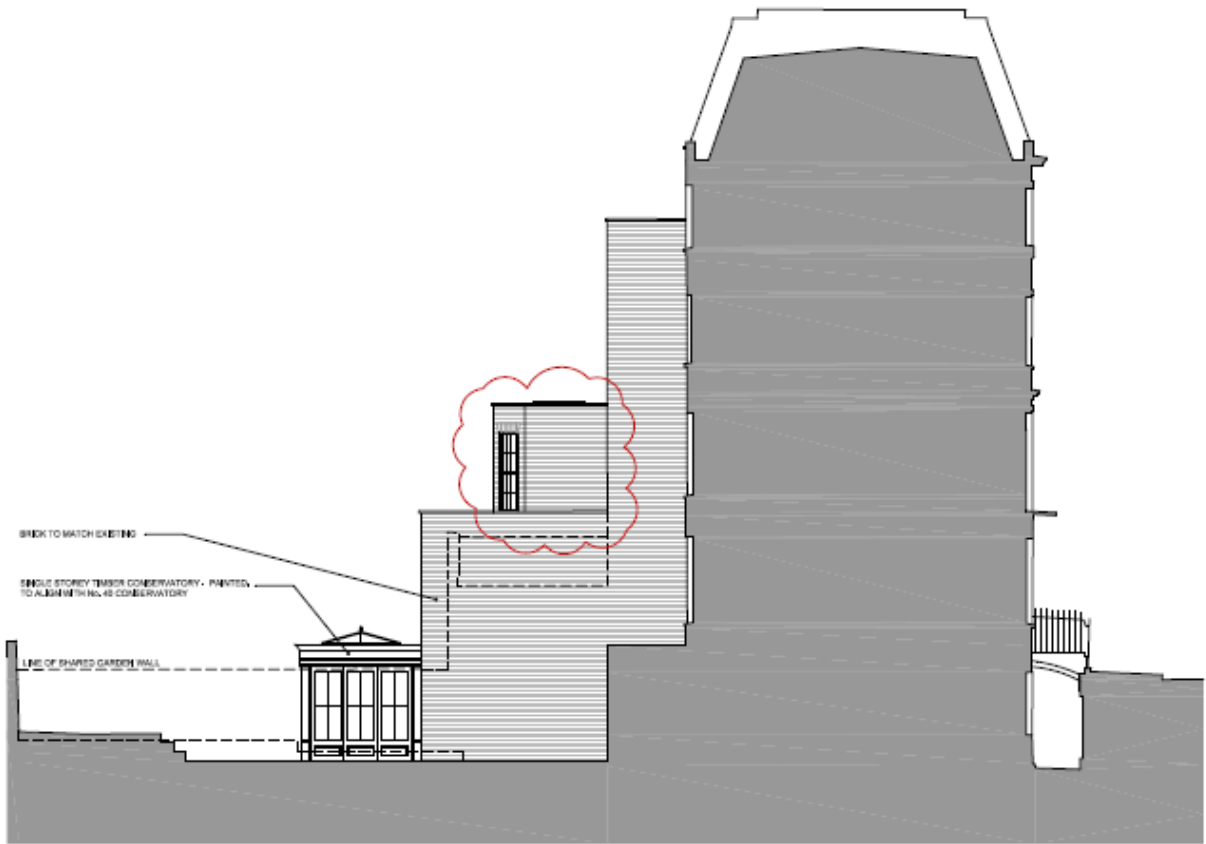
Proposed First Floor Plan





EXISTING ELEVATION (EAST)

Proposed Elevation (East)





Photos from neighbour's 1st floor rear living room window at 46 South Eaton Place





Photos from neighbour's ground floor kitchen window at 46 South Eaton Place





Affected basement level window at 46 South Eaton Place, with a reduction in VSC of 28%.

DRAFT DECISION LETTER

Address: 44 South Eaton Place, London, SW1W 9JJ

Proposal: Demolition of later additions to rear elevation and construction of new three storey extension with lower ground conservatory.

Reference: 16/05872/FULL

Plan Nos: PL-00; PL-09; PL-10; PL-11 Rev. C; PL-12 Rev.C; PL-13 Rev.B; PL-14 Rev.B; PL-15 Rev.A; PL-16 Rev.B; PL-17 Rev.B

For Information Purposes:

Daylight and Sunlight Report dated 21 October 2016; Design and Access Statement including Parking Provisions, Tree Works & Heritage Statement dated June 2016

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 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 (July 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 Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 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 facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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 (July 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 You must submit detailed drawings at a scale of 1:20 and sections at 1:5 of the following parts of the development:

- i. Windows
- ii. Conservatory

You must not start on these parts of the development until we have approved what you have sent us. You must then carry out the works according to the approved details.

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 (July 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 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 (July 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 apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

- omission of fully glazed side wall to first floor extension and replacement with traditionally detailed fenestration.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

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 (July 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)

- 8 The glass that you put in the window on the east elevation of the extension at first floor level must not be clear glass, and you must fix it 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 part 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)

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 (July 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 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

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.

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