

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 26 April 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Warwick	
Subject of Report	106A Cambridge Street, London, SW1V 4QG,		
Proposal	Construction of an extension at rear lower ground floor level incorporating existing vaults. Installation of railings to the boundary wall.		
Agent	Dr Malcolm Cook		
On behalf of	Mr & Mrs Garton		
Registered Number	15/02230/FULL	Date amended/ completed	31 July 2015
Date Application Received	12 March 2015		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

1. Grant conditional permission.

2. SUMMARY

106A Cambridge Street is an unlisted building located within the Pimlico Conservation Area.

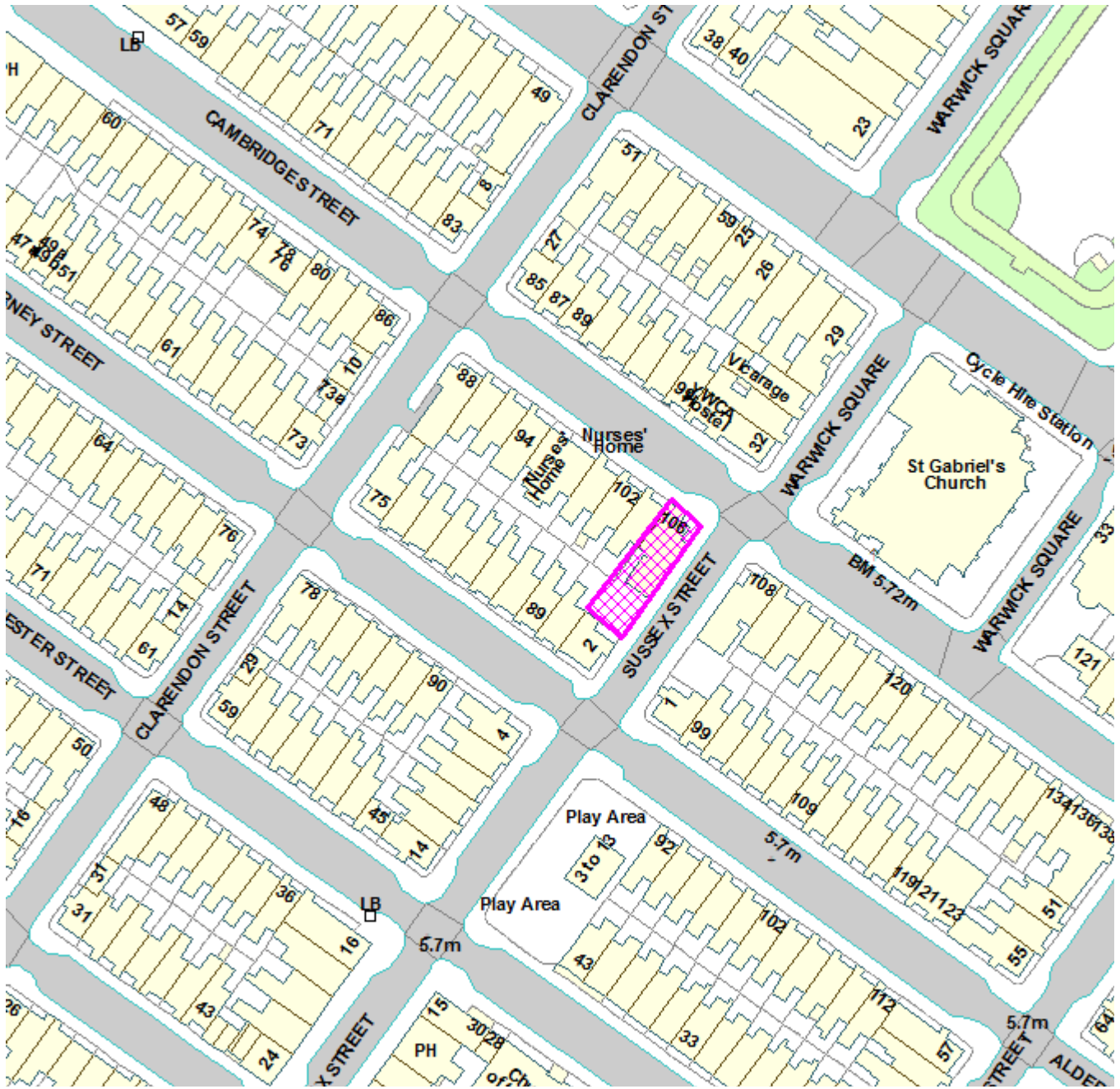
Permission is sought for the construction of a rear extension to the lower ground floor flat incorporating existing vaults. The scheme proposes the installation of railings to the boundary wall for security purposes.

The key issues for consideration are:

- * The impact of the external alterations on the character and appearance of the Pimlico Conservation Area.
- * The impact on the amenity of neighbouring residential occupiers.

Subject to conditions, the proposed development is considered acceptable in land use, conservation and design, amenity and highways terms and to comply with relevant policies in Westminster's City Plan: Strategic Policies (the City Plan) and the Unitary Development Plan (UDP).

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

METROPOLITAN POLICE (DESIGNING OUT CRIME):

No objection to proposals. Concerns over rear garden access and physical security to the development. Request Secured by Design condition.

WESTMINSTER SOCIETY:

No objection.

HIGHWAYS PLANNING MANAGER:

No objection.

ARBORICULTURAL MANAGER:

Tree protection measures required by condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 12

Total No. of replies: 5

No. of objections: 3

No. in support: 0

Two letters on behalf of the occupiers of the other flats within the building at 106 Cambridge Street, two letters from the occupiers of Flat F (ground floor) at 106 Cambridge Street and one letter from the occupier of 91A Alderney Street, raising objections on the following grounds:

Design

*Reduction in size of garden; extension will occupy an excessive amount of the existing garden space.

*Extension not in keeping with the scale and proportion of the host building.

Amenity

*Reduction in sense of openness and visual amenity currently enjoyed by other residents of building.

*Smaller extension proposed would be directly underneath the ground floor balcony and the glass roof proposed would allow views directly into this.

*Overlooking from proposed terrace into garden of property opposite [this element has been removed].

*Extended area will be for dining. In summer months the doors will be open and will transfer substantial additional noise which is not acceptable.

Security

*Infill and extension would provide easy access for intruders into the rear of the property, particularly to the flat at ground floor level.

Other

*Noise and disturbance from construction work. Construction Management Plan should be required owing to excavation to vaults.

- *No design and access statement planning statement or assessment of proposals upon the heritage asset or conservation area.
- *Conditions should be attached to ensure the tree protection measures are adhered to.
- *Concerns over extent of external walls to be removed.
- *Clarification on fence/boundary to property.
- *Query over section drawings/sightlines not accurately representing the situation on the site.
- *Main soil/waste pipe not shown on the drawings.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

106A Cambridge Street is an unlisted building located within the Pimlico Conservation Area. The application relates to a self-contained flat at lower ground floor level. There are six other flats within the building.

6.2 Recent Relevant History

There is no relevant planning history for the site.

7. THE PROPOSAL

Permission is sought for the construction of an extension at rear lower ground floor level incorporating existing vaults and the installation of railings to the boundary wall. This will provide additional residential accommodation.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal seeks to extend the existing residential accommodation which is acceptable in principle in land use terms and in accordance with H3 of the UDP and S14 of Westminster's City Plan.

8.2 Townscape and Design

The proposals involve the construction of a single storey rear extension at lower ground floor level and a smaller lean-to extension under the balcony serving the ground floor flat. The asphalt and skylights to the existing lightwell infills on both the Cambridge Street and Sussex Street will also be renewed.

The property is not listed but is located in the Pimlico Conservation Area. Owing to the proposed extensions being at rear lower ground floor level and surrounded by a boundary wall which encloses the rear garden on the Sussex Street elevation, the proposals will not be visible in views from street level. The materials for the rear extensions will be stucco,

timber framed windows and French doors, lead roofs and glazing to the roof on the larger extension. Given the appropriate proportions of the proposed extension and traditional materials to be used, the proposals are considered to preserve the character of the conservation area.

Objections have been received on the grounds that the proposed extension would occupy an excessive amount of the existing garden space and would not be in keeping with the scale and proportion of the host building. Since submission the proposals have been revised to address objector's concerns. A terrace which was originally proposed on top of the extension has been removed and the size of the extension has been reduced. Also, the glazing originally proposed to the roof of the lean-to extension has been replaced with lead.

The proposals have also been amended to include the installation of railings to the top of the boundary wall to address the security concerns of the occupier of the ground floor flat. Subject to detailed design required by condition, the railings are considered acceptable.

The proposals are therefore considered acceptable in design and conservation terms in accordance with design Policies S28, DES 1, DES 5, DES 6 and DES 9.

8.3 Residential Amenity

In terms of residential amenity, the nearest neighbouring residential properties are the flats at the upper levels of the property, whose rear windows face onto the lower ground floor garden.

Objections have been raised to the application from the owners of six other flats in the building on the grounds that the proposals will lead to a reduction in sense of openness and visual amenity currently enjoyed by other residents of building. The proposals have subsequently been revised and the reduced scale of the extension is considered acceptable in this regard.

An additional objection from the occupier of the ground floor flat was that the smaller lean-to extension proposed would be directly underneath their ground floor balcony and that the glass roof proposed would allow views directly into and up from this space. The proposals have been revised to address these concerns and a lead roof to the lean-to extension is now proposed.

An objection from the neighbour opposite to the rear was received on the grounds of overlooking from initially proposed terrace into their rear garden. As mentioned, the terrace element has since been removed from the proposals. The same objector has raised concern that the extended area will be for dining and that in summer months the doors will be open and will transfer substantial additional noise which would not be acceptable.

Given that an external garden already exists in this area which is capable of being used by owners/occupiers of the flat, it is not considered that the proposals would lead to an unacceptable level of noise and disturbance in this regard so as to compromise the amenity of neighbouring residents sufficiently to merit a refusal of permission.

As such the proposals are considered acceptable in amenity terms and comply with policies S29 of the City Plan and ENV13 of the UDP.

8.4 Transportation/Parking

As the enlarged property will continue to be used as a single flat, the proposals are considered acceptable in highways terms.

8.5 Economic Considerations

Not applicable.

8.6 Access

The access arrangements are unchanged by these proposals.

8.7 Other UDP/Westminster Policy Considerations

Security

A principal objection from the occupier of the ground floor flat, who has a rear bedroom window which looks out over the rear garden directly above the proposed extension, is that the lightwell infill and extension would provide easy access for intruders into the French doors at the rear of the property, creating a potential link with the pavement which does not currently exist.

As a result of extensive negotiation on this issue, the scheme has been revised to include the installation of railings along the full extent of the boundary wall on the Sussex Street elevation. This is considered sufficient to address the security concerns raised. It is recommended that the detailed design of the railings are secured by condition to ensure that their appearance is acceptable given the conservation area setting.

Trees

The arboricultural officer has commented that the extension will be located within the root protection areas of a lime and a sycamore tree. These are large and prominent specimens clearly visible from Sussex Street. Trial excavations will be required to ensure that the piles are located so as to avoid damage to significant tree roots. Any permission should be subject to tree protection conditions.

The arboricultural officer has also raised concern that the drawings include a detailed section of the piled raft foundation, with an annotation stating the removal of the existing paving and scrape top 50-75mm of grass/organic material and the placing of a sacrificial void to create 50mm void under concrete raft. The material underneath the paving is likely to be sand/bedding material or soil, not grass/organic material and must not be excavated. An informative has been added to this effect.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

The proposals are of insufficient scale to generate a requirement for any planning obligations.

8.11 Environmental Impact Assessment including Sustainability and Biodiversity Issues

The proposals are of an insufficient scale to require an environmental assessment

8.12 Other Issues

Objections have been made in terms of concern over noise and disturbance from construction work requesting that a Construction Management Plan (CMP) is required owing to excavation to vaults. Given that the extent of excavation will be limited to the vaults it is not considered reasonable to request a CMP in this instance.

Other objections have raised the fact that no design and access statement or planning statement assessing the proposals upon the heritage asset or conservation area was submitted with the application. The applicant has submitted a planning statement and given the nature of the proposals these are considered to be described adequately through annotations to the drawings which enable them to be understood.

Additional concerns have been raised over concerns over extent of external walls to be removed, however as such matters are governed by other procedures and regimes outside of planning control, namely building regulations and landlord and tenant legislation, permission could not justifiably be refused on these grounds.

9. BACKGROUND PAPERS

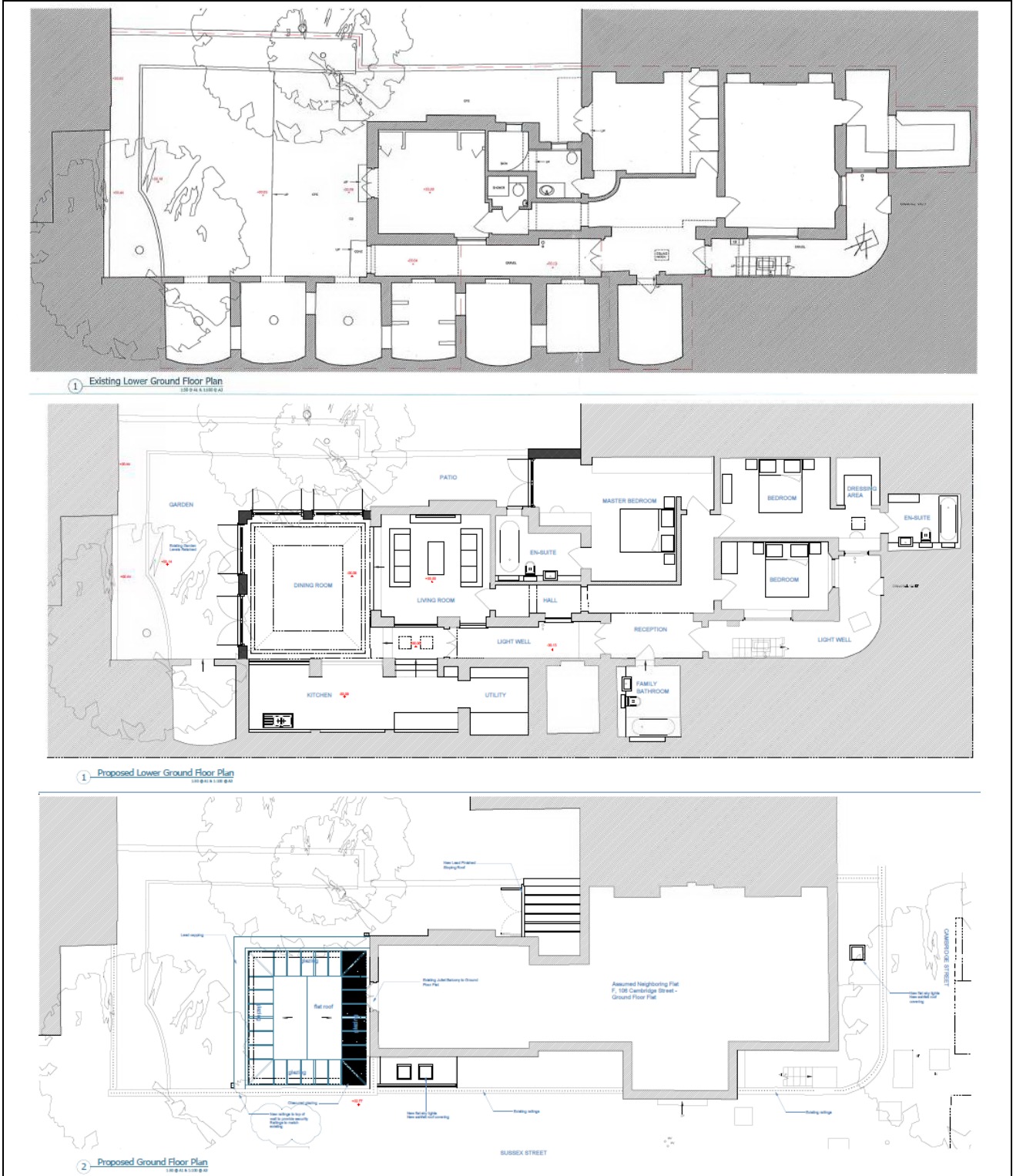
1. Application form
2. Letter from Metropolitan Police (Designing out Crime), dated 12 January 2016.
3. Memorandum from Westminster Society, dated 8 September 2015.
4. Memorandum from Highways Planning, dated 22 December 2015.
5. Memorandum from Tree Section, dated 7 October 2015.
6. Letters on behalf of occupiers of Flat F, Flat E, Flat D, Flat C, Flat B and Flat G 106 Cambridge Street dated 1 September 2015 and 16 November 2015.
7. Letters from occupier of Flat F 106 Cambridge Street, dated 2 September 2015 and 14 November 2015.
8. Letter from occupier of 91A Alderney Street, dated 11 September 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 MATTHEW MASON ON 020 7641 2926 OR BY EMAIL AT mmason@westminster.gov.uk

10. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 106A Cambridge Street, London, SW1V 4QG,

Proposal: Construction of an extension at rear lower ground floor level incorporating existing vaults. Installation of railings to the boundary wall.

Reference: 15/02230/FULL

Plan Nos: 01 Rev 0; 5856/02; 5856/06 Rev A; 5856/07 Rev A; 5856/10 Rev D; 5856/15 Rev D; 5856/16 Rev D; 5856/17 Rev D; 5856/18 Rev D; Arboricultural Impact Appraisal and Method Statement dated 2 March 2015, prepared by Barrell Tree Consultancy.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

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 Pimlico 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 apply to us for approval of detailed drawings at 1:10 and sections at 1:5 of the following parts of the development - the new railings and the method of fixing to the top of the boundary wall. You must not start any work on this part of the development until we have approved what you have sent us. You must then carry out the work according to these drawings. (C26DB)

Reason:

To reduce the chances of crime without harming the appearance of the building or the character of the Pimlico Conservation Area as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (B) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R16BC)

- 5 The glass that you put in the side length of the roof of the lower ground floor extension which faces the rear elevation of the property must not be clear glass. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 6 **Pre Commencement Condition.** Notwithstanding the submitted Arboricultural Impact Appraisal and Method Statement, you must apply to us for approval of a revised method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

The details of the tree protection measures provided will need to correspond with the revised drawings. This is in order to protect trees and the character and appearance of the site 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.
(R31CC)

- 7 You must carry out excavation for the trial holes in relation to the roots of the lime tree and sycamore tree by hand or using hand-held tools (other than power-driven tools). You must not damage any roots over 50mm in diameter and must protect any roots that are exposed by the excavation by placing sharp sand around the roots to avoid further damage.

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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 The rooms in the underground vaults are only considered acceptable by our Environmental Health officers on the basis that they are used in connection with the main house. If used as separate living accommodation (e.g. for staff accommodation) the lack of sufficient natural light and reasonable views would mean the proposal fails the Housing Health and Safety Rating System - Housing Act 2004., , Additionally the conversion of vault areas for human habitation is not normally recommended because of the low headroom, potential damp problems and 'remote room' issues. The potential for rising dampness (from the ground) and penetrating dampness (from the entrance slab above) together with condensation due to lack of through ventilation is great. Experience has shown that despite thorough "tanking" (complete damp proofing) of vaults, the integrity of the tanking can be damaged by nails/screws etc. New techniques, such as 'Delta membrane', may be more appropriate as alternatives to traditional 'tanking' methods., , You are

recommended to seek advice from our Environmental Health Department on appropriate damp proof treatment and ventilation (including additional mechanical ventilation as necessary). However, any works that affect the external appearance may require a further planning permission. For further advice, please contact: Residential Environmental Health Team, 4th Floor East, Westminster City Hall, 64 Victoria Street, London SW1E 6QP, Website www.westminster.gov.uk, Email res@westminster.gov.uk, Tel : 020 7641 3003 Fax : 020 7641 8504

- 4 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)
- 5 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any trees. You must make a separate section 211 notification if you propose any tree works. You are advised to obtain the permission of the owner of the tree prior to submission of a section 211 notification.
- 6 In respect of Condition 6 you are advised that the revised method statement must omit reference to removing the top 50-75mm of organic material beneath the paving slabs as this must not be excavated.
- 7 The applicant will need technical approval for the works to the highway (supporting structure) prior to commencement of the development. The applicant should contact Andy Foster (0207 641 2541) in Engineering & Transportation Projects to progress the application for works to the highway.
- 8 In respect of Condition 7, you must liaise with the City Council in advance of any trial hole excavation works being undertaken so that Council Officers can be on site when the works are in progress. Please email Trees@westminster.gov.uk or phone 020 7641 2922 to arrange.

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.