

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 7 June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	15 Bryanston Square, London, W1H 2DN		
Proposal	Erection of single storey roof extension and installation of seven condenser units at new roof level in connection with a single family dwelling (Class C3). Internal alterations.		
Agent	Savills		
On behalf of	Mr Saeed Omeir Yousef Ahmed Almheiri		
Registered Number	16/01689/FULL 16/01690/LBC	Date amended/ completed	26 February 2016
Date Application Received	25 February 2016		
Historic Building Grade	Grade II		
Conservation Area	Portman Estate		

1. RECOMMENDATION

1. Refuse planning permission and listed building consent – design and conservation grounds

2. SUMMARY

The application site is a grade II listed building located with the Portman Estate conservation area. The building comprises basement, ground and three upper floors and is used as a single family dwelling. Planning permission and listed building consent are sought for the removal of the existing roof and erection of a single storey sheer roof extension. The existing roof will then be relocated on top of the new fourth floor. The proposal also includes the installation of seven condenser units within the roof valley at roof level.

The key issues for consideration are:

- The impact of the extension on residential amenity;
- The impact of the air condenser units on residential amenity; and
- The impact of the proposal on the special interest of the listed building and the character and appearance Portman Estate conservation area.

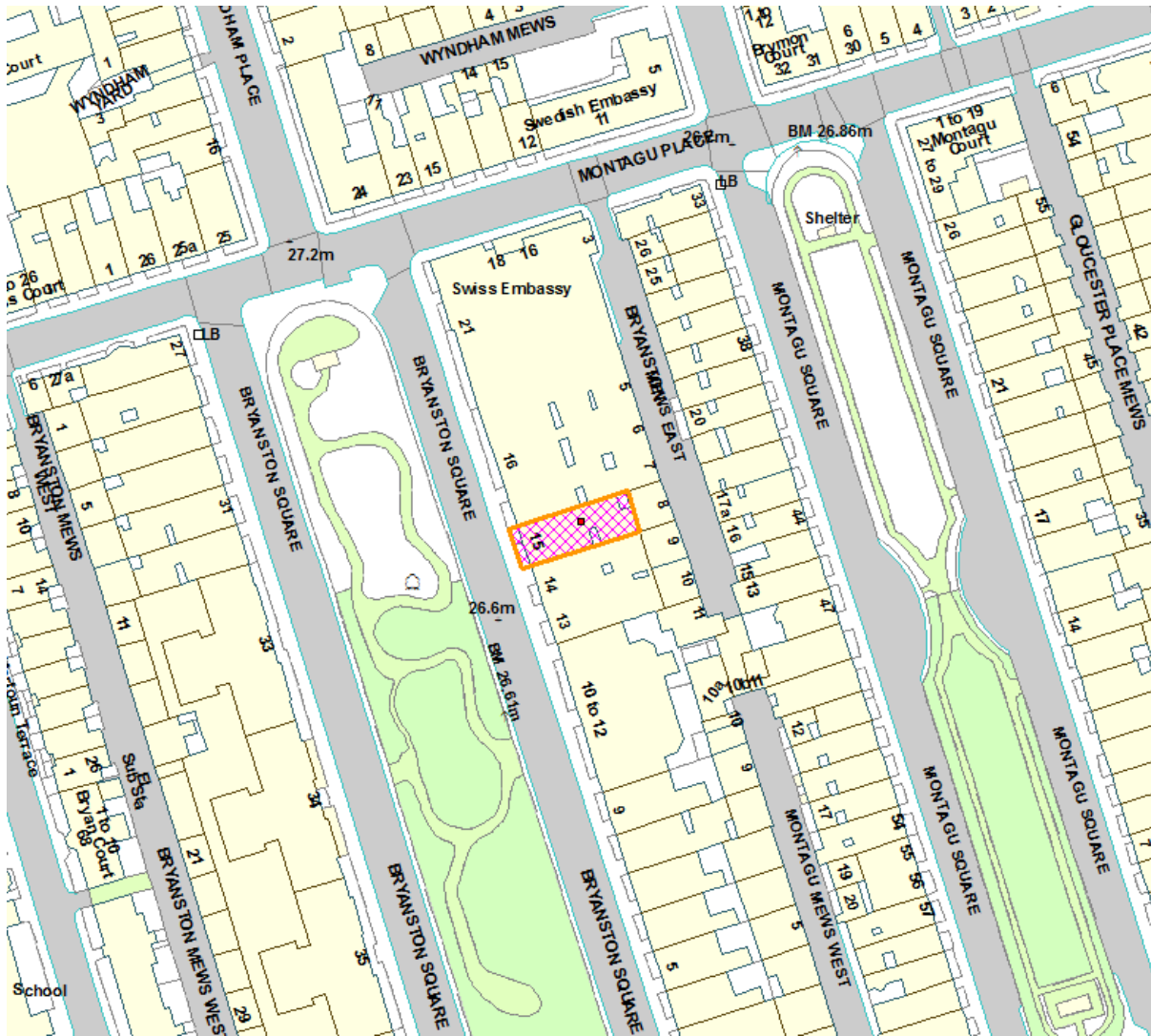
The roof extension and installation of plant is considered acceptable in amenity terms. However, the

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building has an original roof, and the extension is considered to cause harm to this heritage asset. The proposal is also considered unacceptable in design and conservation terms and does not comply with the relevant policies within the Unitary Development Plan (UDP) or Westminster's City Plan: Strategic Policies (City Plan) and both application are accordingly recommended for refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Photograph 1: Application property (with scaffolding in front)



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

Any response to be reported verbally.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 109

Total No. of replies: 6

No. of objections: 6

No. in support: 0

Six objections received on some or all of the following grounds:

Amenity

- Loss of daylight and sunlight
- Noise and heat/adverse environmental nuisance from plant
- Excessive amount of plant
- Overlooking
- Disruption during course of construction

Listed Building Grounds

- Alter the character of the building and the Square

Highways

- Impact on parking

Building Control

- Removal of fire escapes from neighbouring properties

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is on the eastern side of Bryanston Square and is a grade II listed building located within the Portman Estate Conservation Area. The property comprises basement, ground and first to third floors and is a single family dwelling (Class C3).

6.2 Recent Relevant History

Planning permission and listed building consent were granted on 21 July 2015 for the use of the building as a single family dwelling (Class C3). Alterations including excavation to provide a new basement level; the demolition of the existing rear extensions on lower ground and ground floors and the erection of replacement extensions, with terraces on

ground and first floors; the installation of six air conditioning units at main roof level and internal alterations were also approved (RN: 15/01949/FULL and 15/01950/LBC). These works are currently being implemented.

Planning permission and listed building consent were later granted on 11 March 2016 allowing amendments to the July 2015 scheme which included internal alterations and alterations to the fenestration and creation of a terrace lightwell (RN: 15/10357/FULL & 15/10356/LBC).

7. THE PROPOSAL

Planning permission and listed building consent are sought for the removal of the existing roof and erection of a single storey sheer roof extension to create a new fourth floor level. The existing roof would then be relocated above this additional storey. Seven condenser units at the new roof level (one more unit than previously permitted) are also proposed and they will be situated within the roof valley.

This application follows consent for excavation of a new basement level. The new basement level is shown on the proposed drawings, but it is not part of this current application.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The increase in residential floorspace as a result of the extension is considered acceptable and complies with UDP Policy H3 and S14 of the City Plan.

8.2 Townscape and Design

The building is an original Georgian house, dating from the early nineteenth century. It makes a positive contribution to the Portman Estate Conservation Area. It is a rare survivor in that it has not been extended or altered at roof level. It has its original façade, four storeys high, and king post truss roofs, with their ridges parallel to the facade. Such roofs are rare in the Portman Estate Conservation Area, and the West End generally, because so many buildings have been altered or extended at roof level. In listed building terms the facade and the roof contribute much to the special architectural and historic interest. The existing roof and the façade also contribute significantly to the character and appearance of the conservation area. There is a strong presumption to retain these elements of the building.

The proposal seeks to raise the building by one sheer storey and relocate the existing roof at the new level. One objection was received on the grounds that the additional storey would substantially alter the character of the listed building and the hierarchy of spaces within the building. They also expressed concern that the proposal would adversely affect the uniformity of the Georgian architectural design of Bryanston Square. One objection was made on the grounds of the visual impact of the proposal.

It is considered that the proposed works would be harmful to the appearance and special interest of the building, through the loss of its original proportions and hierarchy. The proposal would also diminish the contribution made by the listed building to the character and appearance of the Portman Estate Conservation Area. The fact that the adjoining buildings are higher than the application site does not provide a justification for the additional floor in listed building terms. The objections received are considered to be sustainable.

The harm caused to the heritage assets is not outweighed by any public benefits and the proposal is unacceptable in principle. It is contrary to the City Council's policies in particular strategic policy S25 and Unitary Development Plan policies DES 1, DES 5, DES 6, DES 9 and DES 10.

8.3 Residential Amenity

Sunlight and Daylight

Policy S29 of the City Plan aims to improve the residential environment of Westminster whilst UDP Policy ENV13 aims to protect and improve residential amenity, including sunlighting and daylighting to existing properties. In implementing Policy ENV13 the advice of the Building Research Establishment (BRE) with regard to natural lighting values is used.

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.

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. 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.

Objections have been received from 32 Bryanston Square opposite the application site and from 9 Bryanston Mews East, behind the application site, on the grounds of loss of daylight and sunlight.

A daylight and sunlight report has been submitted as part of the application which assesses the impact of the development on residential properties at 7, 8 and 9 Bryanston Mews East, which are to the rear of the application site. The report does not assess 32 Bryanston Square due to this property being located on the western side of Bryanston Square and, as this is a wide street, it is not considered that there will be a detrimental impact on this property.

The report demonstrates that a number of windows at the surrounding properties will experience small losses in daylight. The maximum losses in VSC are 12%; well below the 20% threshold above which losses in daylight are noticeable. The losses in APSH and APSH during the winter months are all also very small. The report demonstrates that all windows and rooms in the surrounding tested properties will be fully compliant with BRE guidelines for daylight and sunlight with the proposal in place. The objections in this regard are therefore not sustainable.

Overlooking

An objection has been received from the occupant of 9 Bryanston Mews East, located to the rear of the application site, on the grounds of increased overlooking as a result of the proposal. While the proposed extension is sheer both on the front and rear elevations, it is not considered there will be a significant increase in overlooking to properties at the rear as the proposal would be no closer than the existing building.

8.4 Transportation/Parking

One objection has been received on the grounds that the proposal would be likely to impact the limited parking available in Bryanston Square. As the proposal does not create and increase in dwellings, there will not be any significant increase in pressures on local parking. This application raises no transportation/parking issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The application raises no access issues.

8.7 Other UDP/Westminster Policy Considerations

Plant

The proposed scheme seeks to install seven condenser units in the centre of the valley roof. Objections have been received on the grounds of noise and adverse environmental impacts as a result of the proposed units.

An acoustic report has been submitted in support of the application which details existing background noise levels. Environmental Health have raised no objection to the application subject to appropriate noise conditions which requires all plant to operate at a level 10dB below background noise levels.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

Not applicable

8.12 Other Issues

Impact during Construction

Objection was received on the grounds of the impact on nearby residents during construction. It would be unreasonable to withhold permission on these grounds. Had the application been acceptable, a condition restricting the hours of construction would have been applied.

Loss of fire escapes

Objection was received on the grounds of the removal of the fire escape access from 13 and 14 Bryanston Square. This objection is not considered a planning matter and would be dealt with through building control regulations.

9. BACKGROUND PAPERS

1. Application form
2. Response from Plant And Equipment, dated 29 March 2016
3. Letter from occupier of 14 Bryanston Square, London, dated 4 April 2016
4. Letter from occupier of Fladgate LLP, 16 Great Queen Street, dated 6 April 2016
5. Letter from occupier of 14 Bryanston Square, London, dated 4 April 2016
6. Letter from occupier of 32 Bryanston Square, London, dated 8 April 2016
7. Letter from occupier of 8 Bryanston Mews East, London, dated 31 March 2016
8. Letter from occupier of 9 Bryanston Mews East, London, dated 20 March 2016
9. Letter from occupier of 10 Bryanston Mews East, London, dated 21 March 2016

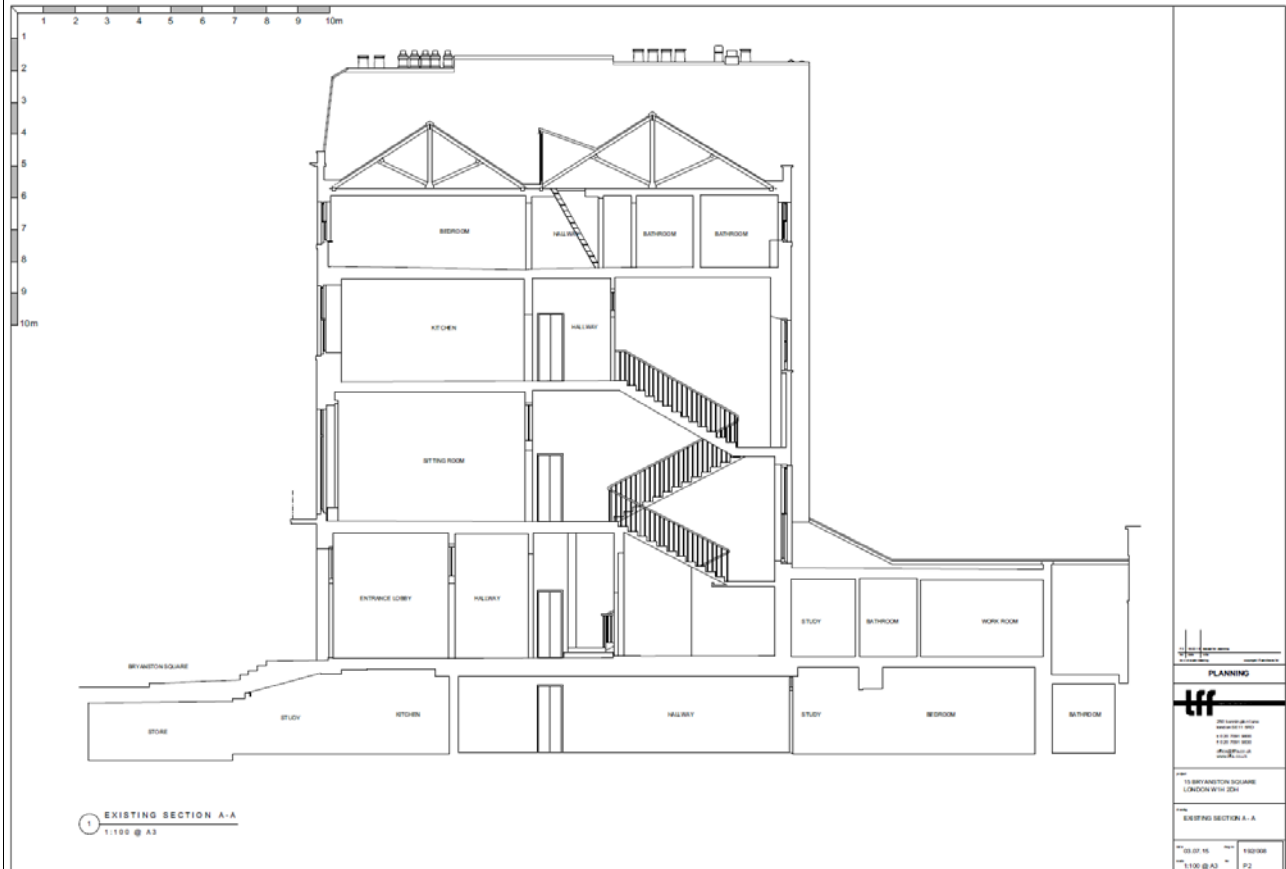
Selected relevant drawings

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

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT ADAM JONES ON 020 7641 1446 OR BY EMAIL AT centralplanningteam@westminster.gov.uk

10. KEY DRAWINGS

Existing Section



Existing (Left) and Proposed (Right) Front Elevation



DRAFT DECISION LETTER

Address: 15 Bryanston Square, London, W1H 2DN,

Proposal: Erection of single storey extension and installation of seven condenser units at roof level.

Reference: 16/01689/FULL

Plan Nos: 192 050 Rev. P1 ; 192/081 Rev. P1 ; 192/080 Rev. P1 ; 192 065 Rev. P1 ; 192 037 Rev. P1 ; 192 036 Rev. P1 ; 192 038 Rev. P1 ; 192/021 Rev. P1

Case Officer: Adam Jones

Direct Tel. No. 020 7641 1446

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

Because of the loss of the original height and proportions of the building, and the loss of the existing original architectural relationship between the roof and the top floor, the additional storey would harm the special architectural and historic interest of this grade 2 listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 5, DES 6, DES 9, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (X17AC)

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.
- 2 The additional basement and works to the rear of the property shown on drawing number 192 050 Rev. P1 do not form part of this application as they have been approved in a previous application (Rn: 15/10357/FULL & 15/10356/LBC)

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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.

DRAFT DECISION LETTER

Address: 15 Bryanston Square, London, W1H 2DN,
Proposal: Erection of additional storey and installation of seven condenser units at roof level.
Reference: 16/01690/LBC
Plan Nos: 192 050 Rev. P1 ; 192/081 Rev. P1 ; 192/080 Rev. P1 ; 192 065 Rev. P1 ; 192 037 Rev. P1 ; 192 036 Rev. P1 ; 192 038 Rev. P1 ; 192/021 Rev. P1

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