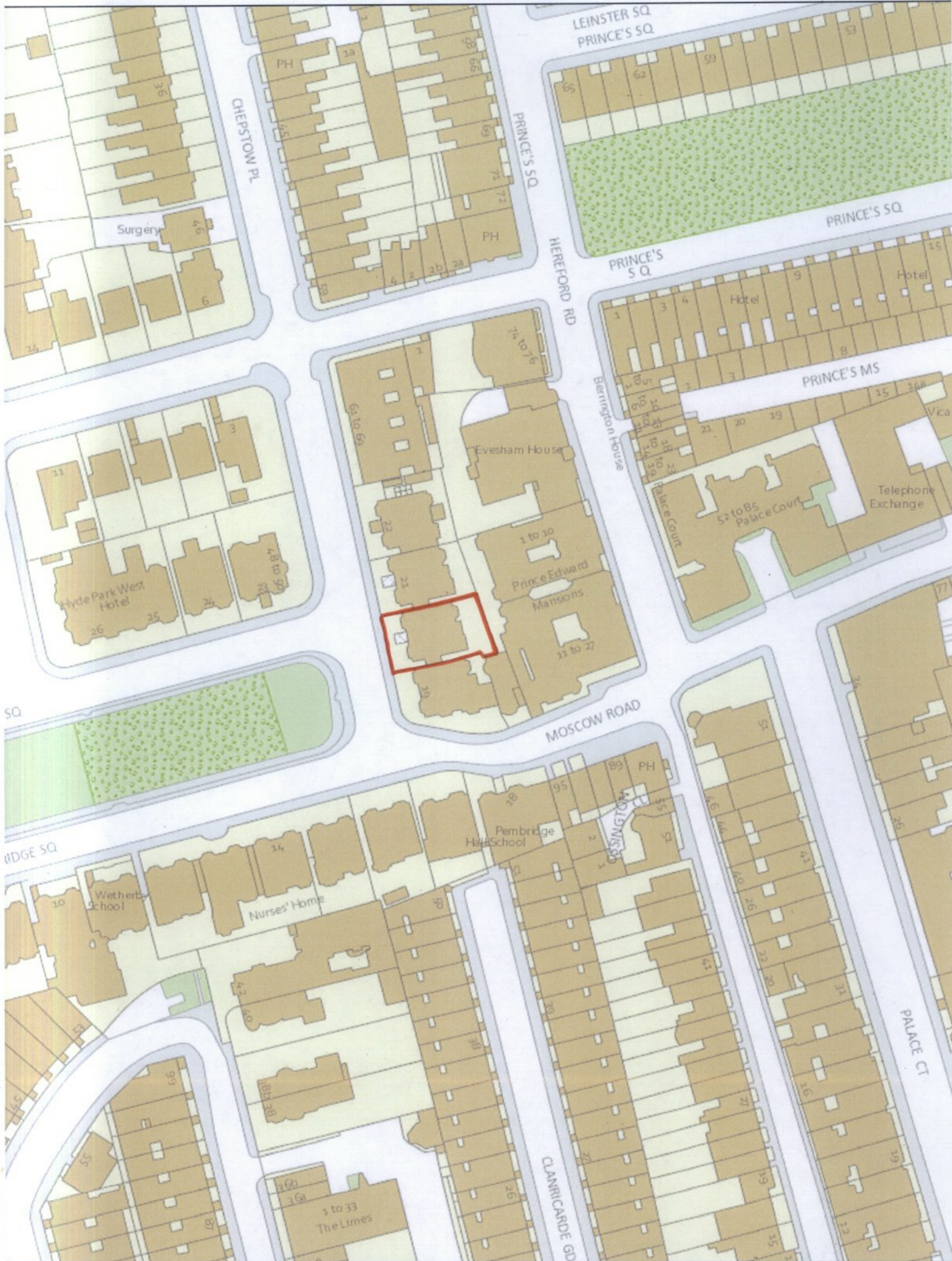


CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 10 November 2015	Classification For General Release	
Report of Director of Planning		Wards involved Lancaster Gate	
Subject of Report	20 Pembridge Square, London, W2 4DP		
Proposal	Single storey rear extension to lower ground floor and associated landscape/external works to rear garden, new window to flank elevation and internal alterations (lower ground floor flat).		
Agent	Duncan Foster Architects		
On behalf of	Mr Gary Yeaman		
Registered Number	15/06265/FULL 15/06266/LBC	TP / PP No	TP/19259
Date of Application	10.07.2015	Date amended/ completed	13.08.2015
Category of Application	Minor		
Historic Building Grade	Grade II Listed Building		
Conservation Area	Bayswater		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting listed building consent as set out in Informative 1 of the draft decision letter.





20 PEMBRIDGE SQUARE, W2

2. SUMMARY

Planning permission and listed building consent are sought for works to this lower ground floor flat comprising the erection of a single storey rear extension to lower ground floor and associated landscaping works to the rear garden, the installation of a new window to the flank elevation and internal alterations.

The key issues in this case are:

- The impact of the proposed works on the listed building and character and appearance of the Bayswater Conservation Area.
- The impact on tree cover to the site.
- The implications of the extension proposed on the security of surrounding flats.

Subject to appropriate conditions, the proposals are considered acceptable in design, amenity, land use and other terms. The applications are therefore recommended for conditional approval being in compliance with the relevant Unitary Development Plan (UDP) and Westminster City Plan policies.

3. CONSULTATIONS

BAYSWATER RESIDENTS ASSOCIATION

State that they object to the proposals on grounds that the modern extension is out of keeping with the style of the building which is listed and in the conservation area.

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

Acknowledge receipt of request for observations. Any further response to be reported verbally.

ROYAL BOROUGH OF BRENT

Any response to be reported verbally.

ARBORICULTURAL MANAGER

No objection to the proposals subject to the retention of the Magnolia tree to the rear garden and to replacement planting being secured through a landscaping condition.

THAMES WATER

Advise that with regard to sewerage or water infrastructure capacity, they do not have any objections. Recommend an Informative with regards to the London Water Ring Main.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 29; Total No. of Replies: 7.

Five letters of objection (respondents from four properties), and two letters of comment from one respondent, on the following grounds:

Design/Conservation

- Concern that the design, appearance and materials used are unsympathetic to this listed building.
- Concern at the unsightly nature of the green roof.
- Concern about a difficulty of servicing and maintaining the sash windows to the flat above with the extension in place.
- Concern about the potential for damage to internal decorative detailing and the glazing to the sash windows to the flat immediately above the location of the proposed extension.

Amenity

- Concern about the potential for noise, disturbance and light spillage from the glazed rooflight to the roof of the extension.
- Concern at overlooking when persons are on the roof of the extension for maintenance.

Other

- Concern about a security risk from a single storey partially sunken extension for the flat immediately above.
- Concern about the utilities, water and drainage runs being inaccessible for repairs and maintenance.
- Concern about the impact on the rear garden and magnolia tree, and the implications for privacy from the loss of the Magnolia tree.
- Comment made that the applicant does not own the common ground which the extension is proposed to be located in.
- Comment that plans were not complete on the City Council's records.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site is a flat at lower ground floor level located in a building covering lower ground, ground and three upper floors. The building is located to the east end of Pembridge Square. The building is Grade II listed and is located within the Bayswater Conservation Area.

4.2 Planning History

There is no relevant planning history related to these proposals.

5. THE PROPOSAL

Permission and consent are sought for works to the lower ground floor flat located to the southern half of the building which comprise the erection of a single storey extension to the rear of the building with associated alterations to the rear garden, the creation of a new window to the flank (south facing) side elevation level, and internal alterations.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The enlargement of the existing flat accords with the City Council's policies on housing, specifically S14 of the City Plan and H3 of the UDP, which support the enlargement of existing dwellings.

6.2 Townscape and Design

The extension proposed is a single storey structure set at the rear of the lower ground floor level, and it is sited to the rear of a distinctive two storey wing to the building which currently has a plain base to lower ground floor against which the extension will be sited and with a grand classical arrangement to ground floor level with pilasters framing windows. The extension is 3.9m wide which matches the width of this wing, and it projects 3.25m out into the

rear garden, and as the existing rear garden slopes up away from the small rear patio the extension therefore is partly buried into the rising rear garden.

The extension is designed in a modern style, though is considered to integrate successfully with the overall character of the building, and notably when considered in light of the many glass extensions to garden level of buildings in Westminster it is not considered inappropriate in its style. The rear elevation of the extension is framed to either end with white render piers, which picks up on the framing to the ground floor windows above. The side elevation is largely solid with white render facing, though with one glazed door inset. The roof of the extension is to be finished principally in a green roof, though with a section of glazing to the roof at its outer edge. Overall, the impression is of an extension which incorporates significant areas of white render which picks up on its use for the remainder of the elevations to this building, with a rear elevation of limited height (due to the extension being built into the garden slope) but which in any case is framed by piers picking up on their use to the floor above, and with a green roof helping it integrate into its garden setting.

The extension is set down into the garden and given this, given the green roof proposed, and given the arrangement of buildings surrounding, the extension is considered to be discreetly sited and of limited visual impact in the wider area. It will be readily visible in views down into the garden from the rear elevation windows of the flats to the building above. However, those views will be principally down onto a green roof integrating with the landscaping to the adjacent rear garden and the concerns expressed about the green roof being unsightly are not considered sustainable.

Though noting the concerns expressed by the local residents association and several occupants within the building, the extension is considered acceptable in design terms, and the concerns raised are not considered sustainable in this case.

With respect to the other works proposed in the application, the new window into the side elevation is a white painted timber sash window and this aspect of the proposals is considered uncontentious. Internally, the flat has been heavily altered, and in this context the relatively limited internal works proposed are considered acceptable.

Objections have also been raised on grounds that the construction of the extension may risk the plaster finishes internally to the ground floor of the building and the glazing to the existing rear sash windows. The extension proposed, however, is a small scale construction project and involves an extension beyond the footprint of the main building. In this context it is not considered that the concerns on this ground are sustainable as a reason for refusal.

6.3 Residential Amenity

The extension is set down at lower ground floor level with a side passage and garden to its south side, with the extension rising 900mm above the boundary wall with the garden to the north side but with the nearest window to lower ground floor level of the adjoining flat on the north side set away from the boundary wall, and with the rear element of the extension partly sunk into the garden. As such, it is not considered that the proposed extension will harm the amenities of adjoining residents in terms of loss of light, enclosure or loss of privacy.

Objections have been raised to light pollution to the flats above related to the rooflight on the extension proposed. The objections were received with regards to the initially submitted scheme which located the rooflight immediately adjacent to the windows to ground floor level above. In the scheme as revised on officers advice the rooflight has been relocated to the outer edge of the extension, and in this location and at this size as part of a relatively small scale domestic extension it is not considered that the rooflight will result in unacceptable levels of light pollution to harm these residents. Objection was also raised with regards to noise and disturbance from this rooflight. However, this is not considered sustainable as a

reason for refusal, particularly given its revised location to the outer edge of the extension and that it is not shown as an opening element of the extension proposed.

Concern was raised about the potential for overlooking into the ground floor flat if persons were maintaining the roof. A condition is recommended preventing the use of the roof of the extension as a terrace, however, though noting the concerns, it is considered unreasonable to refuse an extension on the basis that it may be required to be maintained at some point in the future and on the implications for this which would be anticipated to be on such rare occasions. It is also of note that the garden slopes up notably from lower ground floor level up to the rear of the site and affords almost as clear views back to the ground floor as would a person maintaining a roof to the extension.

Overall the proposals are considered to comply with Policies S29 in the City Plan and ENV13 in the UDP.

6.4 Transportation/Parking

No change.

6.5 Equalities and Diversities

No change.

6.6 Economic Considerations

Not relevant in the determination of this application.

6.7 Other Westminster Policy Considerations

No other policy considerations.

6.8 London Plan

This application raises no strategic issues.

6.9 Central Government Advice

Regard has been had to the advice in the National Planning Policy Framework (NPPF).

6.10 Planning Obligations

Not relevant in the determination of this application.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

The proposed creation of a new flight of stairs from lower ground floor level up into the raised rear garden would run through an existing Cherry Laurel shrub to the rear garden, which would be required to be removed to facilitate the creation of this staircase. The Arboricultural Manager advises that this Cherry Laurel is an untidy specimen of low amenity value and they do not object to its loss, subject to replacement planting which will be secured through a landscaping condition.

Concern has also been raised with regards to the removal of a Magnolia tree to the rear garden. The application on its initial submission proposed the removal of this tree. However, on officers advice it is now being retained, with a condition recommended to secure a method statement demonstrating that the works to the rear garden from the new extension and steps

would not adversely affect it. Subject to this, the concerns on this issue are considered to have been addressed.

6.12 Other Matters

Several of the objection letters have raised concern about security issues related to the extension proposed, namely that the extension would give rise to security issues for the ground floor flat above, particularly given that its height is partly sunk down into the rear garden. Policy DES 1 in the UDP and Policy S29 in the Westminster City Plan address issues involving crime and security issues. The concerns expressed are understood, however in this case it is not considered that a reason for refusal could be sustained on this ground. The extension is set to the rear of the property, and is separated from the open side passage to the south side of the building by a large timber fence currently topped with razor wire. In the application proposals this fence is proposed to be replaced by a new fence 2.4m high. In such circumstances, where an extension is set within a private garden which is separated from any communal areas by high fencing, though noting the security concerns expressed by the objectors, it is not considered that permission could be refused on this ground.

Comment was also received commenting that the applicant does not own the common ground which the extension is proposed to be located in. However, the land affected appears clearly to be the rear garden to the lower ground floor flat, and any issues with land ownership would in any case be private matters against which these applications could not be considered.

Objections have also been raised that it would not be possible to clean or maintain the ground floor sash windows with the extension in place, however, the presence of the extension does not appear to make this insurmountable and the concerns on this ground are also not considered sustainable as a reason for refusal.

Comment was also received from a resident on Pembridge Square advising about problems in accessing the documents, however, officers have since advised of their availability on the website.

6.13 Conclusion

The proposed extension would preserve the special architectural and historic interest of this listed building and the character and appearance of the conservation area. It would also not result in unacceptable loss of amenity for neighbouring residents. The proposal accords with the development plan and there are no other material considerations that would warrant refusal of the development. Accordingly, it is recommended that planning permission and listed building consent are granted.

BACKGROUND PAPERS

1. Application forms.
2. Letter from Royal Borough of Kensington and Chelsea dated 15 October 2015.
3. Letter from Bayswater Residents Association dated 20 September 2015.
4. Memorandum from Arboricultural Manager dated 15 October 2015.
5. Letters from Flat 2, 20 Pembridge Square dated 8 September 2015 and 9 September 2015.
6. Letter from Flat 3, 20 Pembridge Square dated 27 August 2015.
7. Letter from Flat 4, 20 Pembridge Square dated 11 September 2015.

8. Letter from Flat 4A, 20 Pembridge Square dated 10 September 2015.
9. Letters from 28 Pembridge Square dated 6 September 2015 and 15 September 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY E-MAIL – nbarrett@westminster.gov.uk

DRAFT DECISION LETTER

Address: 20 Pembridge Square, London, W2 4DP

Proposal: Single storey rear extension to lower ground floor and associated landscape / external works to rear garden, new window to flank elevation and internal alterations (lower ground floor flat).

Plan Nos: OS/01A, PL/02C, PL/05A, PL/03C, PL/01D, BPS1054.01of-03, BPS1054.02of-03, BPS1054.03of-03, Heritage Design and Access Statement - as amended by above drawings

Case Officer: Alistair Taylor **Direct Tel. No.** 020 7641 2979

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 residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 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: Strategic Policies adopted November 2013 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 provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

Green Roof

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan: Strategic Policies adopted November 2013, and 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: Strategic Policies adopted November 2013 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.

- 5 You must apply to us for approval of detailed drawings of a planting 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 planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species. (C30BB)

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: Strategic Policies adopted November 2013 and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30AC)

- 6 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: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 7 **Pre Commencement Condition.** You must apply to us for approval of the ways in which you will protect the evergreen Magnolia, as shown on drawing PL/01D. 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. The tree protection must follow the recommendations in section 7 of British Standard BS5837: 2005. You must then carry out the work according to the approved details. (C31AC)

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: Strategic Policies adopted November 2013 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: 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, 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 The details required under condition 5 should show a tree to the rear garden of comparable value to the cherry laurel shown as being removed to the rear garden
- 3 You are advised that Thames Water have commented that the London Water Ring Main or a large diameter stored water tunnel is in the area and special precautions will be required to avoid any damage that may occur as a result of the proposed development. For further information you are advised to contact Developer Services, Contact Centre on telephone no. 0800 0093921.

DRAFT DECISION LETTER

Address: 20 Pembridge Square, London, W2 4DP

Proposal: Single storey rear extension to lower ground floor and associated landscape / external works to rear garden, new window to flank elevation and internal alterations (lower ground floor flat).

Plan Nos: OS/01A, PL/02C, PL/05A, PL/03C, PL/01D, BPS1054.01of-03, BPS1054.02of-03, BPS1054.03of-03, Heritage Design and Access Statement - as amended by above drawings

Case Officer: Alistair Taylor

Direct Tel. No. 020 7641 2979

Recommended Condition(s) and Reason(s):

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 All new work 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: Strategic Policies adopted November 2013 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 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application.

Green Roof

You must not remove any of these features. (C44AA)

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: Strategic Policies adopted November 2013 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)

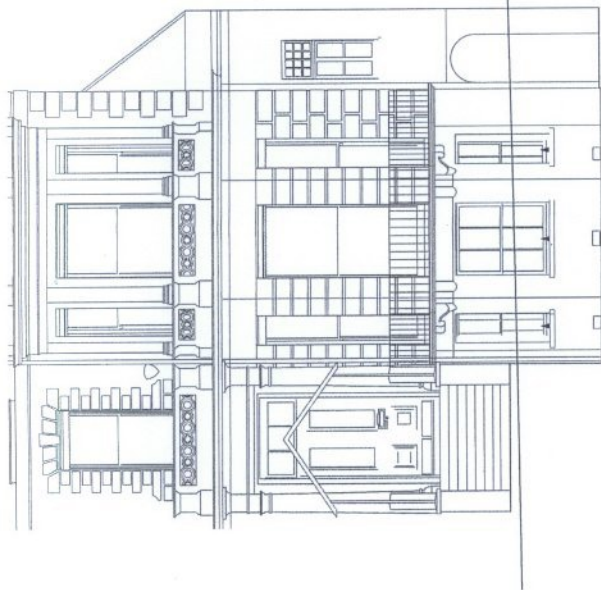
Informative(s):

- 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 July 2011, Westminster's City Plan: Strategic Policies adopted November 2013,

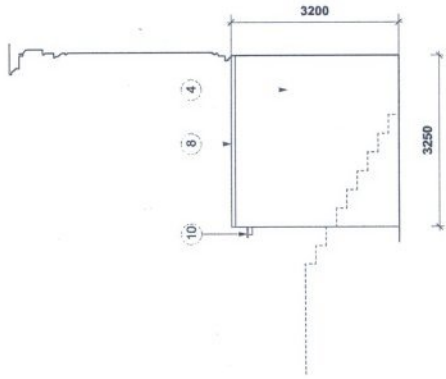
and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

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.



PROPOSED SIDE (NORTH) ELEVATION

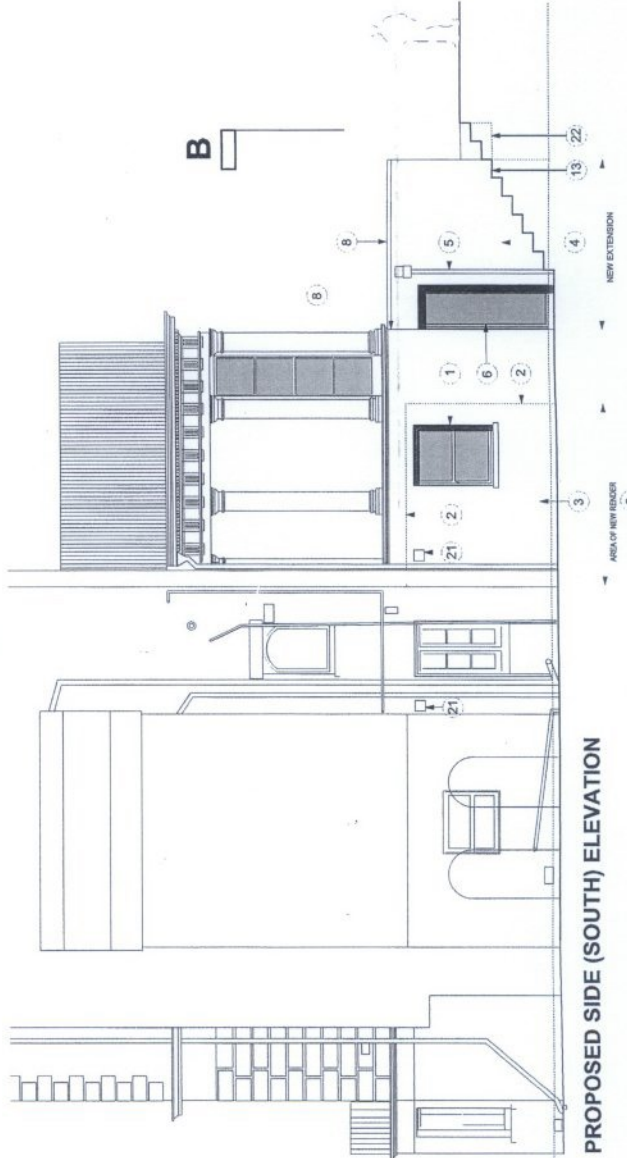


PROPOSED FRONT (WEST) ELEVATION

- 1 Form new opening. New white painted timber sash window or plaster concrete sub-fill
- 2 New painted render finish to back wall
- 3 New painted render finish to back wall
- 4 New painted render finish to back wall of new extension
- 5 New dark gray aluminium rainwater goods
- 6 New dark gray fine aluminium glazing system
- 7 Spans
- 8 New zinc capping detail to new parapet wall
- 9 New zinc capping detail to new parapet wall
- 10 Glass roof
- 11 Framesless glazing
- 12 Splay
- 13 New steps up to rear terrace
- 14 Existing rear terrace level
- 15 Zinc capping detail
- 16 New zinc capping detail
- 17 New lowered ceiling detail for services
- 18 New, original sash windows retained to front elevation, refurbished and repaired.
- 19 Remove chimney breast and form new opening
- 20 Skip out kitchen and install new en-suite
- 21 New extract ventilation grilles
- 22 Line of plinth

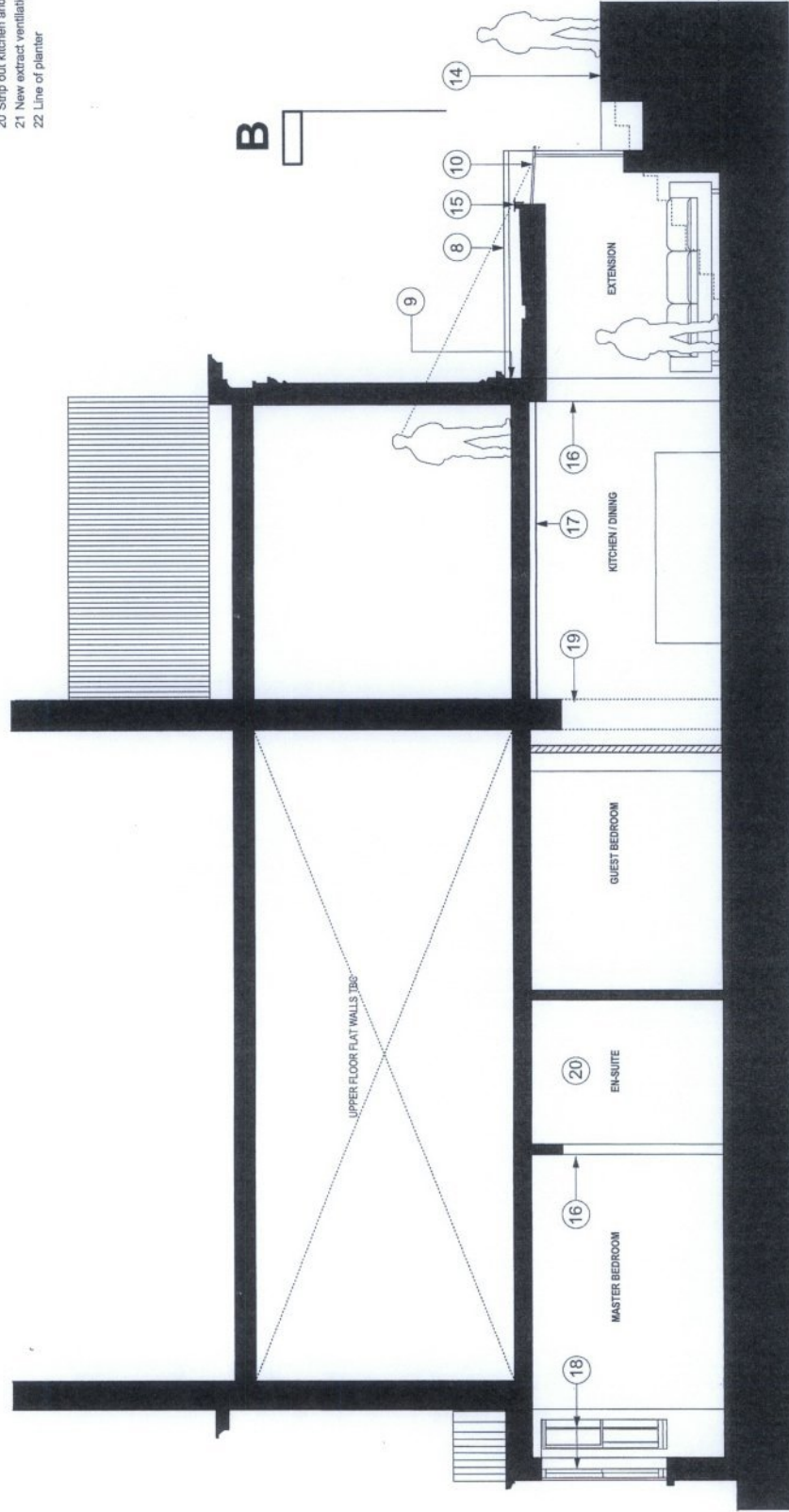


PROPOSED SIDE (SOUTH) ELEVATION



PROPOSED REAR (EAST) ELEVATION

- 1 Form new opening. New white painted timber sash window on painted concrete sub sill
- 2 Line of existing render
- 3 New painted render finish to flank wall
- 4 New painted render finish to flank wall of new extension
- 5 New dark grey aluminium rainwater goods
- 6 New dark grey fine aluminium glazing system
- 7 Spare
- 8 New zinc capping detail to new parapet wall
- 9 New zinc flashing detail under retained cornice detail
- 10 Glass roof
- 11 Frameless glazing
- 12 Spare
- 13 New steps up to rear terrace
- 14 Existing rear terrace level
- 15 Zinc capping detail
- 16 Form new opening
- 17 New lowered ceiling detail for services
- 18 3no. original sash windows retained to front elevation, refurbished and repaired.
- 19 Remove chimney breast and form new opening
- 20 Strip out kitchen and install new en-suite
- 21 New extract ventilation grilles
- 22 Line of planter



SECTION AA

0m 5m

do not scale any dimensions from this drawing
 verify all details in context with the contract documents - ALAP
 this drawing is the copyright of duncan foster architects ltd

DETAIL REFERENCE (A) DRAWING REFERENCE (DRAFT)
 SECTION REFERENCE (A) DRAWING REFERENCE (DRAFT)

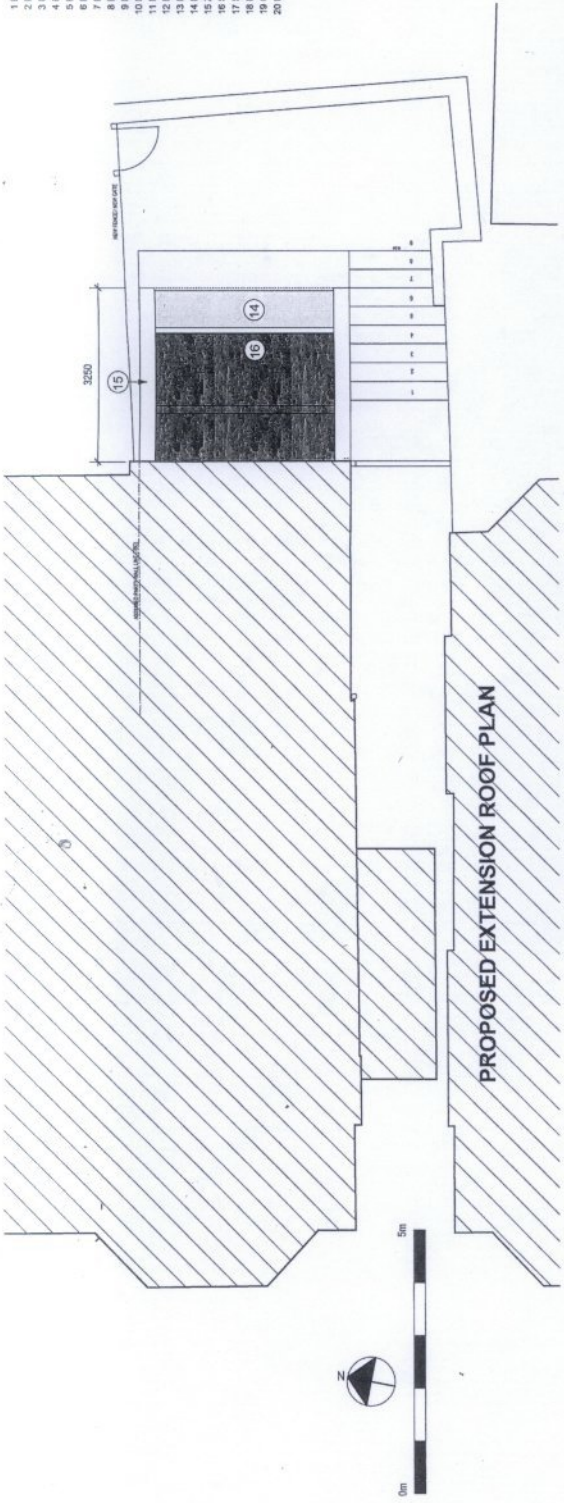
project FLAT 4, 20 FEWBRIDGE SQUARE, NOTTING HILL
drawn by PROPOSED SECTION AA
drawn no. 214P/03 REV C
date 14 JUNE 2015

REV A - 13/01/15 - SECTION B ADDED
REV B - 09/07/15 - ABATING ROOFLIGHT OMITTED, GLAZING AMENDED
REV C - 14/06/15 - ORIGINAL FRONT SASH WINDOWS RETAINED AND REFURBISHED

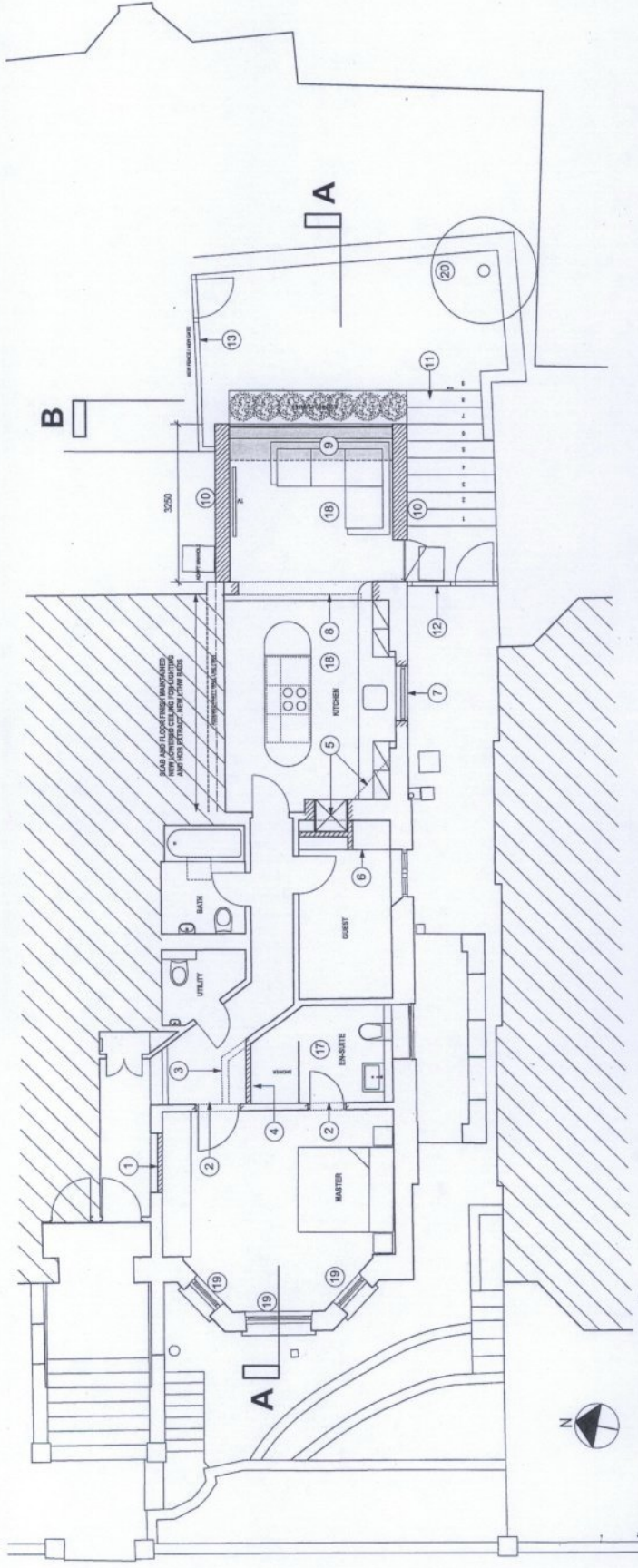
dfa duncan foster architects ltd
 The Bookhouse • 27 Ferry Road • Islington • London • N1 1RN
 Telephone: 020 8973 0065 • www.duncanfosterarchitects.co.uk

PL/03C

- 1 Block existing opening with plasterboard on adwork - new skirting to match existing
- 2 Form new opening - Door and architrave to match existing
- 3 Demolish internal wall - make good
- 4 New 1800mm high external wall with parapet walls, existing on half side
- 5 Form new concrete and render external wall - structural details TBC on request
- 6 Form new skidwall / cupboard / shelving detail
- 7 Form new opening - refer to elevation for detail
- 8 Remove french window and form new related opening - structural details TBC on request
- 9 New floodlight over
- 10 New repaired external walls
- 11 New skirting to match existing
- 12 New 1800mm high external wall and gate detail
- 13 New 1800mm high charcoaled fence and gate detail
- 14 New 1800mm high charcoaled fence and gate detail
- 15 New 1800mm high charcoaled fence and gate detail
- 16 New 1800mm high charcoaled fence and gate detail
- 17 Zinc capping detail to parapet walls
- 18 Sooted roofing
- 19 Strip out kitchen fixtures & fittings and wall / floor and install new bathroom with new tiled finishes to walls and floors
- 20 New oak flooring throughout
- 21 New oak flooring throughout
- 22 New oak flooring throughout
- 23 New oak flooring throughout
- 24 New oak flooring throughout
- 25 New oak flooring throughout
- 26 Existing magnetic tile to be retained



PROPOSED EXTENSION ROOF PLAN



PROPOSED LOWER GROUND FLOOR PLAN