

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 2 February 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Lancaster Gate	
<b>Subject of Report</b>	<b>Flat 2, 143-145 Gloucester Terrace, London, W2 6DX,</b>		
<b>Proposal</b>	Lower ground floor rear extension, demolition of existing rear boundary walls and rebuild, alterations to front vaults to create additional bedroom and new metal staircase to front light well in connection with existing lower ground floor flat plus associated alterations.		
<b>Agent</b>	Mr Trevor Morriss		
<b>On behalf of</b>	Mr Trevor Morriss		
<b>Registered Number</b>	15/09268/FULL, and 15/10263/LBC	<b>Date amended/ completed</b>	17 December 2015
<b>Date Application Received</b>	28 September 2015		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Bayswater		

## 1. RECOMMENDATION

1. Grant conditional permission
2. Grant conditional listed building consent
3. Agree reasons for granting conditional listed building consent

## 2. SUMMARY

The application site is a lower ground floor flat within this Grade 2 listed building which is located within the Bayswater Conservation Area. Permission and consent are sought for the erection of an extension to the rear of the building at lower ground floor level including the demolition and rebuilding of the existing side boundary wall to the rear garden, the alterations of the front vaults to create an additional bedroom in association with the flat, and the installation of a new metal staircase to front light well and new gate to the front boundary at ground floor level to access the flat, and other associated alterations within the front lightwell and internally.

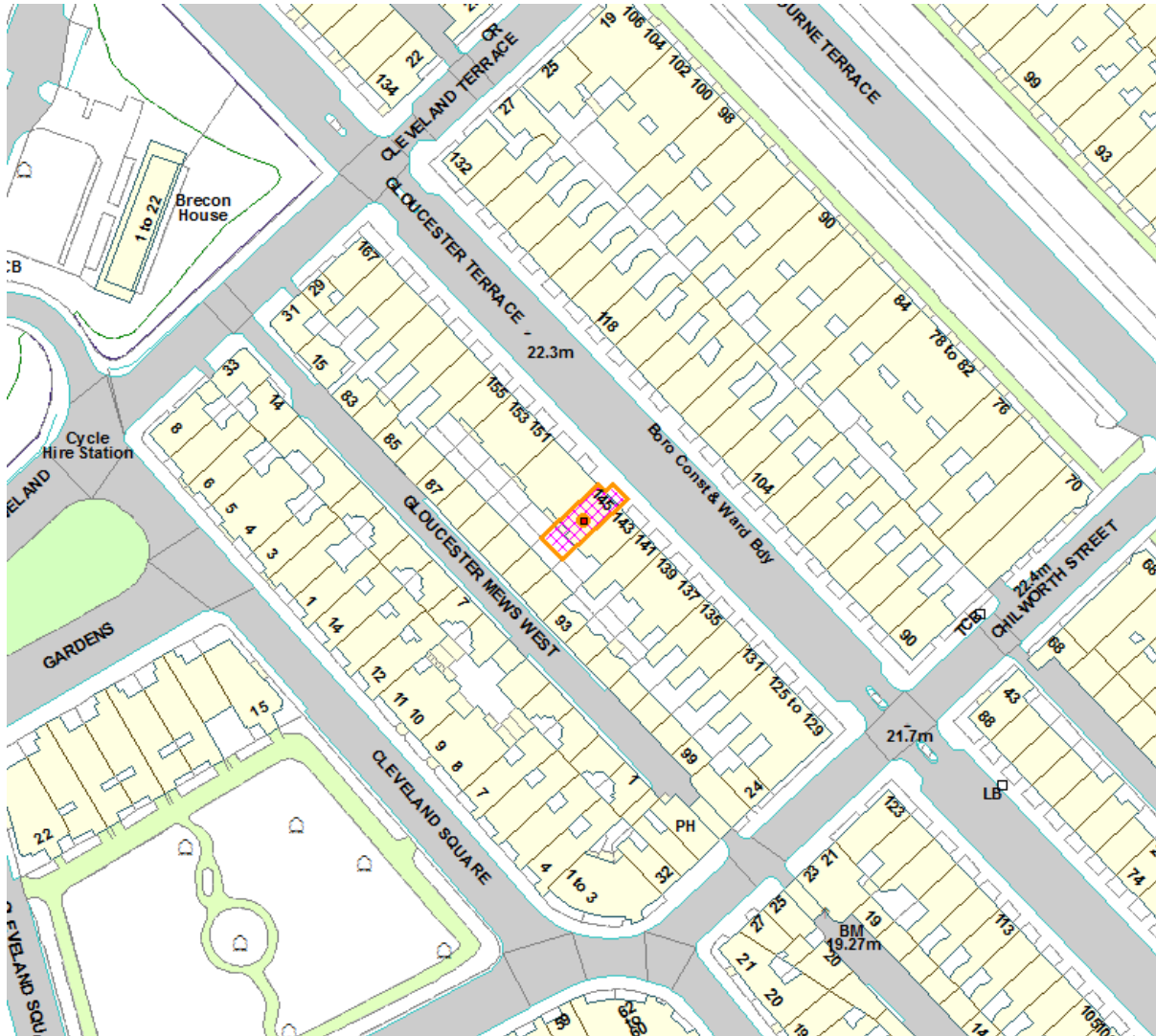
The key issues in this case are:

- \* The impact on the character and appearance of the building and surrounding conservation area.
- \* The impact on the amenity of neighbouring residents.

Subject to appropriate conditions, the proposal is considered acceptable in land use, transport, design

and amenity terms. The application is therefore recommended for approval being in compliance with the relevant Unitary Development Plan (UDP) and City Plan policies.

## LOCATION PLAN



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3. PHOTOGRAPHS





#### 4. CONSULTATIONS

##### South East Bayswater Residents Association

State that they have no objection, given past consents, to the principle of converting the two remaining sub-pavement coal holes into living accommodation, but consider that the original vault form of the ceilings should be preserved. State that it appears that the wall between the vaults would be fully removed, though that this would be probably acceptable. Consider that there should be fuller information about the construction method proposed and on how the original roof form of the vaults is to be preserved. State that they have no objection to the new staircase in the front lightwell subject to its design being compatible with other such staircases in the vicinity. Express concerns about the design of the new doorway and state that it should be appropriate and mainly of wood. State that the infill of about half of the rear open area is problematic, however consider that it is at the rear and not visible from the public realm and does not seem to affect light to the flats above, and on that basis it is probably ok subject to detailed design.

##### Building Control

State that they have no adverse comments in relation to the proposals.

#### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 43

Total No. of replies: 3

No. of objections: 2

No. in support: 1

The two objection letters received raise concerns on the following grounds:-

##### Design Issues

- Concern that there are no other rear extensions out to the rear boundary within nos. 143-155 Gloucester Terrace.
- Concern about unsightly nature of rear extension as compared to existing rear garden.

##### Amenity Issues

- Concern expressed about the emitting of noise and disturbance, including tv and music noise, from the rear extension.
- Concern about a potential for a rear bedroom within the main building to be used as a living room which may give rise to greater noise disturbance.

##### Other Issues

- Concern about the impact of the rear extension on the security of the flats above.
- Concern about the staircase to the front lightwell in terms of its closeness to the front ground floor windows and as a consequence the implications for the security of the ground floor flat.

One further letter has been received advising that they support the proposals.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 5. BACKGROUND INFORMATION

### 5.1 The Application Site

The application site is a lower ground floor flat within this Grade 2 listed building which is located within the Bayswater Conservation Area. The building at 143-145 Gloucester Terrace within which this flat is located comprises two original mid 19<sup>th</sup> century terraced houses which have been interlinked through the party wall. It forms part of a run of properties between nos. 143 and 155 Gloucester Terrace which have had their rear elevations rebuilt at some point likely in the mid 20<sup>th</sup> century in modern style, and likely with significant parts of their interiors also rebuilt. The flat has a lightwell to the front of the building and a rear garden 7.2m wide and 4.5m deep.

### 5.2 Recent Relevant History

04/03463/FULL and 04/03464/LBC

Retention of infill addition under rear balcony.

Application Permitted - 1 July 2004

12/01263/FULL and 12/01264/LBC 143-145 Gloucester Terrace (southern side lower ground floor flat to this building)

Formation of new access to a lower ground floor flat through alterations to the railings to the private forecourt to create a gate and installation of a new staircase from the private forecourt to ground floor level to lower ground floor level in front lightwell. Installation of new front door and side lights at lower ground floor level.

Applications permitted – 23<sup>rd</sup> April 2014

11/06847/COFUL Approval at 216 Gloucester Terrace

Use of the basement floor and front vault to provide 1x1 bedroom flat, external alterations to front and rear elevations at basement level, insertion of metal staircase in front lightwell and alterations to front railings at ground floor level.

Application permitted – 19<sup>th</sup> September 2011

## 6. THE PROPOSAL

The application proposes various works to the lower ground floor level flat which is the subject of this application. An extension is proposed within the rear garden of the property which projects 4.3m from the rear elevation line and therefore extends up to the rear garden wall of the site, and is 3.5m wide. It rises 2.6m high and is set against the north side of the garden and in association with this extension the side boundary wall to the north side of the garden is to be rebuilt.

Two vaults underneath the front pavement are proposed to be altered internally, principally through the removal of the wall between them, and refurbished as part of their conversion to habitable accommodation in association with the existing lower ground floor flat. Two new windows will be installed to the location of existing door openings into the vaults to light this new room.

A new stone faced staircase with black metal railings is proposed within the front lightwell to descend down from pavement level into the lightwell to allow for direct access from

street level to this lower ground floor flat, with a new gate within the railings to street level. A new entrance door and window adjacent are also proposed within this lightwell. The design of the entrance door and side window have been amended during the course of the application in response to concerns expressed by SEBRA to the initially submitted scheme. Internal alterations are also proposed to the flat.

## **7. DETAILED CONSIDERATIONS**

### **7.1 Land Use**

The extension to this existing flat is acceptable in principle in land use terms and accords with Policy H3 in the Unitary Development Plan (UDP).

The room being created within the front vaults has a pair of windows out onto the relatively generously spaced front lightwell and as such, and as part of the wider ground floor flat as a whole, is not considered unacceptable in terms of residential standards.

### **7.2 Townscape and Design**

The application site is a mid-terraced residential property. It is grade II listed and is situated within the Bayswater Conservation Area, though this building forms part of a run of properties in the middle of this terrace between Cleveland Terrace and Chilworth Street which have had their rear elevations reconstructed in the mid 20th century, and apparently also significant parts of the interior including the partial conjoining of nos. 143 and 145.

Currently the lower ground floor flat is accessed through the internal staircase within the main circulation core of the building and there is no staircase in the front lightwell, though the front lightwell would have contained a stone staircase with black metal balustrade when the building was originally built, and staircases in various forms remain in place to the significant majority of such buildings in the area. The application seeks permission to create a new staircase within the front lightwell descending down in a position adjacent to the pavement side wall of the lightwell, and which would be accessed by a gate set into the run of railings currently present at pavement level flanking the lightwell. The new staircase is to be faced in portland stone with black metal uprights, and the work represents the restoration of a staircase in traditional form and materials to the location of the original since removed, and with a gate to the pavement which will be designed to integrate with the existing railings (with details of this to be secured by condition). In design terms, these works are considered uncontentious

A rear extension is proposed to lower ground floor level which will occupy approximately half of the area of the rear garden to the property. The extension will have a green roof and a set of bi-fold doors opening onto the remaining element of the rear garden. Though the rear garden will be reduced in size, an acceptably sizeable area still remains and the loss of rear garden area is not considered as a reason for refusal, and it is of note that SEBRA comment that they consider this issue acceptable. One of the objectors also states that there are no other extensions in the block of 145-155 Gloucester Terrace which project to the rear of their gardens, however the buildings between 145-155 Gloucester Terrace make up less than half of the run of buildings to this terrace, and the significant majority of other buildings in the terrace have extensions out to the full depth of the garden. The green roof to the extension is welcomed in design terms, and the doors are

considered acceptable in the context of this modern rear elevation. One objector to the application states that the extension would harm their view down into existing pleasant rear garden, however the garden is largely hard paved and is not particularly well maintained, and a new extension with green roof, with the remaining open area to be re-landscaped, is considered to maintain acceptably the view down into this rear courtyard area.

The other works to the lower ground floor front lightwell of new windows and doors have been negotiated and amended during the course of the application and are considered acceptable in design terms, and are considered to overcome the concerns of SEBRA to the windows and doors in the initially submitted scheme. The new doors to the rear elevation are considered uncontentious in the context of this modern rear elevation.

The basic character of the vaults is to be maintained through the conversion to a room and the ceilings of the vaults are unaffected by the proposals. Building Control have advised that they have no adverse comments with regards to these proposals, which is considered to address SEBRA's comments on this issue.

The internal alterations to this flat which has been heavily altered in the past are not contentious.

Given the above, the works proposed are considered to be acceptable in design and conservation terms and would accord with Policies DES1, DES5, DES9 and DES 10 in the UDP and S25 and S28 in the City Plan.

### **7.3 Residential Amenity**

#### **Sunlight/Daylight/Sense of Enclosure**

In terms of the impact upon the amenity of the surrounding neighbouring residential properties, the extension is considered acceptable. A section drawing has been submitted showing that it does not breach the 25 degree line relevant to BRE guidelines to the property directly to the rear, and a report has been submitted by the applicants with regards to the impact on surrounding daylight and sunlight concluding there would be no adverse impact on the neighbouring properties behind. Though there are living room and kitchens present to the rear lower ground floor rooms within the properties directly to the rear of this site, the extension is set back from the boundary wall, and does not rise significantly above its height. The glass brick/ timber panel side boundary wall to the north will be rebuilt with a brick built wall and raised in height by approximately 5 brick courses. It is not considered that the amenity of the neighbouring property to the north would be adversely affected to an unacceptable degree in terms of sunlight, daylight or sense of enclosure.

#### **Privacy**

The new staircase will descend from pavement level down into the lightwell, though it runs across much of the width of the frontage to the building. Though the new staircase will introduce an access route slightly closer to the ground floor window than is currently possible from the pavement, the pavement and the front entrance forecourt already allow clear and close range views across to this window, and it is not considered that a new staircase used for access rather than for persons dwelling on would unacceptably affect



the levels of privacy enjoyed by the occupants of the ground floor flat. The immediately adjacent property was granted permission for a new staircase within its front lightwell on 23<sup>rd</sup> April 2014 and others have been approved in recent years to the street, with the majority of buildings already having this arrangement. The new staircase therefore is not considered unacceptable in terms of the impact on the privacy of the ground floor flat.

#### **Conclusion on Amenity**

Given the above, it is considered that the proposed scheme is acceptable in amenity terms and would accord with Policy S29 in the City Plan and Policy ENV 13 in the UDP.

#### **7.4 Transportation/Parking**

The gate to the front boundary will open inwards only and will not therefore give rise to an obstruction of the public highway in front of the building.

#### **7.5 Economic Considerations**

No economic considerations are applicable for a development of this size

#### **7.6 Access**

Though it is recognised that the works do not allow for disabled access, they provide an alternative route as independent access to the flat rather than the replacing the existing one through the building, and the works are considered acceptable in listed building terms.

#### **7.7 Other UDP/Westminster Policy Considerations**

##### **Noise**

Though the comments with regards to noise being emitted from the use of the lower ground floor flat are noted, the lower ground floor contains a relatively small domestic residential flat, and it is not considered that the extension would give rise to such an impact in terms of noise emitting from the new room proposed to be created, nor from the rear room within the main body of the building which is to have new doors to the rear garden, as to warrant a refusal of planning permission.

##### **Trees**

A small tree would have to be removed to facilitate the rear extension, however this is a small specimen of limited value and subject to a landscaping condition to secure appropriate replacement planting this work is considered acceptable.

#### **7.8 London Plan**

This application raises no strategic issues.

#### **7.9 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.

#### **7.10 Planning Obligations**

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

#### **7.11 Environmental Impact Assessment**

Environmental Impact issues are not relevant in the determination of this application.

#### **7.12 Other Issues**

##### **Crime and security**

An objection has been raised from the ground floor flat within the building that the staircase within the front lightwell is sited close to their living room window (ie. the front ground floor window) and that therefore intruders may gain entry to the flat. In security terms however the staircase appears little closer to the window than the existing main ground floor entrance forecourt area, and it appears unlikely to add unacceptably to any security risk to the flat. Such arrangements with staircases located within front lightwells when the ground floor is in separate use are particularly common and the arrangement does not differ from the majority of surrounding buildings.

An objection has also been received on grounds of this extension representing a security risk, however the site is fully enclosed by other buildings with boundary walls surrounding and it would not give rise to such a security risk as to warrant a reason for refusal.

### **8. BACKGROUND PAPERS**

1. Application form
2. Letter from occupier of Flat 6, 143-145 Gloucester Terrace, dated 16 November 2015
3. Letter from occupier of Flat4, 143-145, dated 18 November 2015
4. Letter from occupier of flat 3, 51 palace road, dated 3 December 2015

#### **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 ALISTAIR TAYLOR ON 020 7641 2979 OR BY EMAIL AT [NorthPlanningTeam@westminster.gov.uk](mailto:NorthPlanningTeam@westminster.gov.uk)







**DRAFT DECISION LETTER**

**Address:** Flat 2, 143-145 Gloucester Terrace, London, W2 6DX,

**Proposal:** Lower ground floor rear extension, demolition of existing rear boundary walls and rebuild, alterations to front vaults to create additional bedroom and new metal staircase to front light well in connection with existing lower ground floor flat plus associated alterations.

**Plan Nos:** GT-E-00-OS-01-01-P1, GT-S-20-LG-01-03-P2, GT-E-20-LG-01-01-P1, GT-D-20-LG-01-02-P1, GT-S-20-OR-01-01-P1 (as amended by GT-S-20-LG-01-03-P2), GT-E-20-OR-01-02-P1, GT-S-25-MF-01-01-P3, GT-E-25-MF-01-01-P2, GT-S-25-MF-01-02-P2, GT-S-26-MF-01-01-P3, GT-E-26-MF-01-01-P1, GT-S-26-MF-01-02-P1, P2-SEC-01, letter from Point Surveyors dated 28th September 2015, SK004-rev1, Design and Access Statement - as amended by above drawings, email from Trevor Morriss dated 14th December 2015, , Considered for information only:- Report by Pell Frischmann dated 08.10.2015, ,

**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 bio-diversity 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. (C43FA)

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)

- 5 You must hang all doors or gates so that they do not open over or across the road or pavement.  
(C24AA)

Reason:

In the interests of public safety as set out in S41 of Westminster's City Plan: Strategic Policies adopted November 2013 and TRANS 2 and TRANS 3 of our Unitary Development Plan that we adopted in January 2007. (R24BC)

- 6 The new gate to the front boundary and the balusters and handrail of the new staircase within the front lightwell of the building shall be formed in black coloured 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 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)

- 7 The new external doors to the front lightwell and new windows to the front lightwell 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: 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)

- 8 The bricks to the new wall to the north side of the rear garden shall match the colour and finish of the existing bricks to the existing rear elevation to the 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: 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)

- 9 You must apply to us for approval of an elevation drawing showing the new gate to the ground floor frontage. 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 this drawing. (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: 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)

**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 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.