

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 15 July 2014	Classification For General Release	
Report of Strategic Director Built Environment		Wards involved Marylebone High Street	
Subject of Report	Bolsover House, 5-6 Clipstone Street, London, W1W 6BB		
Proposal	Alterations including demolition of the fifth floor mansard extension and replacement with a sheer storey of accommodation and mansard roof extension at sixth floor level to provide additional office accommodation (Class B1); installation of a lift overrun and plant within a roof level enclosure.		
Agent	Indigo Planning		
On behalf of	Richform Estates Ltd		
Registered Number	14/00764/FULL	TP / PP No	TP/4331
Date of Application	29.01.2014	Date amended/ completed	05.02.2014
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	East Marylebone		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Outside Core Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Refuse permission - offices outside CAZ, adverse impact on the appearance of the building, townscape and neighbouring conservation areas.





BOLSOVER HOUSE, 5-6 CLIPSTONE STREET, W1

2. SUMMARY

This application relates to the alterations to this unlisted building, including the demolition of the existing fifth floor mansard storey and its replacement with a sheer storey and a sixth floor mansard roof addition to provide 154m² of new office floorspace. Objections have been received to the scheme, principally on design and amenity grounds.

The key issues in this case area:

- The acceptability of the proposals in land use terms.
- The impact of the proposed extension upon the amenities of neighbouring residents.
- The acceptability of the extension in townscape terms

It is not considered that the proposals would have a significant adverse impact upon the amenities of occupants of neighbouring flats. However, the site is located outside of the Core Central Activities Zone where, other than in very particular circumstances, the creation of new office floorspace is not permitted. Notwithstanding arguments put forward by the applicant to suggest that the proposal meets the tests set down in office policy, the scheme is considered unacceptable on land use grounds. The existing building is already taller than its immediate neighbours and the addition of a further storey is considered unacceptable in principle. In addition, the detailed design does not comply with the Council's design guidelines for roof extensions. Consequently, the application is recommended for refusal.

3. CONSULTATIONS

FITZROVIA NEIGHBOURHOOD ASSOCIATION

Any response to be reported verbally.

LONDON BOROUGH OF CAMDEN

No objection.

ENVIRONMENTAL HEALTH

No objection subject to standard plant noise conditions.

HIGHWAYS PLANNING MANAGER

Cycle storage should be provided.

CLEANSING MANAGER

Details of refuse storage arrangements required.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 69; Total No. of Replies: 3.

Three responses received raising the following objections:

Land Use

- No need for extension as existing offices appear largely empty.

Design

- Proposals detrimental to character of the street and to the character of neighbouring conservations areas; detrimental impact on "buildings of interest" in Great Titchfield Street and Bolsover Street; additional storey will create one of the tallest street elevations/ frontages resulting in a building of an unacceptable and overpowering mass; references to taller buildings in the vicinity cannot justify the increased height on this building.

Amenity

- Plant located to rear of site, closest to highest residential concentrations and habitable rooms.
- Loss of light to neighbouring flats; application states that there will be no material impact on neighbours' daylight/sunlight but no evidence submitted to support this contention.
- No assessment of impact on local television and radio signals.
- Noise nuisance during construction.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION**4.1 The Application Site**

The application premises is an unlisted building situated on the south side of Clipstone Street, at its junction with Bolsover Street. The site is not located within a conservation area but is immediately adjacent to the boundaries of the East Marylebone Conservation Area (to the south) and the Harley Street Conservation Area (to the west). The site is located outside of the Core Central Activities Zone and close to Westminster's boundary with the London Borough of Camden.

The building comprises basement, ground and five upper floors plus a roof level plant room set at the rear. The building is in office use (Class B1) with a café (Class A3) on part basement and ground floors. The area is in a mixture of commercial and residential use. The closest residential properties are immediately adjacent at 7 Clipstone Street (9 flats), at Nos. 115-117, 119-121 (each 12 flats) and 123 Great Titchfield Street (5 flats) and diagonally opposite the site at 93 Bolsover Street.

4.2 Relevant History

None relevant

5. THE PROPOSAL

Permission is sought for alterations including the demolition of the existing fifth floor mansard storey and its replacement with a sheer storey, including a small extension at the rear, and for the erection of a new sixth floor mansard, with a rooftop plant enclosure and lift overrun above, to provide new offices. The rear facade will be formed in sheer brickwork, as will the flank/return facades, where they abut the neighbouring properties in Clipstone Street and Bolsover Street. An external stair case, formed in black metal, would be provided to link the additional floor to the existing enclosed escape stair to offices at 3-8 Bolsover Street, on the floor below.

The application has been amended to revise the detailed design of the new sixth floor dormer windows.

6. DETAILED CONSIDERATIONS**6.1 Land Use****6.1.1 New offices**

The scheme would provide 154m² of new office floorspace.

6.1.2 Policy context

The site is located outside of the Central Activities Zone, as defined in the UDP.

UDP Policy CENT 1 encourages development for Central London activities, including office development, on sites within the CAZ. In addition, Policy COM1 seeks to guide office development to appropriate locations. Policy COM 1 (B) relates to proposed office development outside of the CAZ (and in other locations which are not relevant to the consideration of this case). The policy states that, outside of the CAZ, "...proposals for office development will be granted planning permission where:

1. the site is already in lawful office use.
2. the increase in office floorspace is related to providing accommodation for office-based local services and/or improving access for those with disabilities.
3. there is no loss of residential accommodation and no adverse material impact on residential amenity.
4. there is no loss of local service activities".

Paragraph 2.7 of the supporting text to Policy COM 1 states:

"Most of the area outside of the Central Activities Zone is predominantly residential in character and use. It is a fundamental aim of the UDP to protect these areas from further disruption by non-residential uses. Development outside the CAZ should reinforce the residential character of these areas by providing more residential accommodation. Office development will not, therefore, be appropriate outside Central Westminster, except within the Paddington Special Policy Area and the North Westminster Special Policy Area".

Paragraph 2.11 acknowledges that there are "...established business uses in parts of Westminster outside Central Westminster. Most of these are in areas where the surrounding land use and character is residential. The City Council would not generally wish these buildings to be extended or redeveloped for business uses unless the provision of additional floorspace primarily provides accommodation for local services which support the local community or improves access for those with disabilities".

Paragraph 2.11 also includes an example of a potential exception to the policy where:

"On smaller sites some intensification of employment use, where existing established occupiers wish to build small extensions, may be acceptable as an exception to policy, if the proposed use does not harm residential amenity".

The site is located outside of the Core Central Activities Zone as defined in the City Plan, and is not located on a Named Street (specific streets in Marylebone and Fitzrovia which are treated as part of the Core Central Activities Zone, including Great Portland Street).

Policy S18 of the City Plan directs commercial development to designated areas including the Core Central Activities Zone and the Named Streets. Policy S20 directs new office and other Class B1 floorspace to those same locations.

6.1.2 i Policy Consideration

The site is not located within the Core CAZ or on a Named Street.

The current proposal is for unrestricted Class B1 use. The existing offices are occupied by several tenants. The occupants of the first, second and fifth floor offices have advised that they will be vacating the fifth floor accommodation imminently and that the lease on the fifth floor is in the process of being re-assigned. Although one local resident has objected to the scheme on the grounds that there is no need for the office extension as the existing building is largely vacant, the applicant has confirmed that with the exception of the fifth floor, the offices are fully occupied. The submitted application form confirms that, of the existing office tenants, only one company has a long term interest in the building. A letter submitted in support of the application, from a local property consultant, advises that there is likely to be considerable interest in the new office space, should planning permission be received. There is nothing to suggest that the new offices would provide accommodation for office-based local services or, looking at the potential exception to the policy detailed above, that it would provide additional accommodation for an existing established occupier.

The existing building would already appear to be accessible, with lift access to all existing floors. No changes to access arrangements are proposed, other than alterations to the lift, which could be undertaken without the need for planning permission.

In these circumstances, the proposal is considered to be contrary to the adopted office policies within the UDP and City Plan.

6.1.2 ii Applicant's case

Notwithstanding the above, the applicant contends that the proposal is fully compliant with Policy COM 1 (B) for the following reasons:

- The site is already in office use.
- The increase in office floorspace "will allow for" improvements to access for those with disabilities. Although it cannot be confirmed that the new floorspace will be occupied by an office-based local service, part 2 of Policy COM 1 (B) includes an "and/or" requirement and does not require the development to satisfy both strands (of part 2).

It is accepted that the site is already in lawful office use. However, it is clear that this is a speculative office development.

Although the scheme "will allow for improvements to access for those with disabilities", it is not "related to" the undertaking of those improvements (i.e. the reason behind the development as set down in part 2). In these circumstances, the proposal does not satisfy either of the tests set down in part 2 of Policy COM 1 (B).

(The submitted Design and Access Statement advises that the existing lift is very small, can accommodate only one or two passengers at any one time but could not be accessed by a wheelchair user. Although the enlargement of the lift car and the increased width of the lift doors are welcomed in principle, i) the new lift car, as shown, does not meet the minimum lift dimensions and ii) there is insufficient space on the landing in front of the lift to provide an unobstructed wheelchair turning space at the top of the stairs, to comply with the requirements of Part M of the Building Regulations), meaning that the new lift is unlikely to be readily accessible to a wheelchair user).

- There is no loss of residential accommodation and no adverse impact on residential amenity.
- There is no loss of local service activities.

It is acknowledged that the proposals would not result in the loss of residential accommodation and would not result in the loss of local service activities. The impact of the development on the amenities of adjoining residents is discussed in Section 6.3 below. However, to be considered acceptable, the proposals would need to satisfy all of the tests set down in Policy COM 1 (B).

The applicant also contends that the scheme is fully compliant with Policy S20 (and its supporting text) for the following reason:

- The policy directs office development to the Core CAZ (and other specified locations) and encourages new offices in those locations but does not state that office development in other locations is not appropriate.

While Policy S20 does not expressly prohibit office development outside of the specified locations, including the Core CAZ, this strategic policy clearly directs office development to other locations. Until the adoption of the City Management Plan, the detailed policies for office development are those within the UDP and there is clearly no conflict between the direction of UDP and City Plan policies. In these circumstances, officers do not agree with the applicant's contention that the scheme complies with Policy S20.

For the reasons set out above, the proposed office extension is considered unacceptable in land use terms.

6.2 Townscape and Design

This is an unlisted building located on the south east corner of Clipstone Street and Bolsover Street. Whilst the site is not within a designated conservation area, it does border and is in the immediate vicinity of both the East Marylebone Conservation Area, directly to the south, and the Harley Street Conservation Area, immediately to the west.

Comprising of five storeys over a basement and completed by an attic mansard storey, the application building is thought to be post-war in origin, possibly from the early 1950s. Constructed in red brick the façades include a horizontal arrangement of crittal style windows and a steep, tiled covered mansard roof, punctuated by dormers. The roof slightly overhangs the line of the facade below. The rear of the roof storey is formed in sheer brick, as are the flank and return facades where they abut 7 Clipstone Street and 3 Bolsover Street. The flat roof of the property currently houses a brick-built structure which contains the lift overrun and staircase core, providing access to roof level. Set back from the frontage towards the south east, this structure is barely visible from street level. The building is considered to be of its time and its height and scale successfully blend with the diverse townscape character of this part of the City, notwithstanding the fact that the building is taller than its immediate neighbours.

The proposed scheme is for the demolition of the existing mansard storey and its replacement with a sheer storey with a mansard addition above, which would be set behind a concealed gutter, and a plant enclosure at the rear. Objections have been received on the grounds that the proposals will create one of the tallest buildings in this part of Bolsover Street, resulting in a building of an overpowering height and mass, and would be detrimental to the appearance of the existing building, to the appearance of this part of the townscape and would have an adverse impact upon neighbouring "buildings of interest". Objectors consider that the applicant's reference to taller buildings in the vicinity of the site cannot be considered to justify the proposed increase in height of the application building, given its existing street context.

The City Council has clear policies in relation to roof level alterations and extensions contained within its UDP. Policy DES6: Roof level alterations and extensions, states that roof extensions will be resisted on buildings which are completed compositions and have an existing architectural climax at roof level. Additionally, buildings that are as high as, or higher

than, neighbouring buildings will not normally be considered suitable for roof extensions. City Plan Policy S25 seeks to protect Westminster's historic environment, including its conservation areas. Policy S28 expects that all development will incorporate exemplary standards of design.

As Bolsover House is a completed composition, is higher than its immediate terraced neighbours (particularly in Bolsover Street) and as high as the other corner properties at the junction of Bolsover and Clipstone Streets, the principle of a roof extension is considered unacceptable.

Notwithstanding objections to the principle of an additional storey, there are also concerns regarding the detailed design of the scheme. Following officers' advice that the proposal was considered unacceptable in principle, the applicant submitted drawings showing two options for potential amendments to the scheme; showing dormer windows of different widths and detailed design and a hipped roof to that part of the return (south elevation), visible above the roof to 3 Bolsover Street. However, the formal revisions to the scheme only involved amendments to the design of the dormer windows including a slight increase in height and alterations to the fenestration pattern, to match that of the existing dormer windows at fifth floor level.

The proposed roof is not in accordance with the Council's Supplementary Design Guidance on mansard roof extensions and is only very minimally set back from the building façade, behind a concealed gutter. The roof would incorporate sheer brickwork to the entire return facade (south) and flank (east) facade. These would be wholly exposed in views over the roofs of the building's immediate neighbours at 3 Bolsover Street and 7 Clipstone Street and, in the case of the southern return facade, from the East Marylebone Conservation Area. Although the existing roof is not of an appropriate design, incorporating a small overhang at the eaves and a steep roof pitch, the proposed roof will be just as prominent, if not more prominent than the existing, due to the additional floors, detailed design and disproportionate floor to ceiling heights.

In response to officers' concerns about the impact of the proposed extension, the applicant has pointed to the existence of the existing roof level plant room and has provided photographs of the buildings at the corner of Clipstone Street and diagonally opposite, at 93 Bolsover Street.

As set out above, it is acknowledged that there is an existing plant room on the roof of the application building, but this is set at the rear of the site, away from the main street facades. While the plant room is apparent from properties in Great Titchfield Street, it is not readily visible from the street and is not considered to justify proposals for an additional storey, covering the entire roofspace.

While there are taller buildings in the vicinity, the application proposal needs to be assessed in the context of the group of buildings of which it forms part and, for the reasons set out above, is considered unacceptable. It is noted that permission was recently granted for the erection of a roof addition to the building at 2 Clipstone Street, directly opposite the application premises on Bolsover Street. However, this extension is considered to be of a more appropriate design and is set well back from the main building line, minimising its impact in street views.

Although it is proposed to remove clutter from the existing roof, including a balustrade and ladder, this does not outweigh the harm caused by the addition of an additional sheer storey and mansard extension.

In conclusion, the proposed extension is considered to be of an inappropriate height, bulk and detailed design and would have an unacceptable impact on the appearance of the host building and in views from the street, from neighbouring buildings and from the neighbouring

conservation areas. However, any further amendments to the detailed design and roof form would not address objections to the principle of an additional floor.

For the reasons outlined above, the proposal is considered to be contrary to adopted townscape and design policies as set down in the UDP and City Plan and is therefore recommended for refusal.

6.3 Amenity

Policies ENV13 of the UDP and S29 of the City Plan state that the Council will resist proposals that result in an unacceptable material loss of residential amenity to adjoining occupiers.

Under Policy ENV13, the City Council will normally resist proposals which 'result in a material loss of daylight/sunlight', particularly to existing dwellings and educational buildings. In cases where the resulting level is unacceptable, permission will be refused.

6.3.1 Daylight/Sunlight

An objection was received to the original application on the grounds that, although the applicant had stated that the scheme would not result in any loss of light to adjoining residential properties, no detailed daylight/sunlight analysis had been submitted to support this contention, notwithstanding pre-application advice that such a report should be provided. A daylight and sunlight assessment has now been submitted which assesses the impact of the development with regard to BRE guidelines for daylight and sunlight to neighbouring residential properties. The report tests all neighbouring windows on the assumption that these may serve habitable rooms, although it is accepted, on the basis of the accompanying photographs, that many of these windows serve bathrooms etc.

6.3.1.1 Daylight

Under the BRE guidelines the amount of daylight received to a property may be assessed by the Vertical Sky Component which is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change. Where the existing daylight levels are below the BRE recommendations, Policy ENV13 states that 'where principal habitable rooms such as bedsits, living rooms, studies or kitchens are affected, the City Council may find any loss of light unacceptable'.

One respondent has expressed concern about a loss of light to a flat at 7 Clipstone Street, in particular to a small west facing window, at the rear of the building, which is set in a lightwell between 7 Clipstone Street and 123 Great Titchfield Street. This fourth floor window, which looks towards the application site, originally served a galley-type kitchen but was in the process of being converted to a bedroom at the time of a recent site visit. Although no access has been obtained to other flats within the block, this respondent has advised that this window serves a small kitchen, on the other floors.

Of the five lightwell windows, losses range between 6% and 11%. It is acknowledged that, with the exception of the top two windows, the level of light received is already extremely poor due to the outlook. However, with the exception of the fourth floor bedroom (which would see a reduction of 11%, from 10.5% to 9.3%), these windows serve non-habitable rooms. Other south-facing windows at the rear of the building serve the communal stairs, kitchens and a bedroom. The submitted daylight analysis shows that the kitchen and bedroom windows would experience no reduction in VSC values.

No objections have been received from the occupants of flats at 123 Great Titchfield Street. The submitted report has tested all rear windows to this property on the assumption that these

may serve habitable rooms. Of the 21 windows tested, only the rooflight receives, and would continue to receive daylight levels exceeding the 27% benchmark. Of the remaining 20 windows, all but four would experience losses of 20% or below (with 10 windows seeing reductions of less than 10%). However, in the majority of cases, the existing VSC is extremely poor e.g. 10 of the windows have an existing VSC of less than 6%. In the case of the five windows with an existing VSC of 2% or less, these would appear to serve non-habitable rooms. Four windows would experience reductions in VSC between 22% and 25%. However, these windows are in a shared lightwell with 7 Clipstone Street, and existing VSC values are already low (0.4%, 1.3%, 3.2% and 5.7%). The worst affected window already has the lowest existing VSC value but would appear to serve a non-habitable room.

At 119-121 Great Titchfield Street, existing daylight levels are similarly restricted. Of the 38 windows tested, 19 have VSC values below 6%, with eight at less than 2%. Again the majority of windows with the lowest VSC values would appear to light non-habitable rooms. Only three windows would achieve the 27% benchmark following the development. However, in this case, 13 windows would experience no loss of daylight and, all other reductions are at 20% or less, with only five windows seeing losses of more than 5%.

Although most existing VSC values are also poor to flat windows at 115-117 Great Titchfield Street, only 16 of the 27 windows tested would see any reduction. Of these, one window would continue to achieve the 27% benchmark and, with the exception of two windows, all other losses would be at 4% or less.

At 93 Bolsover Street, diagonally opposite the site, all windows would continue to receive good levels of natural light with most windows close to, or exceeding, the 27% threshold and any reductions being at 3% or less.

As set out above, in most cases, any reductions in VSC to neighbouring windows are well below the 20% benchmark set out in the BRE guidelines. Policy ENV13 states that where levels of light are already poor, any loss of light to habitable rooms may be unacceptable. However, given the extremely poor levels of light to many windows in properties at the rear of the site, not all of which will serve habitable rooms, it is not considered that the reductions in VSC resulting from the development would have a significant impact upon the amenities of residents of these properties, none of whom have objected to the application. Similarly, losses of light to windows at the rear of 7 Clipstone Street are below 20% and, in this case, the windows would appear to serve non-habitable rooms or a small bedroom, which is afforded a lesser degree of protection than main living rooms. Given the relationship between the proposed extension and the objector's property, it is not considered that there would be a significant impact upon the amount of light received to any rooflights. In these circumstances, it is considered that it would be difficult to justify a refusal of the scheme on the grounds that it would result in a material loss of light to neighbouring windows.

6.3.1.2 Sunlight

In terms of sunlight, the BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the level of sunlight received is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the loss would be noticeable. Only those windows facing within 90 degrees of due south require testing.

The submitted sunlight analysis shows that of those windows tested at 7 Clipstone Street, most windows would experience no change in the amount of annual sunlight received or would continue to achieve annual sunlight levels in excess of the 25% benchmark. In the case of the fourth floor bedroom window to the lightwell, where annual sunlight levels are currently

below 25%, the reduction would be 4% (from 23% to 22%). All windows to this property would experience no loss of winter sun or would continue to achieve the 5% benchmark.

Similarly, at 123 Great Titchfield Street, most windows would see no loss of annual sun or, where there are losses, would continue to achieve sunlight values exceeding 25%. However, two windows to the shared lightwell with 7 Clipstone Street (on the two topmost floors) would see losses of 50% (from 2% to 1%) and of 22% (from 9% to 7%). These windows would appear to serve habitable rooms, where sunlight levels are already affected by their relationship with the application building. There would be no loss of winter sun.

At 119-121 and 115-117 Great Titchfield Street, windows would either see no reduction in annual sunlight or would continue to receive values exceeding the BRE threshold. There would be no loss of winter sun. Windows at 93 Bolsover Street would all continue to achieve annual and winter sunlight values above the BRE benchmarks.

With the exception of two windows at 123 Great Titchfield Street, the levels of sunlight received to neighbouring windows as a result of the proposals would not be significantly affected and, in this case, given that existing sunlight levels are already low, it is considered that it would be difficult to argue that the amenities of occupiers of those flats, who have not objected to the scheme, would be materially affected.

6.3.2 Plant Operation

The application has been considered in the context of Policies ENV6 and ENV7 of the UDP and S32 of the City Plan. These policies seek to protect nearby occupiers of noise sensitive properties and the area generally from excessive noise and disturbance.

The applicant has submitted an acoustic report to accompany proposals for new plant, which would be set within a recessed area within the proposed roof space and within a roof level plant enclosure, terminating 700mm above the roof, towards the rear of the site. Objections have been received to plans to locate the plant in this position, closest to the nearest residential properties and, in particular, close to an adjacent fifth floor bedroom at 7 Clipstone Street. However, the plant enclosure would be sited in a similar position to the existing roof level plant room. The report considers the projected noise levels from the new plant in relation to the nearest noise sensitive properties.

The Environmental Health officer has assessed the submitted report and has raised no objection to the proposals on the grounds that the plant operation is likely to comply with Council noise standards. Consequently, subject to conditions relating to noise and vibration, it is not considered that the plant operation would have a material impact upon the amenities of neighbouring residents.

The proposals are therefore considered acceptable in relation to relevant UDP and City Plan policies designed to safeguard the amenities of neighbouring occupiers.

6.3.3 Overlooking

At the rear, windows serving the replacement fifth floor will replicate the number, size and position of the existing. Windows to the new sixth floor would be in similar positions to those on the floor below (to a stair and w.c.) with two additional windows to the open plan office space, the largest overlooking the roof to the offices at 3 Bolsover Street. However, the offices will be lit, principally, by windows on the street frontages. It is not considered that the proposals would result in a significant increase in the degree of overlooking to residential windows at the rear of the site or to properties on the opposite sides of Clipstone Street and Bolsover Street.

6.3.4 Sense of enclosure

Given the distance between the application premises and properties on the opposite side of Clipstone and Bolsover Streets, it is not considered that the erection of an additional floor would result in a material increase in the sense of enclosure to windows serving these properties.

At the front of the building, the rooftop stair enclosure/plant room currently projects approximately 2.5m above the existing flat roof level, and approximately 1.5m above the top of the projecting mansard screen/upstand. At the rear, this plant room continues as a sheer structure which is flush with the facade of the floor below, although the roof above the existing fifth floor stair and plant room above, is raked back from the boundary with Clipstone Street.

The new roof would terminate approximately 500mm above the height of the existing plant room and the plant enclosure, sited at the rear, would terminate 700mm above the roof. In addition, the existing raking roof would be replaced by sheer brickwork, bringing the roof level bulk closer to windows in Great Titchfield Street and particularly to those in 7 Clipstone Street. However, given the relationship between the application building and neighbouring properties, it is not considered that the application could justifiably be recommended for refusal on the grounds that it would have a material impact upon the sense of enclosure to windows serving these flats.

6.4 Transportation/Servicing

The Highways Planning Manager has advised that, given the high level of public transport accessibility to the site, the proposed development is unlikely to result in any significant increase in demand for on-street parking in the vicinity or to significantly affect servicing requirements for the offices.

However, UDP Policy TRANS 10 requires one cycle space to be provided for each 125m² of new office floorspace, with a minimum of two spaces. No cycle storage is shown but, should the scheme be considered acceptable, this could be secured by condition.

6.5 Other UDP/Westminster Policy Considerations

The submitted plans do not include details of arrangements for the storage of refuse and recyclable materials. These could be secured by condition.

6.6 Access

Details of proposed improvements to the lift are detailed in Section 6.1. In addition, the applicant proposes to provide DDA compliant w.c. facilities on the new fifth and sixth floors.

6.7 London Plan

The proposal does not raise strategic issues and does not have significant implications for the London Plan.

6.8 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

6.9 Planning Obligations

The proposal is not of a scale or type that would trigger any planning obligations.

6.10 Environmental Assessment including Sustainability and Biodiversity Issues

The scale of the proposed development does not require the submission of an Environmental Impact Assessment.

The scheme would not be classified as a major development under Policy S40 of the City Plan. Although the scheme is not accompanied by a detailed Sustainability Report, the submitted Planning Statement confirms that the proposal will improve energy efficiency and reduce carbon dioxide emissions through the insulation of the building fabric and the installation of energy efficient services. The new accommodation will receive good natural lighting and ventilation which will contribute to energy savings.

Policy S38 requires new developments to maximise opportunities to create new wildlife habitats. Although the application does not include any details of biodiversity enhancements e.g. areas of living roof, should the development be considered acceptable, this could be the subject of conditions.

6.11 Other Issues

An objection has been received on the grounds that the development would result in unacceptable noise nuisance and disturbance during the course of construction. Although these concerns are noted, permission could not justifiably be withheld on these grounds. Should the application be considered acceptable, a condition could be imposed to restrict the hours of building work in order to safeguard residents' amenities.

One neighbouring resident has expressed concern that the application does not include an assessment of the impact of the proposal on local television and radio signals. While this is a material planning consideration, a scheme of this nature would not normally be expected to be supported by such an assessment, and it is not considered that one would be required in this instance.

6.12 Conclusion

Whilst it is not considered that the proposals would have a material adverse impact on the amenities of neighbouring occupiers, the scheme does not comply with adopted land use and design/townscape policies for the reasons set out in the main body of the report. It is not considered that the applicant has provided any justification for a departure from these policies and the application is therefore recommended for refusal.

BACKGROUND PAPERS

1. Application form
2. E-mails from Indigo Planning dated 27 March and 1 April 2014
3. Letter from London Borough of Camden dated 13 March 2014
4. Memorandum from Environmental Health dated 6 June 2014
5. Memorandum from Highways Planning Manager dated 17 June 2014
6. Memorandum from Cleansing Manager dated 25 February 2014
7. E-mail from the occupier 7 Clipstone Street dated 3 March 2014
8. E-mail from the occupier Flat 2, 7 Clipstone Street dated 6 February 2014
9. Email from the occupier Flat 5, 7 Clipstone Street dated 18 June 2014

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARA SPURRIER ON 020 7641 3934 OR BY E-MAIL – sspurrier@westminster.gov.uk

DRAFT DECISION LETTER

Address: Bolsover House, 5-6 Clipstone Street, London, W1W 6BB

Proposal: Alterations including demolition of the fifth floor mansard extension and replacement with a sheer storey of accommodation and mansard roof extension at sixth floor level to provide additional office accommodation (Class B1); installation of a lift overrun and plant within a roof level enclosure

Plan Nos: 2926/001A (site plan); 2926/051A, 052A, 053C, 055C, 056B, 057C, 058B,

Case Officer: Sara Spurrier

Direct Tel. No. 020 7641 3934

Recommended Reasons for Refusal:**Reason:**

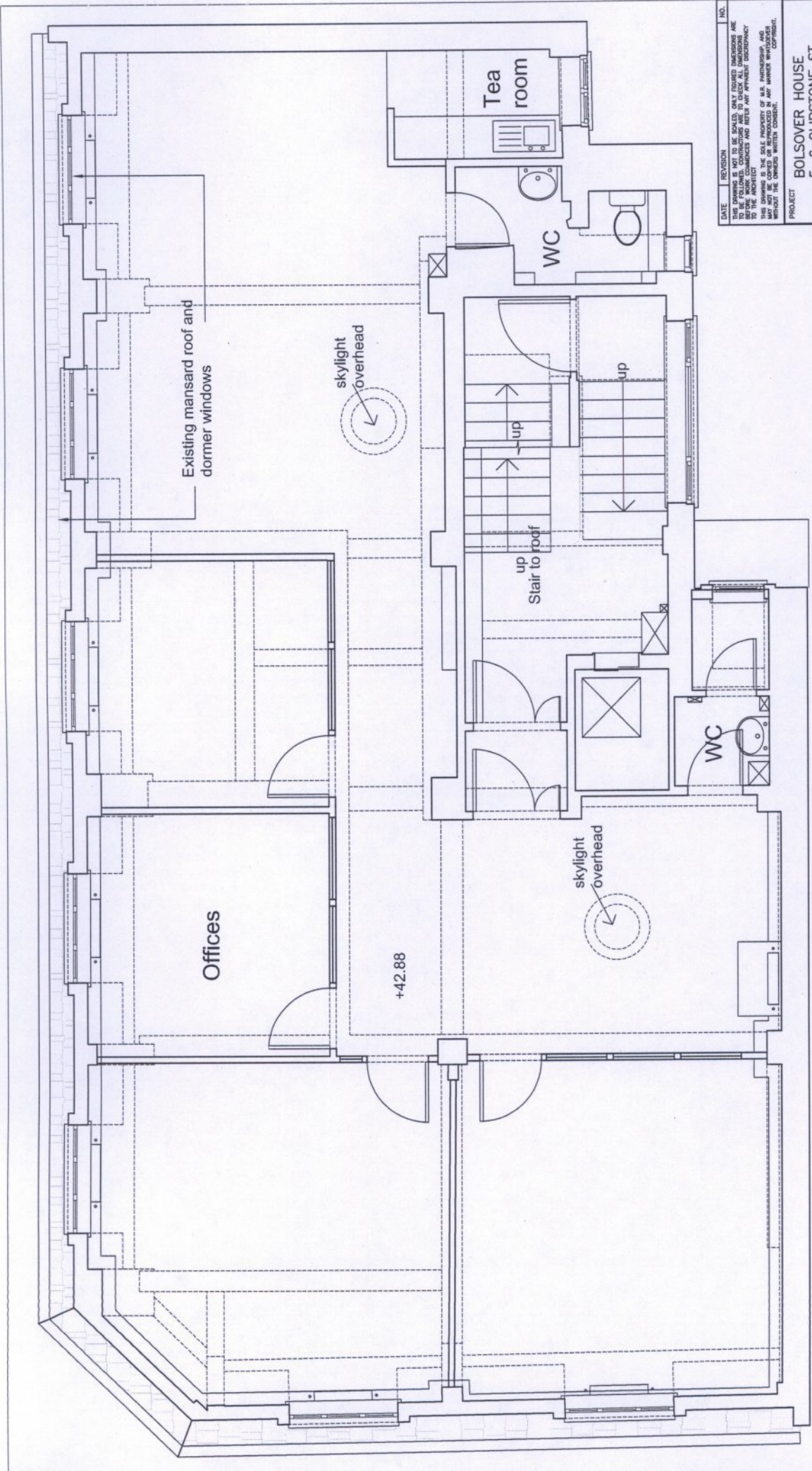
- 1 Because of its height, bulk and detailed design, the proposal would harm the appearance of this building and the character of this part of the City and would fail to maintain or improve (preserve or enhance) the setting of the neighbouring Harley Street and East Marylebone Conservation Areas. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES1, DES6, DES 9(F) and DES10 of our Unitary Development Plan that we adopted in January 2007.

Reason:

- 2 Under S20 of Westminster's City Plan: Strategic Policies adopted November 2013 and CENT 1 and COM 1 of our Unitary Development Plan that we adopted in January 2007, new office development will be directed to Paddington, Victoria and Tottenham Court Road Opportunity Areas, the Core Central Activities Zone, specified locations within Marylebone and Fitzrovia, and the North Westminster Economic Development Area. We consider that these areas are more suitable for office development. In other areas we will normally allow only local service offices. Your development is not in these areas and is not for a local service office. And we do not consider that the circumstances of your case justify an exception to our policies. (X01AB)

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: Strategic Policies adopted November 2013, 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.



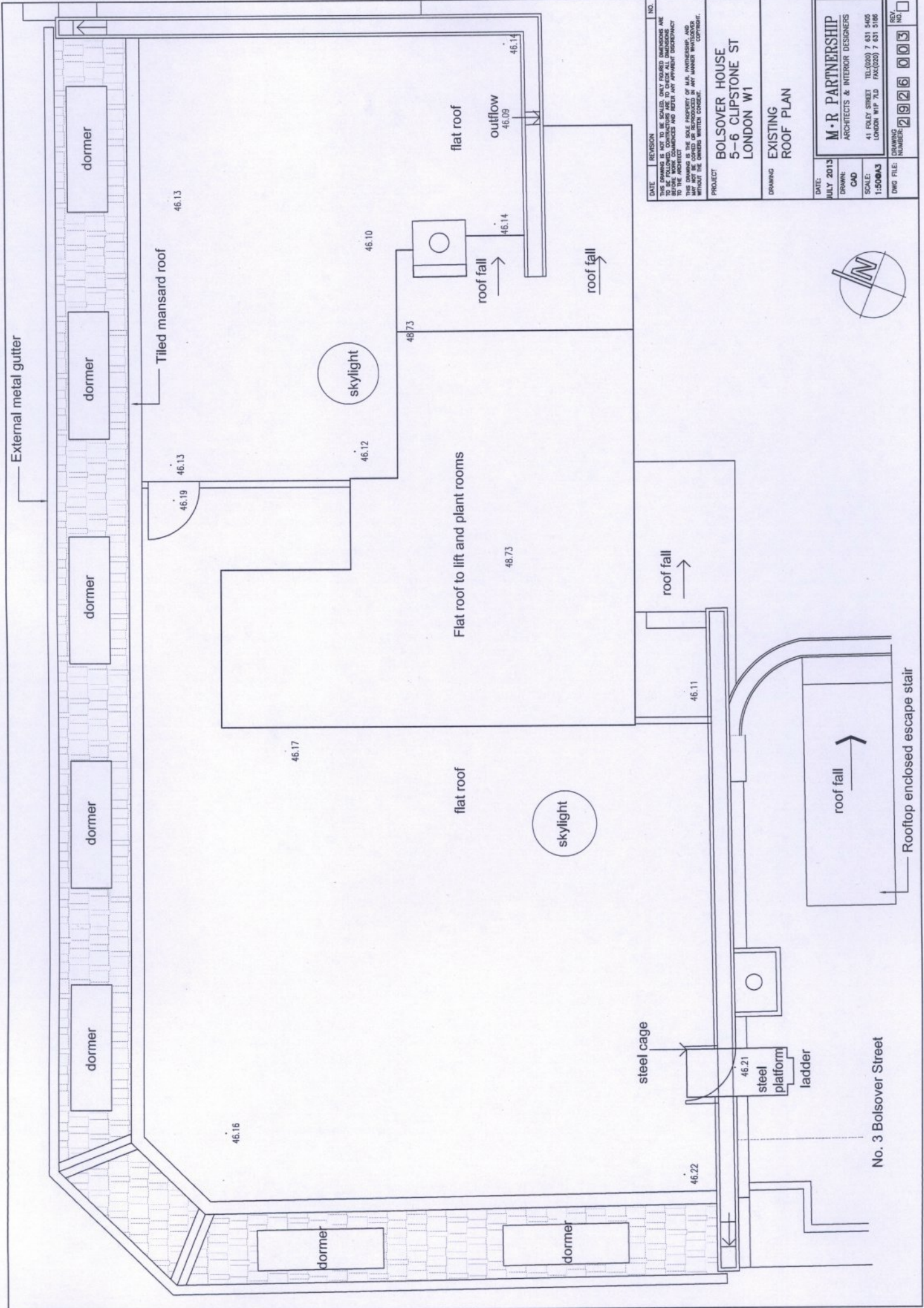
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PROJECT: **BOLSOVER HOUSE**
5-6 CLIPSTONE ST
LONDON W1

DRAWING: **EXISTING**
FIFTH FLOOR PLAN

DATE: **JULY 2013**
 DRAWN: **CAO**
 SCALE: **1:500A3**
 DWG FILE: _____
 DRAWING NUMBER: **2926**
 REV. NO.





DATE	REVISION	NO.
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PROJECT
BOLSOVER HOUSE
 5-6 CLIPSTONE ST
 LONDON W1

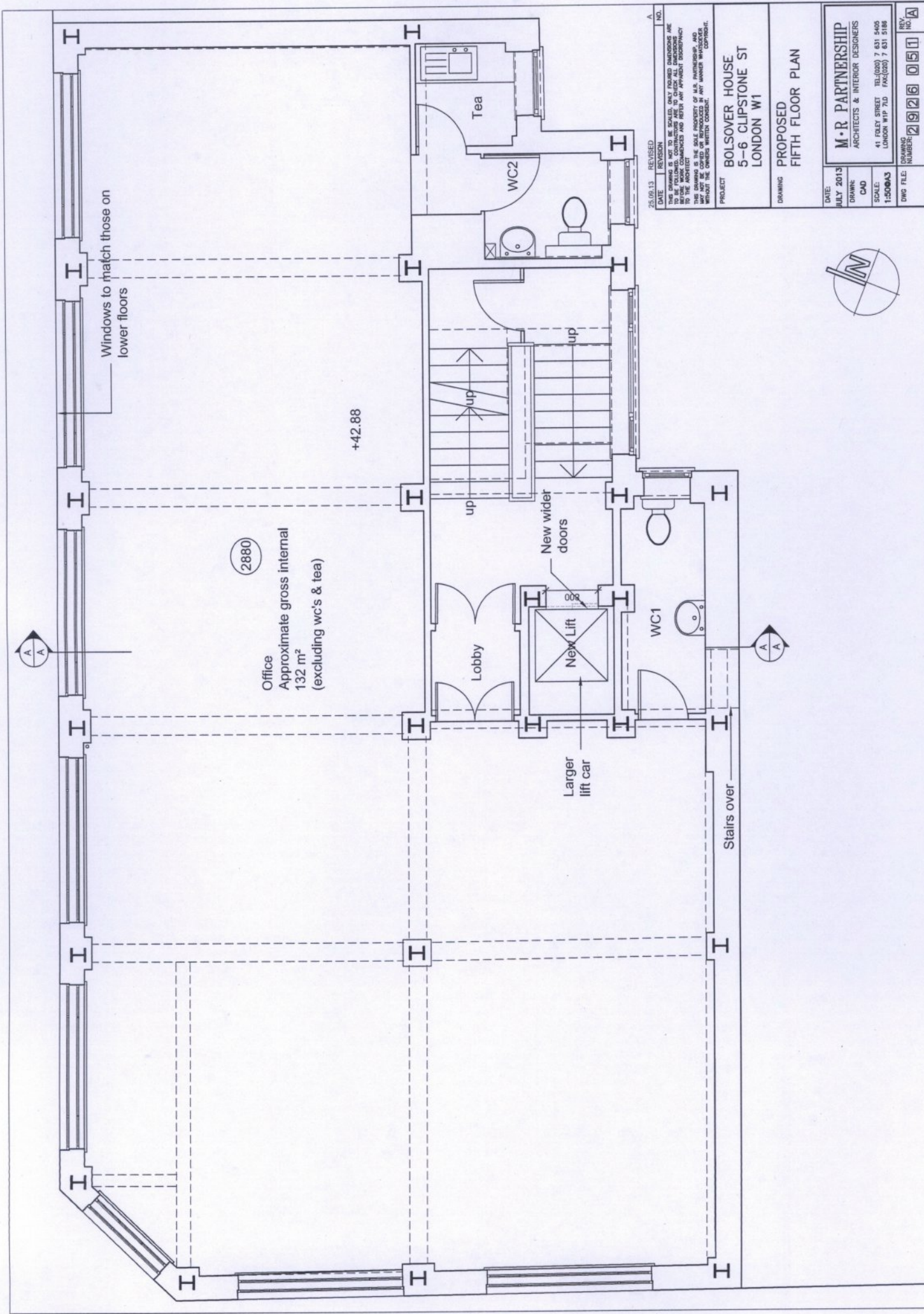
DRAWING
EXISTING ROOF PLAN

DATE: JULY 2013
 DRAWN: CAD
 SCALE: 1:500A3
 DWG FILE: 2926003

REV. NO.



No. 3 Bolsover Street



Windows to match those on lower floors

2880

Office
Approximate gross internal
132 m²
(excluding wc's & tea)

+42.88

Tea

WC2

up

New wider doors

Lobby

Larger lift car

New Lift

WC1

Stairs over

DATE	REVISION	NO.
25.09.13		A

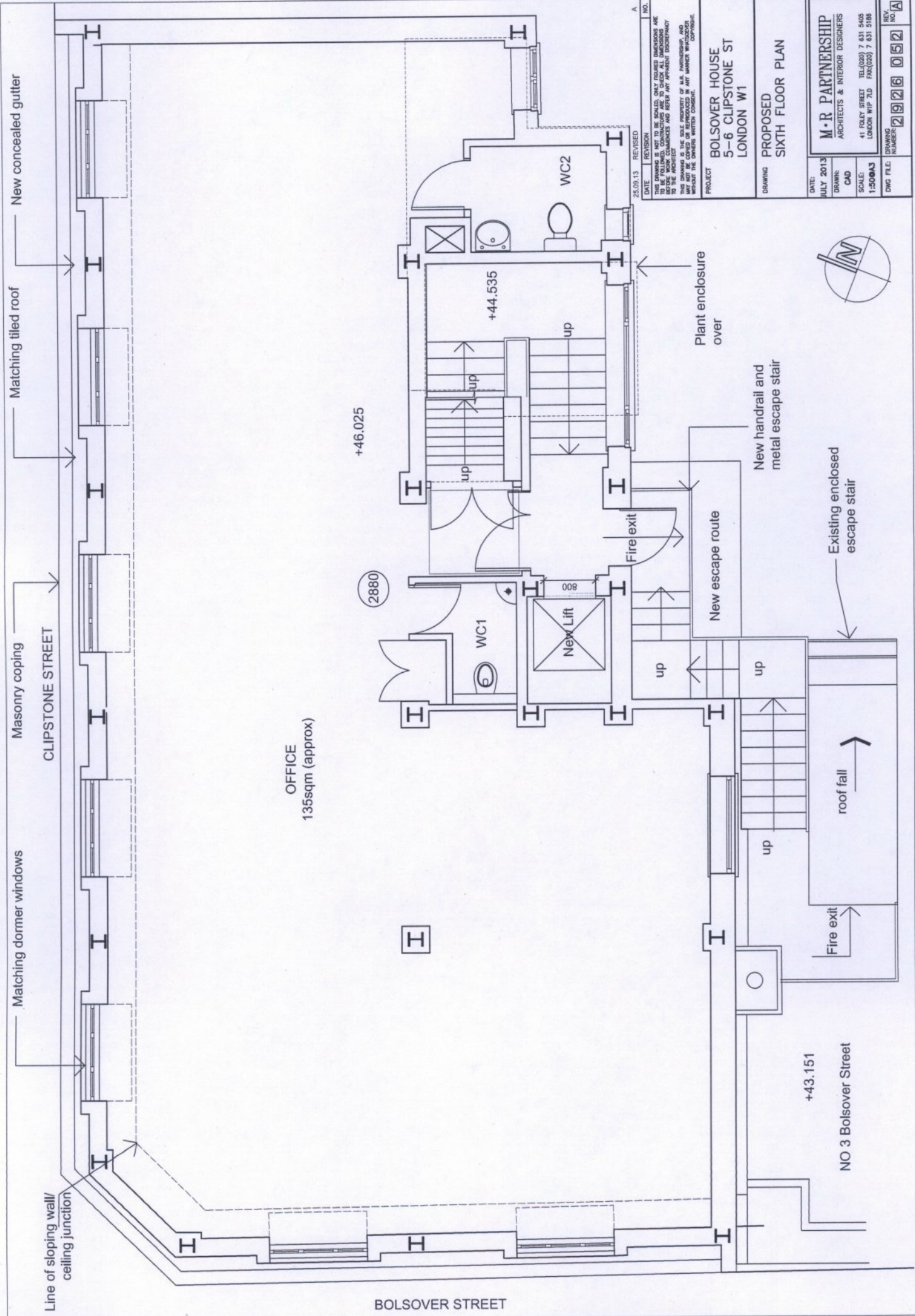
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PROJECT
BOLSOVER HOUSE
5-6 CLIPSTONE ST
LONDON W1

DRAWING
PROPOSED
FIFTH FLOOR PLAN

DATE:	JULY 2013
DRAWN:	CHD
SCALE:	1:5000A3
DWG FILE:	20130601
REV. NO.:	A





DATE: 26.09.13
 REVISION: REVISED
 NO. A
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PROJECT: **BOLSOVER HOUSE**
 5-6 CLIPSTONE ST
 LONDON W1

DRAWING: **PROPOSED SIXTH FLOOR PLAN**

DATE: JULY 2013
 DRAWN: CAD
 SCALE: 1:500/A3
 DWG FILE: 2026052
 REV. NO. A



OFFICE
 135sqm (approx)

+46.025

+44.535

+43.151

BOLSOVER STREET

NO 3 Bolslover Street

New concealed gutter

Matching tiled roof

Masonry coping

CLIPSTONE STREET

Matching dormer windows

Line of sloping wall/
 ceiling junction

Plant enclosure
 over

New handrail and
 metal escape stair

New escape route

Existing enclosed
 escape stair

roof fall

Fire exit

Fire exit

WC2

WC1

New Lift

800

2880

up

up

up

up

up

up

up

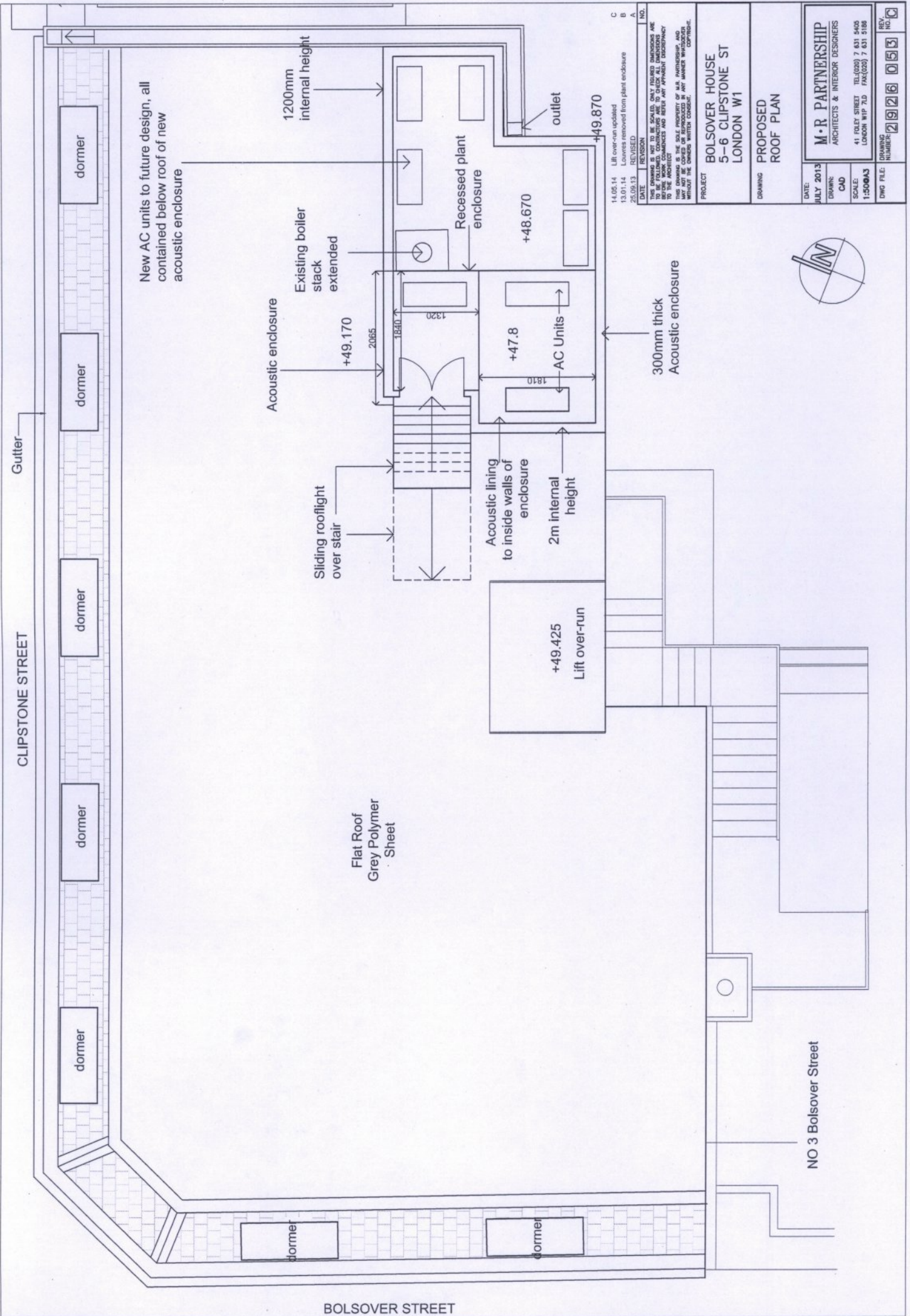
up

up

up

up

up



NO.	REV.	DATE	DESCRIPTION
C	14.05.14	Lift over-run updated	
B	13.01.14	Loaves removed from plant enclosure	
A	22.09.13	REVISED	

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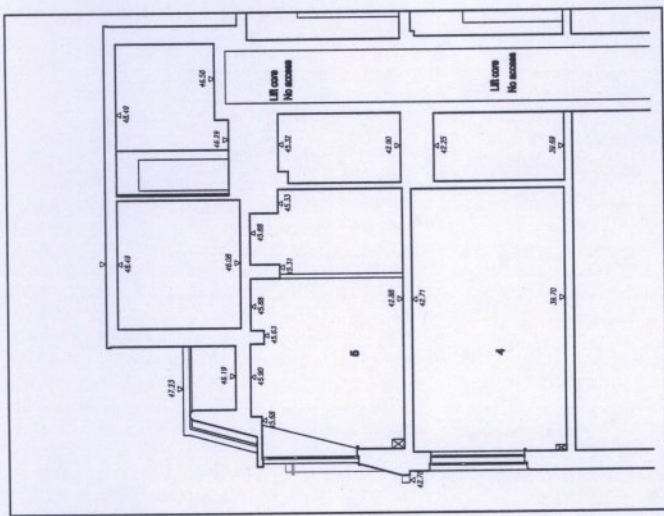
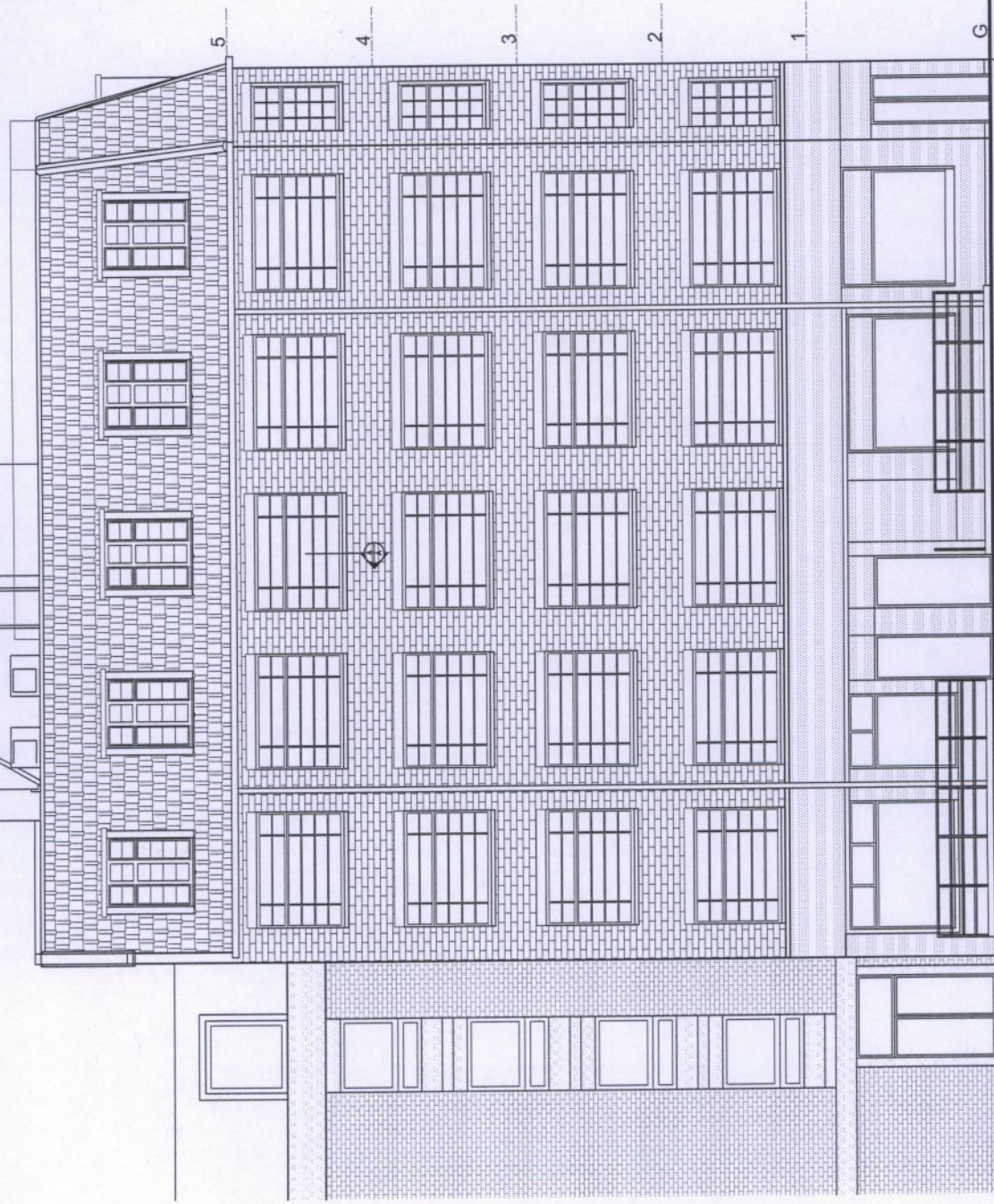
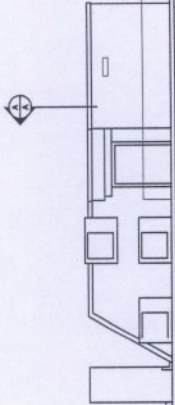
PROJECT
BOLSOVER HOUSE
5-6 CLIPSTONE ST
LONDON W1

DRAWING
PROPOSED
ROOF PLAN

DATE:	JULY 2013
DRAWN:	CAD
SCALE:	1:500/MS
DWG FILE:	2926053
DRAWING NUMBER:	2926053
REV. NO.:	053

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 LONDON W1P 7JD FAX: (020) 7 631 5165





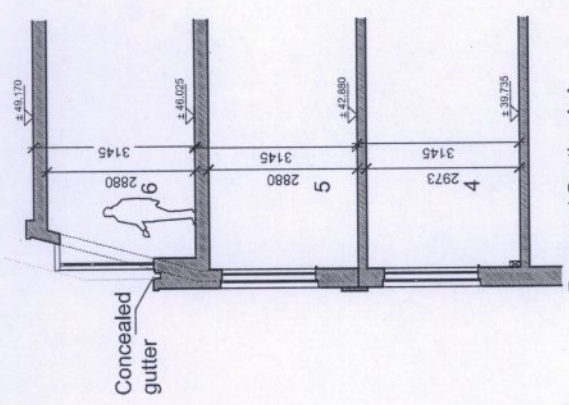
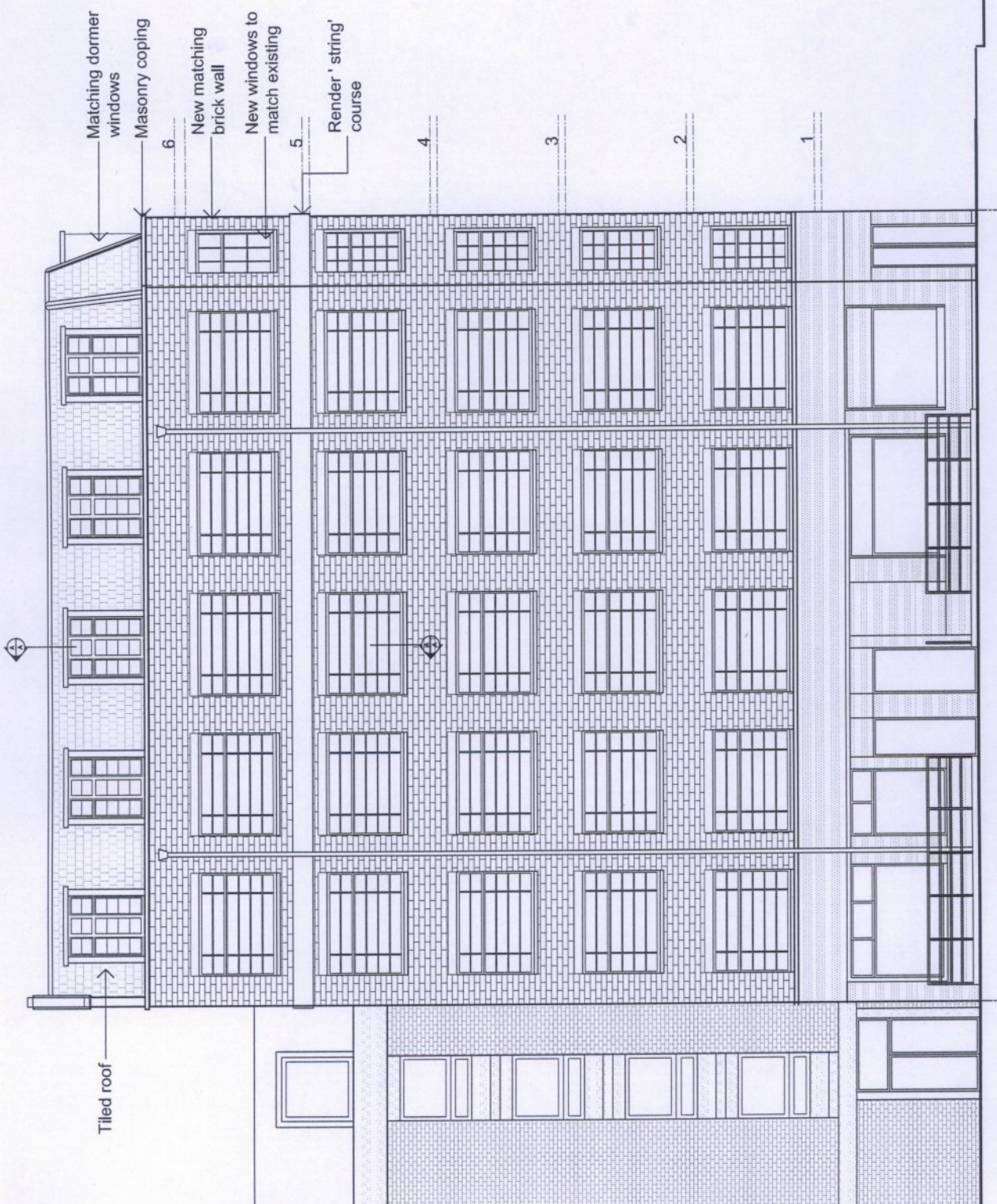
Section A-A

DATE	REVISION	NO.
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<p>PROJECT BOLSOVER HOUSE 5-6 CLIPSTONE ST LONDON W1</p>		
<p>DRAWING EXISTING NORTH ELEVATION</p>		
DATE:	<p>M-R PARTNERSHIP ARCHITECTS & INTERIOR DESIGNERS 41 FILEY STREET TEL: (020) 7 631 5400 LONDON W1P 7LD FAX: (020) 7 631 5188</p>	
DRAWN:	<p>CAD</p>	
SCALE:	<p>1:1000/0.3</p>	
DWG FILE:	<p>2926005</p>	
DRAWING NUMBER:	<p>2926005</p>	
NO.:	<p>1</p>	

BOLSOVER STREET

5/6 CLIPSTONE STREET

7 CLIPSTONE STREET



Proposed Section A-A

28.04.14 DORMER WINDOWS REVISED C
 25.04.13 REVISED B
 23.05.13 New windows modified to match existing masonry roof level A

DATE	REVISION	NO.
28.04.14	DORMER WINDOWS REVISED	C
25.04.13	REVISED	B
23.05.13	New windows modified to match existing masonry roof level	A

PROJECT
BOLSOVER HOUSE
5-6 CLIPSTONE ST
LONDON W1

DRAWING
PROPOSED
NORTH ELEVATION

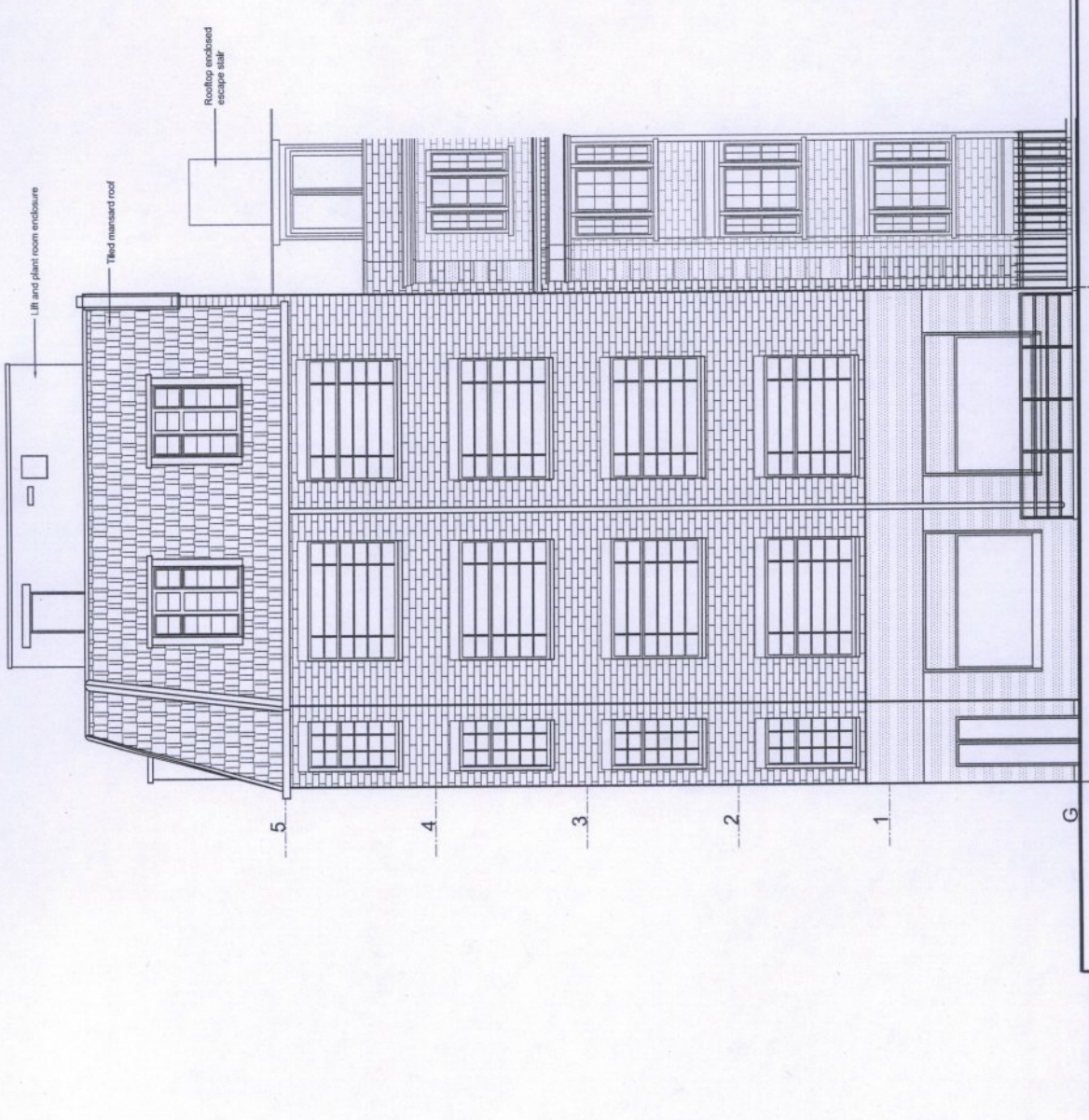
DATE: JULY 2013
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 SCALE: 1:1000(A3)
 DWG FILE: 2926055
 REV. NO. 5

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 DRAWING NUMBER: 2926055

7 CLIPSTONE STREET

5/6 CLIPSTONE STREET

BOLSOVER STREET



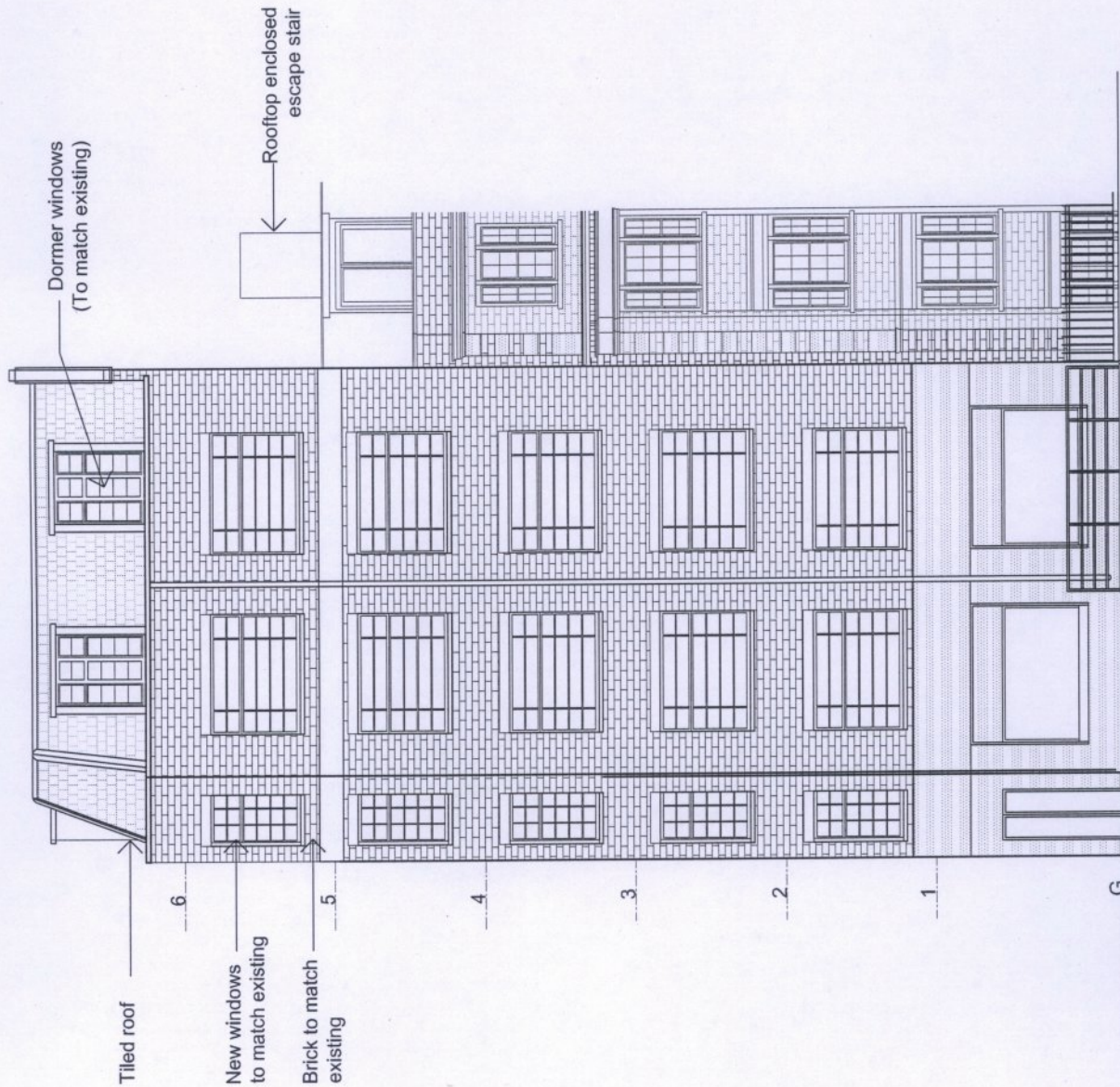
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PROJECT		
BOLSOVER HOUSE 5-6 CLIPSTONE ST LONDON W1		
DRAWING		
EXISTING WEST ELEVATION		
DATE:	JULY 2013	
DRAWN:	CAJ	
SCALE:	1:1000(A3)	
DWG FILE:	2926006	
DRAWING NUMBER:	2926006	
REV. NO.:		

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CLIPSTONE STREET

BOLSOVER HOUSE

3 BOLSOVER STREET



28.04.14	DORMER WINDOWS REVISED	B
28.06.13	REVISED	A
DATE	REVISION	NO.

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PROJECT
BOLSOVER HOUSE
 5-6 CLIPSTONE ST
 LONDON W1

DRAWING
PROPOSED
 WEST ELEVATION

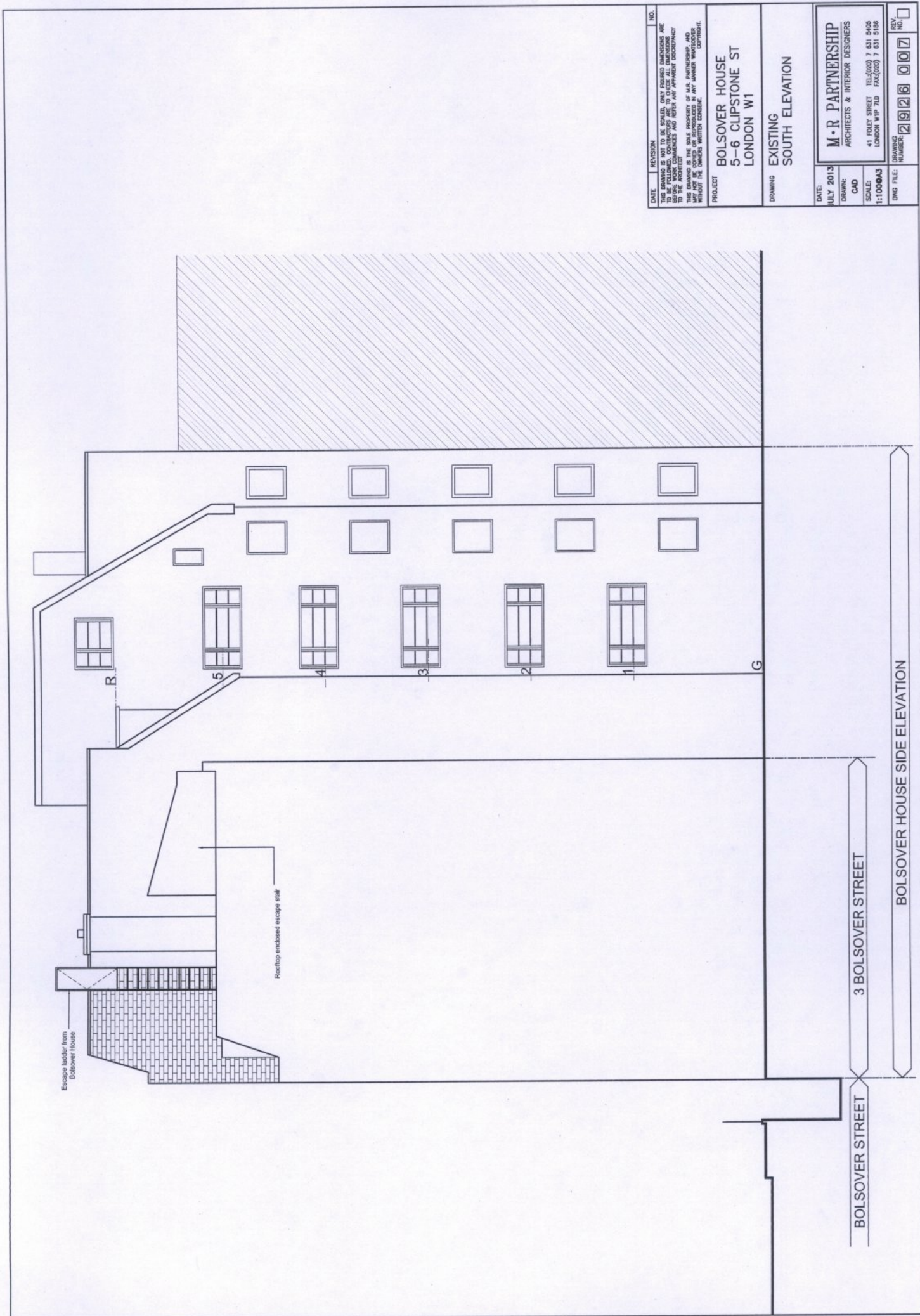
DATE: JULY 2013
 DRAWN: CAD
 SCALE: 1:1000
 DWG FILE: 20130506

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 DRAWING NUMBER: 20130506 REV. NO: B

3 BOLSOVER STREET

BOLSOVER HOUSE

CLIPSTONE STREET



DATE	REVISION	NO.
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<p>PROJECT: BOLSOVER HOUSE 5-6 CLIPSTONE ST LONDON W1</p>		
<p>DRAWING: EXISTING SOUTH ELEVATION</p>		
DATE:	JULY 2013	
DRAWN:	CAD	
SCALE:	1:10000A3	
DWG FILE:	2926007	
REV. NO.	007	

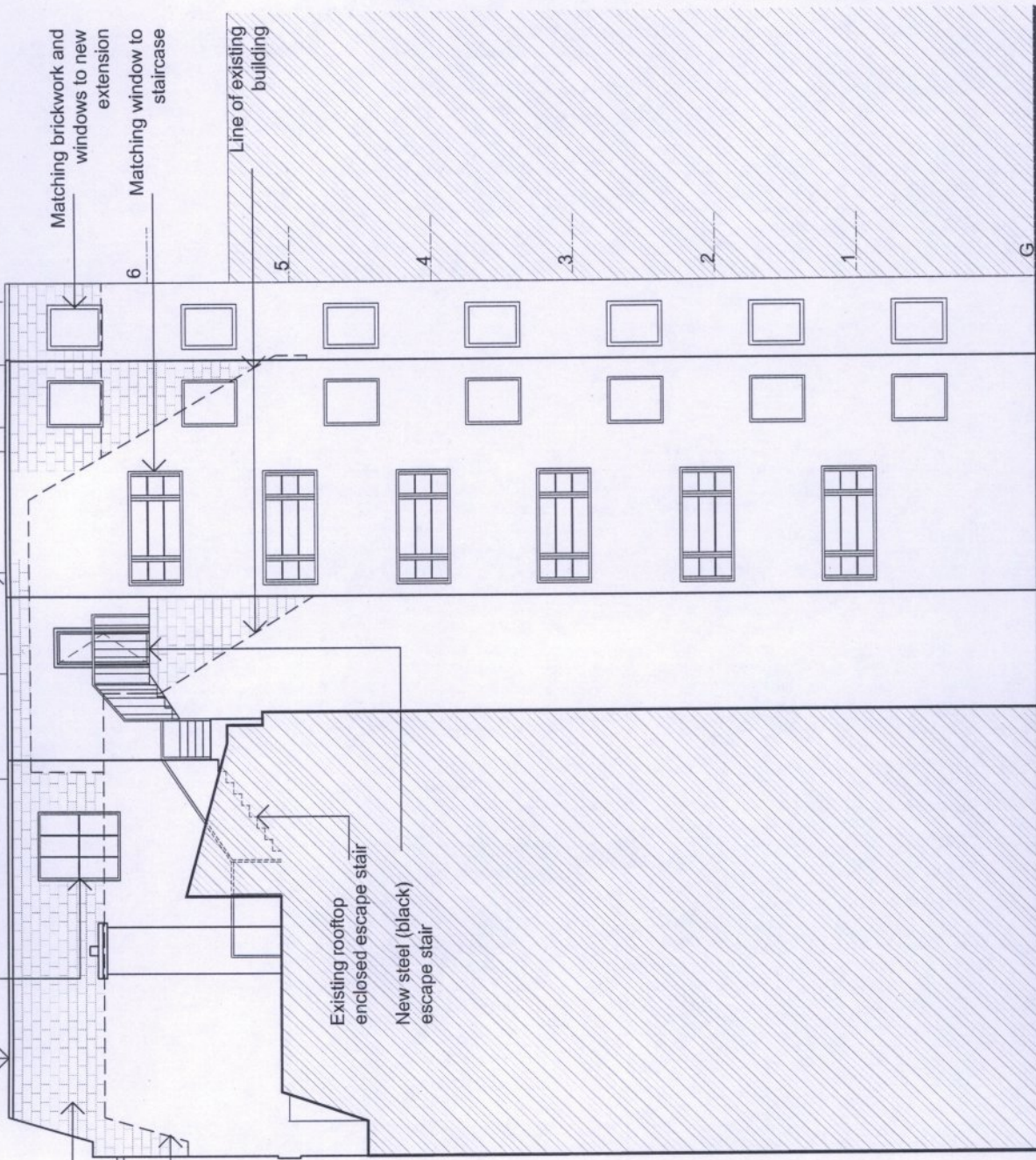
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BOLSOVER STREET

3 BOLSOVER STREET

BOLSOVER HOUSE SIDE ELEVATION

New coping
 Matching brickwork
 Existing building outline
 Lift over-run
 New office window
 Acoustic enclosure
 Matching brickwork and windows to new extension
 Matching window to staircase
 Existing rooftop enclosed escape stair
 New steel (black) escape stair
 Line of existing building



BOLSOVER STREET
 3 BOLSOVER STREET
 BOLSOVER HOUSE REAR ELEVATION

13.01.14	Lowres removed from plant enclosure	C
10.12.13	REVISED - LOUVRED ENCLOSURE	B
25.09.13	REVISED	A
DATE	REVISION	NO.

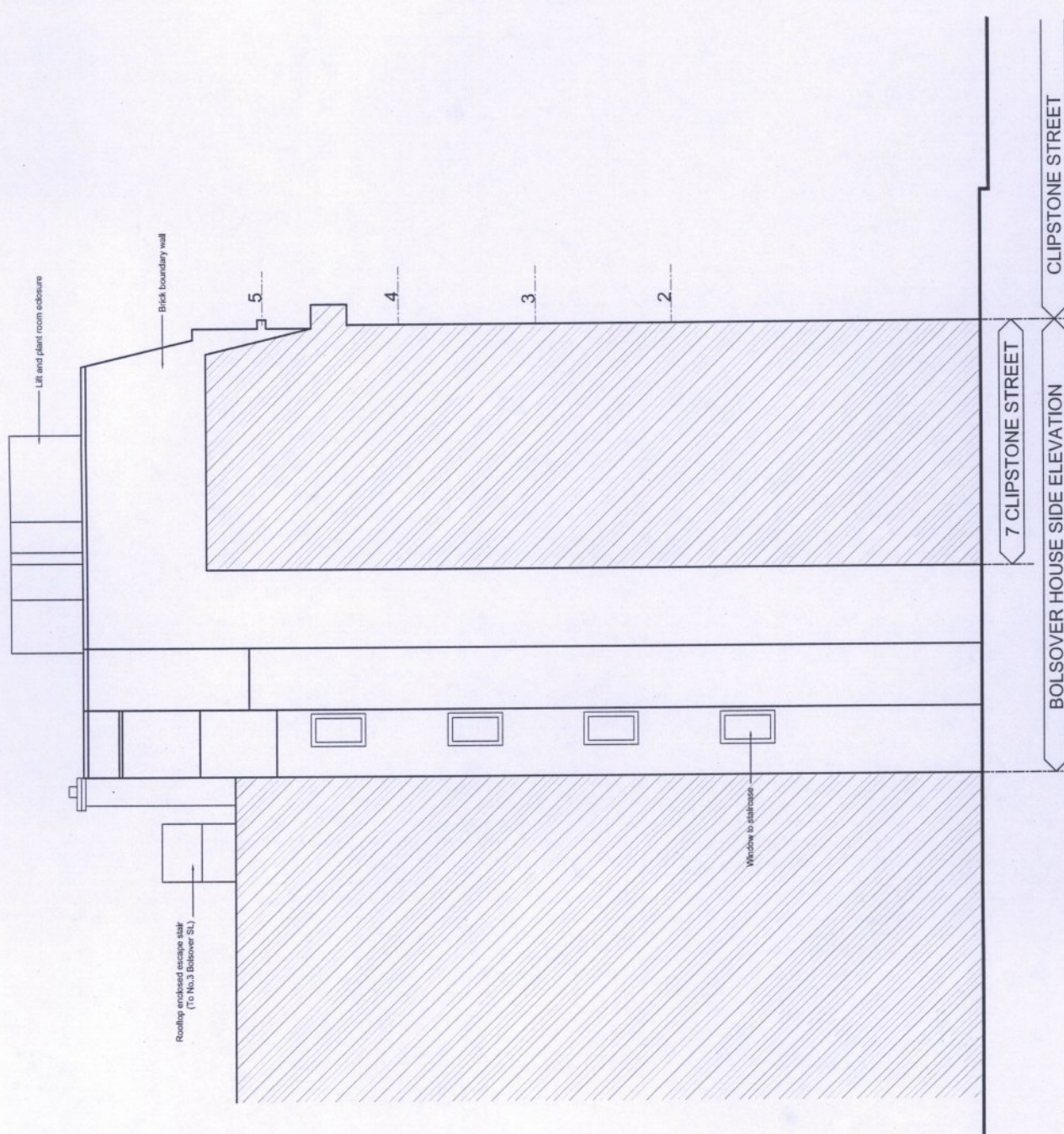
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PROJECT
BOLSOVER HOUSE
5-6 CLIPSTONE ST
LONDON W1

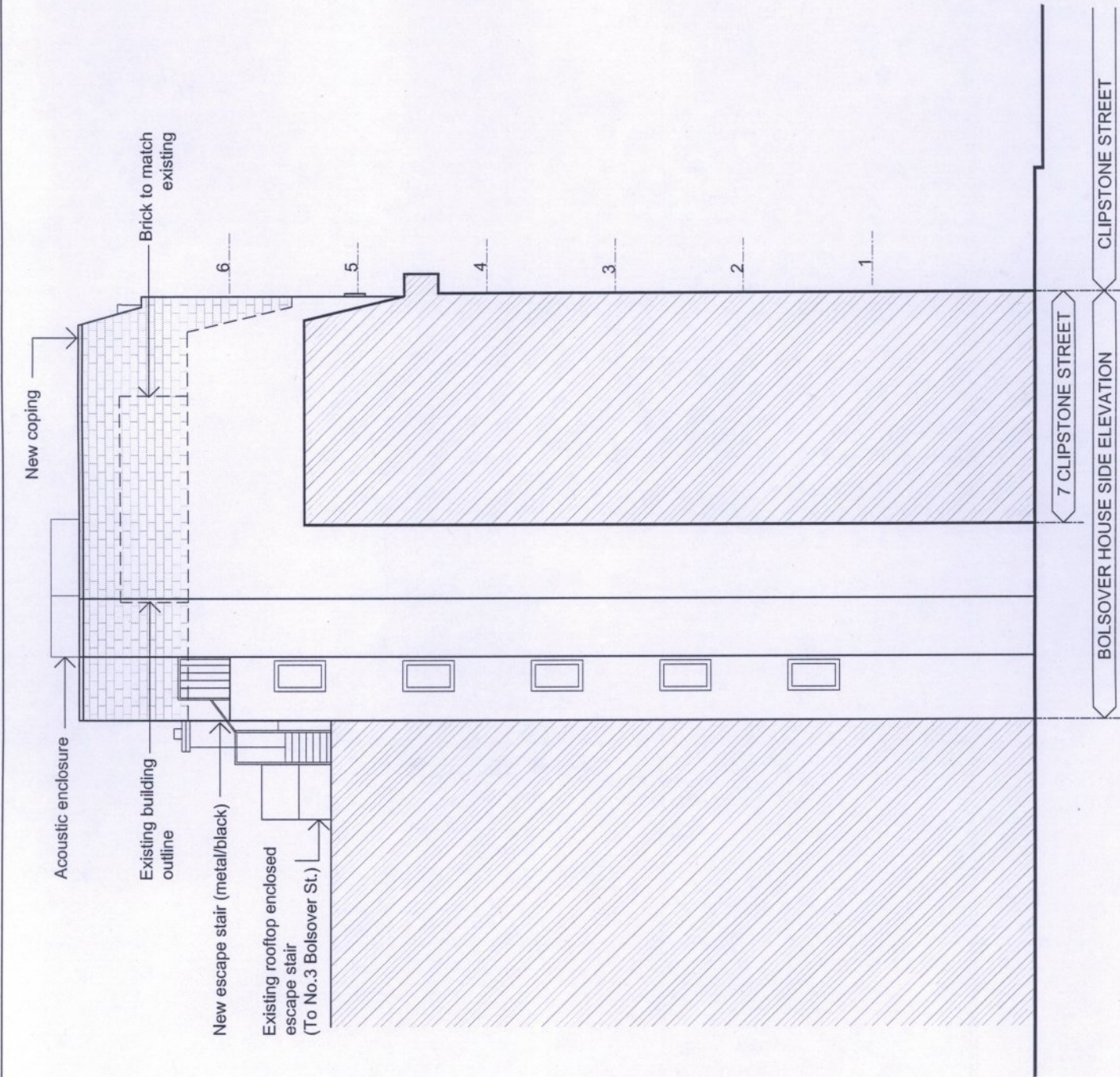
DRAWING
PROPOSED
SOUTH ELEVATION

DATE: JULY 2013
 DRAWN: CAD
 SCALE: 1:100
 DWG FILE: 2026057
 REV. NO. 057

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DATE	REVISION	NO.
JULY 2013		
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PROJECT		
BOLSOVER HOUSE 5-6 CLIPSTONE ST LONDON W1		
DRAWING		
EXISTING EAST ELEVATION		
DATE:	M·R PARTNERSHIP	
DRAWN:	ARCHITECTS & INTERIOR DESIGNERS	
CAD	11 FINCH STREET TEL: (020) 7 631 5406	
SCALE:	LONDON W1P 7JD FAX: (020) 7 631 5196	
1:10000A3	DRAWING NUMBER: 201306008	
DWG FILE:	REV. NO. <input type="checkbox"/>	



13.01.14 Leaves removed from plot enclosure

DATE	REVISION	NO.
25.09.13	A	
	B	

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PROJECT
BOLSOVER HOUSE
5-6 CLIPSTONE ST
LONDON W1

DRAWING
PROPOSED
EAST ELEVATION

DATE: JULY 2013
 DRAWN: CAD
 SCALE: 1:1000
 DWG FILE: 2926058

REV. NO. 8

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 LONDON W1P 7JD FAX: (020) 7 631 5168