

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 21 st June 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	11 Gerald Road, London, SW1W 9EH,		
Proposal	<p>Application 1: Excavation to create enlarged basement extension beneath main house, rear garden and Mews building with swimming pool and associated plant under part of the rear garden. Excavation of lower ground floor under the front garden. (Site includes 2 Burton Mews).</p> <p>Application 2: Excavation to create enlarged basement extension beneath main house, rear garden and Mews building with swimming pool and associated plant under Mews and part of the rear garden. Excavation of lower ground floor and basement under the front garden. (Site includes 2 Burton Mews).</p>		
Agent	Mr Dan Pyzer-Knapp		
On behalf of	Mrs Alison Davies		
Registered Number	Application 1: 15/10141/FULL Application 2: 15/09279/FULL	Date amended/ completed	7 April 2016
Date Application Received	Application 1: 30 October 2015 Application 2: 5 October 2015		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

1. **Application 1:** Refuse planning permission.
2. **Application 2:** Refuse planning permission.

2. SUMMARY

Applications have been submitted seeking planning permission for excavation to create an enlarged basement extension beneath the main house, rear garden and Mews building and the excavation of a lower ground floor under the front garden.

Application 2 further proposes the excavation of a basement under the extended lower ground floor under the front garden and additional excavation below the mews to provide a pool.

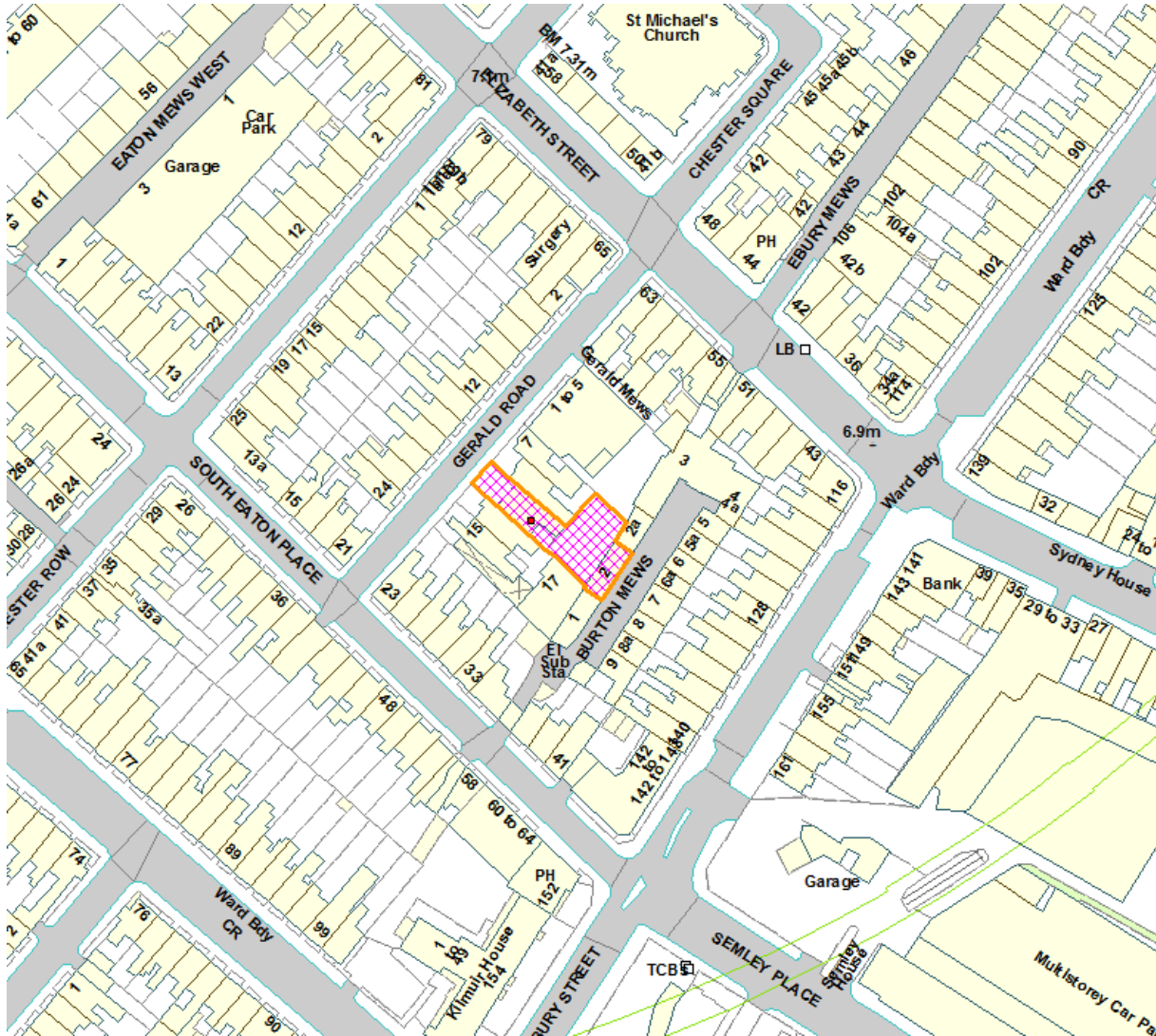
Application 1 proposes the retention of the protected mature London plane tree in the rear garden whereas Application 2 would require its removal. Both applications would result in the loss of three other semi-mature trees within the garden.

The key issues for consideration are:

- * The impact of the proposals on the appearance of the building and character of the surrounding Belgravia Conservation Area, particularly with regard to the loss and likely loss or damage to the protected London plane tree.
- * The impact of the proposals on the amenity of neighbouring residents.

The proposals are not considered to comply with the Council's policies in relation to design and conservation as set out in Westminster's City Plan: Strategic Policies (City Plan) and the Unitary Development Plan (UDP) and the applications are recommended for refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS

To the front
11 Gerald Road



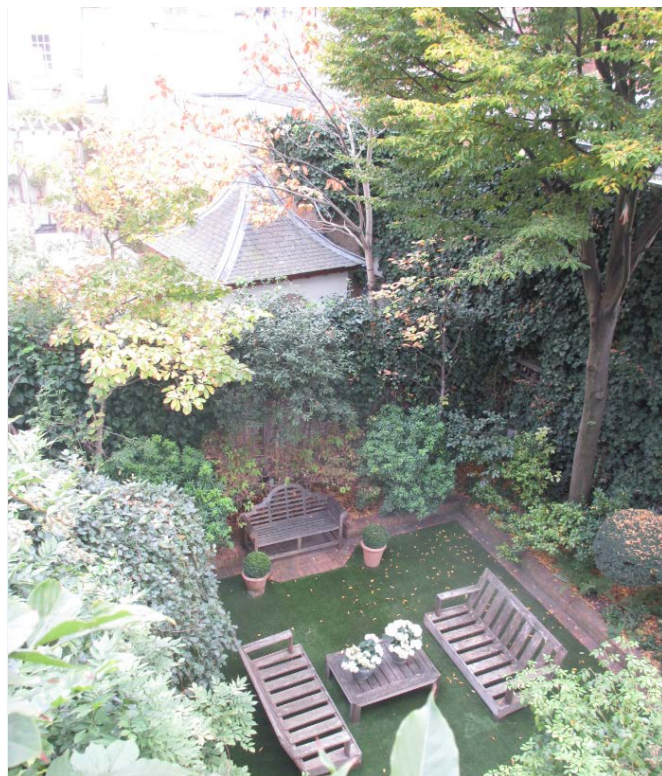
To the rear
2 Burton Mews



**Mature London
plane in the rear
garden**



**Hornbeam tree
(to the right) in
the rear garden**



5. CONSULTATIONS

Application 1:

BELGRAVIA RESIDENTS ASSOCIATION

Any response to be reported at committee.

BELGRAVIA NEIGHBOURHOOD FORUM

Any response to be reported at committee.

BUILDING CONTROL

Structural Method Statement is considered to be satisfactory.

HIGHWAYS PLANNING MANAGER

No cycle parking indicated. No waste storage indicated.

ENVIRONMENTAL HEALTH

No objection, subject to standard conditions.

ARBORICULTURAL MANAGER

Objection on the grounds of the highly probable risk of loss or damage to protected London plane tree in rear garden. Also to loss of hornbeam tree in rear garden. No soil depth provided above the front basement area.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 25

Total No. of replies: 7

No. of objections: 7

Seven letters received, from or on behalf of six neighbouring residents raising the following issues:

Design and Conservation

*The development would lead to the loss of trees, particularly the loss of a London plane tree, which is of wide amenity value to the area.

*Development is grotesquely at odds with the character of Gerald Road.

* Property is contrary to the City Council's Basement SPD which states that front excavation is not always desirable – the historic form of the front vault would be lost and a single large, deep excavated box would result.

Amenity

*Noise and disturbance from air intake and outtake vents in the rear garden.

Highways

*Narrow one way road, unsuitable for this kind of traffic.

*Impact of construction on traffic flow in the mews over a protracted period.

*Construction would cause congestion and would disrupt parking.

Basement Construction

- *76-week construction time is unbearable and is an exceptionally long time.
- *Construction Management Statement makes assumptions about the existing structures present at the neighbouring properties, rather than detailed visual site assessment.
- *Noise, including from piling, dust and vibration and disturbance arising from the construction would be intolerable.
- *Structural hazards and potential damage to neighbouring properties.
- *Lengthy construction.
- *Ground movement and poor foundations will damage houses on the west side of street.
- *Trucks parked in front of property.
- *Emergency vehicles and garbage trucks would not be able to get through.

Other

- *Work is not necessary. Extreme disruption the sake of a swimming pool should not be allowed.
- *Certificate B not served.
- *Impact on party walls with no party wall notifications or agreements entered into.
- *High water table and unknown location of Kingston Aquifer could lead to damp spreading to neighbouring properties.
- *Lack of emergency response plan or route for emergency vehicles to reach all homes along Burton Mews.
- *Previous residents agreed on a survey by Grosvenor Estate that no more permissions would be given for sub-basement excavations.
- *Thought that the City Council had stopped approving this type of development.
- *Inadequate soil depth to allow planting which is a breach of the SPD.
- *Weight should be given to the emerging basement policy, applicant is seeking credit for where the application does comply, so negatives should also be considered.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Application 2:**BELGRAVIA RESIDENTS ASSOCIATION**

Any response to be reported at committee.

BELGRAVIA NEIGHBOURHOOD FORUM

Any response to be reported at committee.

BUILDING CONTROL

Structural Method Statement is considered to be satisfactory.

ENVIRONMENTAL HEALTH

No objection, subject to standard conditions.

ARBORICULTURAL MANAGER

Objection on the grounds of the loss of the protected London plane tree in rear garden. Also to loss of hornbeam tree in rear garden. No soil depth provided above the front basement area.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 26
Total No. of replies: 6
No. of objections: 6

Six letters received, from or on behalf of five neighbouring residents raising the following issues:

Design and Conservation

- *The development would lead to the loss of trees, particularly the loss of a London plane tree, which is of wide amenity value to the area.
- * Property is contrary to the City Council's Basement SPD which states that front excavation is not always desirable – the historic form of the front vault would be lost and a single large, deep excavated box would result.

Highways

- *Narrow one way road, unsuitable for this kind of traffic. Burton Mews utterly unsuitable for construction traffic.

Basement Construction

- *Construction Management Statement makes assumptions about the existing structures present at the neighbouring properties, rather than detailed visual site assessment.
- *Noise, including from piling, dust and vibration and disturbance arising from the construction would be intolerable.
- *Structural hazards and potential damage to neighbouring properties.
- *Lengthy construction.
- *Trucks parked in front of property.

Other

- *Certificate B not served.
- *High water table and unknown location of Kingston Aquifer could lead to damp spreading to neighbouring properties.
- *Inadequate soil depth to allow planting which is a breach of the SPD.
- *Weight should be given to the emerging basement policy, applicant is seeking credit for where the application does comply, so negatives should also be considered.
- *Only recently have committee members protected the same tree that this proposal would remove.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION**6.1 The Application Site**

No. 11 Gerald Road is an unlisted, mid-terrace single family dwelling consisting of lower ground, ground and first to third floor levels. Linked by the garden the application site also includes No. 2 Burton Mews to the rear, which is an unlisted mid-terrace mews building consisting of ground and first floor levels. The properties are located within the Belgravia

Conservation Area and outside of the Central Activities Zone in a predominantly residential area. Within the garden there is a mature London plane tree and three smaller semi-mature trees (a hornbeam, southern beech and an evergreen magnolia).

6.2 Recent Relevant History

An application to remove the London plane from the rear garden of 11 Gerald Road was refused in October 2015. An appeal has been lodged with the Planning Inspectorate and the appeal decision is awaited.

Committee resolved to grant planning permission for the excavation to create a new basement level extension beneath 2 Burton Mews to the rear of 11 Gerald Road in April 2016. These proposals could be constructed under permitted development legislation as the basement extended solely underneath the footprint of the existing mews property.

Committee also resolved to grant planning permission for the excavation of lower ground floor and basement under the front garden and replacement of front basement lightwell stair in May 2016. This application was revised during the determination process to provide 1.2m soil depth above the basement, which the arboricultural officer considered would allow for suitable landscaping to be provided in the front garden.

There is one other application currently pending determination at the site for other works including erection of rear extension at ground floor level, formation of new roof terrace and alterations to existing roof terrace at first floor level.

7. THE PROPOSAL

The application seeks planning permission for excavation to create an enlarged basement extension beneath the main house, rear garden and Mews building and the excavation of a lower ground floor under the front garden.

Application 1 proposes to retain the protected mature London plane tree in the rear garden whereas Application 2 would require its removal. Both applications would result in the loss of the remaining semi-mature trees.

Application 2 further proposes the excavation of a basement under the extended lower ground floor under the front garden and additional excavation below the mews to provide a pool.

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

Given the subterranean nature of the works of excavation to create an enlarged basement extension beneath the main house, front and rear garden and Mews building, the proposals would have a minimal impact on the appearance of the existing building.

Application 1 proposes to retain the protected London plane tree in the rear garden, though the City Council's arboricultural officer is unconvinced that this would be feasible. Application 2 would require the removal of the London plane tree. Both applications would result in the loss of the remaining semi-mature trees.

Given the resulting loss or likely damage or loss to the London plane tree and the loss of the hornbeam tree, the proposals would harm the Belgravia Conservation Area. Objections have been received on these grounds.

The London plane tree in particular is considered to make a positive contribution to the character and appearance of Belgravia Conservation Area. The Council's draft Conservation Area Audit identifies that mature trees in private gardens which are visible through townscape gaps, over wall or from mews add interest to the townscape and hint at the existence of a private realm beyond the formal streetscape. The London plane conforms to this description. The tree also enhances the rear garden views and softens the appearance of the tall buildings, and provides a focal point in views from rear windows of the many nearby properties which overlook 11 Gerald Road.

Both applications are therefore considered unacceptable in principle and are recommended for refusal on these grounds.

The tree considerations are considered in more detail in section 8.7 below.

8.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

It is considered that the works of excavation to create an enlarged basement extension beneath the main house, front and rear garden and Mews building would not materially impact upon the amenity of neighbouring properties in terms of loss of privacy, daylight or sense of enclosure. An acoustic report was submitted in relation to plant proposed to be installed as part of the applications and Environmental Health raise no objection subject to standard conditions.

As such, the proposals are considered acceptable in amenity terms, in accordance 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 family dwelling, the proposals are considered acceptable in Highways terms.

The impact associated with the excavation and construction is considered in Section 8.12 of this report.

8.5 Economic Considerations

Not applicable.

8.6 Access

The access arrangements are unchanged by these proposals.

8.7 Other UDP/Westminster Policy Considerations

Trees

Committee members confirmed a tree protection order and refused an application to remove the London plane tree in October 2015.

Given the trees visibility in part from Burton Mews, and a large number of properties on Ebury Street, Elizabeth Street, South Eaton Place and Gerald Road overlook the tree, it was considered that protection of the tree was justified in light of the public benefit it provides. That view was supported by the value placed on the tree in the strong objections to the tree's loss which were received from local residents and interested parties, including the Grosvenor Estate, Belgravia Society and the Belgravia Garden Square Committee, among others.

In addition to the London plane, there are three smaller semi-mature trees growing in the rear garden of 11 Gerald Road, an evergreen magnolia, a southern beech and a hornbeam. These trees are protected by virtue of being located within a conservation area. Both applications would require the removal of these trees, however issue is only additionally raised with regard to the loss of the hornbeam, which is considered to be an attractive garden tree suitable in its setting, having a canopy visible above the Mews and in the outlook from surrounding properties.

The applicant has provided justification in support of their view that the design of the extension to the basement under the rear garden proposed by Application 1 could be undertaken with a reasonable prospect of the London plane tree surviving. However this justification is disputed by the City Council's arboricultural officer. The main issue being the extent of the incursion into the tree's root protection area that would occur as a result of the excavation works, as the tree already functions in a lesser rooting area than would be expected.

Both the arboricultural officer's comments and the response from the applicant's tree consultant are provided for reference in the background papers. The applicant's tree consultant concludes their comments of 26 April 2016 by stating that the investigations

have been undertaken as thoroughly as is reasonably practical. However, they recognise that the London plane could be harmed by the proposals and that the work would obviously need to incorporate suitably stringent tree protection measures, enforced at all stages.

The City Council's arboricultural officer is not convinced that if the proposals are permitted with such measures in place, it would not cause damage to and possibly risk the loss of the tree. The depth of the trial pits conducted have been restricted for safety reasons, however the City Council's arboricultural officer considers that it is likely the tree has sought to root deeply given the constraints restricting its rooting outwards in this location. With basement excavation of this scale in close proximity to the London plane tree, which is already functioning within a reduced root protection area, the development would more than certainly have a significant impact on the trees ability to continue to thrive and could quite likely lead to its loss.

On this basis, Application 1 is assessed on the basis that the proposals would lead to the loss or likely damage or loss to the London plane tree and the loss of the hornbeam tree. The application is therefore considered unacceptable in principle and recommended for refusal on these grounds.

Application 2 proposes the loss of the London plane tree and the loss of the hornbeam tree. The application is again therefore considered unacceptable in principle and recommended for refusal on these grounds.

Landscaping

Objection is also raised on the grounds that there is no soil depth to the front garden above the basement. The City Council's SPD on Basement Development adopted in October 2014 requires the provision of a minimum of 1.2m (which includes drainage layer) of soil depth above the new basement to allow for planting. The applicant has sought to justify not providing any soil depth on the basis of the presence of the existing vaults. In May 2016 permission was granted at committee for excavation of basements beneath the front garden area which retained an acceptable level of soil depth.

However given the effective sterilisation of the garden in the future, the relatively generous size of the garden in comparison to others in surrounding streets, and the reason for requiring soil depth being to attenuate run-off as well as provide for planting, the argument against providing soil depth is not accepted and this element of the proposals forms a second reason for refusal on both applications.

Both applications are supported by indicative landscaping proposals which would be undertaken following development. Replacement planting and landscaping are not considered a substitute to justify the loss of trees, particularly in the case of the London plane and hornbeam which make a valuable contribution to the conservation area.

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

Basement

The applications were submitted prior to 1 November 2015, from which date the City Council has sought to apply elements of its emerging Basement Revision to the City Plan, prior to its full adoption.

Were the applications assessed against this policy, the proposals would additionally be unacceptable as they propose extension beneath more than 50% of the garden land, fail to leave a margin of undeveloped land proportionate to the scale of the development around the entire site boundary and propose excavation of more than one storey without meeting the exceptional circumstances criteria which may make further excavation acceptable. Objections have been received on these grounds.

However, given the date of submission these grounds could not be used to justify a refusal of planning permission.

Objections have been raised in relation to the basement proposal on the grounds that Construction Management Statement makes assumptions about the existing structures present at the neighbouring properties and regarding the structural hazards and potential damage to neighbouring properties which could arise as a result of the proposal. Also, they suggest that there are missing water and utilities drawings, structural calculations and drawings and that the high water table and unknown location of Kingston Aquifer could lead to damp spreading to neighbouring properties.

With regard to the construction of the extended lower ground floor level and basement area, the applicant has provided a structural engineer's report explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The purpose of such a report at the planning application stage is to demonstrate that a subterranean development can be constructed on the particular site having regard to the site, existing structural conditions and geology. It does not prescribe the engineering

techniques that must be used during construction which may need to be altered once the excavation has occurred. The structural integrity of the development during the construction is not controlled through the planning system but through Building Regulations and the Party Wall Act.

This report has been considered by our Building Control officers who advised that the structural approach appears satisfactory and shows that with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations.

Construction impact

Neighbouring residents have raised concerns in relation to the management of construction traffic, access arrangements during construction and the general disturbance and potential damage caused by the construction process and construction traffic. Planning applications cannot reasonably be refused on grounds of construction impact. However, it is possible to mitigate the effects of construction through a Construction Management Plan (CMP) and through controlling the hours when noisy works are permitted.

An initial CMP has been submitted with the application. This details the measures proposed to minimise the impact of the construction works on surrounding neighbours. Were the applications considered acceptable in other regards, it would be recommended a full CMP is secured by condition and a condition imposed to limit the hours when noisy works and basement excavation were permitted.

Other

Objection has been raised on the grounds that Certificate B was not served. The applicant has subsequently submitted Certificate B.

Objection has also been received suggesting that the proposals are unnecessary and that such disruption for the sake of a swimming pool should not be allowed. Although these views are understood, they would not in themselves be considered a sufficient reason to refuse planning permission in this instance.

Another objection has raised concern over the lack of emergency response plan or route for emergency vehicles to reach all homes along Burton Mews. Had the applications been considered acceptable, a revised Construction Management Plan could address such matters as ensuring access is maintained to the Mews throughout the duration of construction.

Objections have also been raised by adjoining owner/occupiers that no party wall agreement has been entered into with regard to the proposals and a comment was made that the previous residents agreed on a survey by Grosvenor Estate that no more permissions would be given for sub-basement excavations. Land ownership and party wall agreements are private matters and permission could not be withheld on these grounds.

9. BACKGROUND PAPERS –

Application 1:

1. Application form
2. Response from Highways Planning, dated 30 November 2015
3. Response from Building Control, dated 15 December 2015
4. Response from Environmental Health - Plant And Equipment, dated 17 November 2015
5. Response from Tree Section, dated 1 December 2015, 30 March 2016 and 10 May 2016
6. Letters from occupiers of 13 Gerald Road, dated 6 December 2015 and 11 April 2016
7. Letter from occupier of 16 Gerald Road, dated 14 December 2015
8. Letter from occupier of 2a Burton Mews, dated 15 December 2015
9. Letter from occupier of 14 Gerald Road, dated 16 December 2015
10. Letter on behalf of occupier of 9 Gerald Road, dated 15 December 2015
11. Letter from occupier of 10 Icklingham Road, Cobham, dated 17 January 2016
12. Letter from ADL Planning Ltd on behalf of applicant, dated 18 February 2016
13. Letter from Simon Pryce Arboriculture on behalf of applicant, dated 26 April 2016

Application 2:

1. Application form
2. Response from Building Control, dated 3 December 2015
3. Response from Environmental Health - Plant And Equipment, dated 17 November 2015
4. Response from Tree Section, dated 24 November 2015 and 30 March 2016
5. Letter from occupier of 9 Gerald Road, dated 17 November 2015
6. Letter from occupier of 8a Burton Mews, dated 24 November 2015
7. Letter from occupier of 13 Gerald Road, dated 24 November 2015 and 30 November 2015
8. Letter from occupier of 1 Gerald Road, dated 24 November 2015
9. Letter on behalf of occupier of 9 Gerald Road, dated 15 December 2015
10. Letter from ADL Planning Ltd on behalf of applicant, dated 18 February 2016

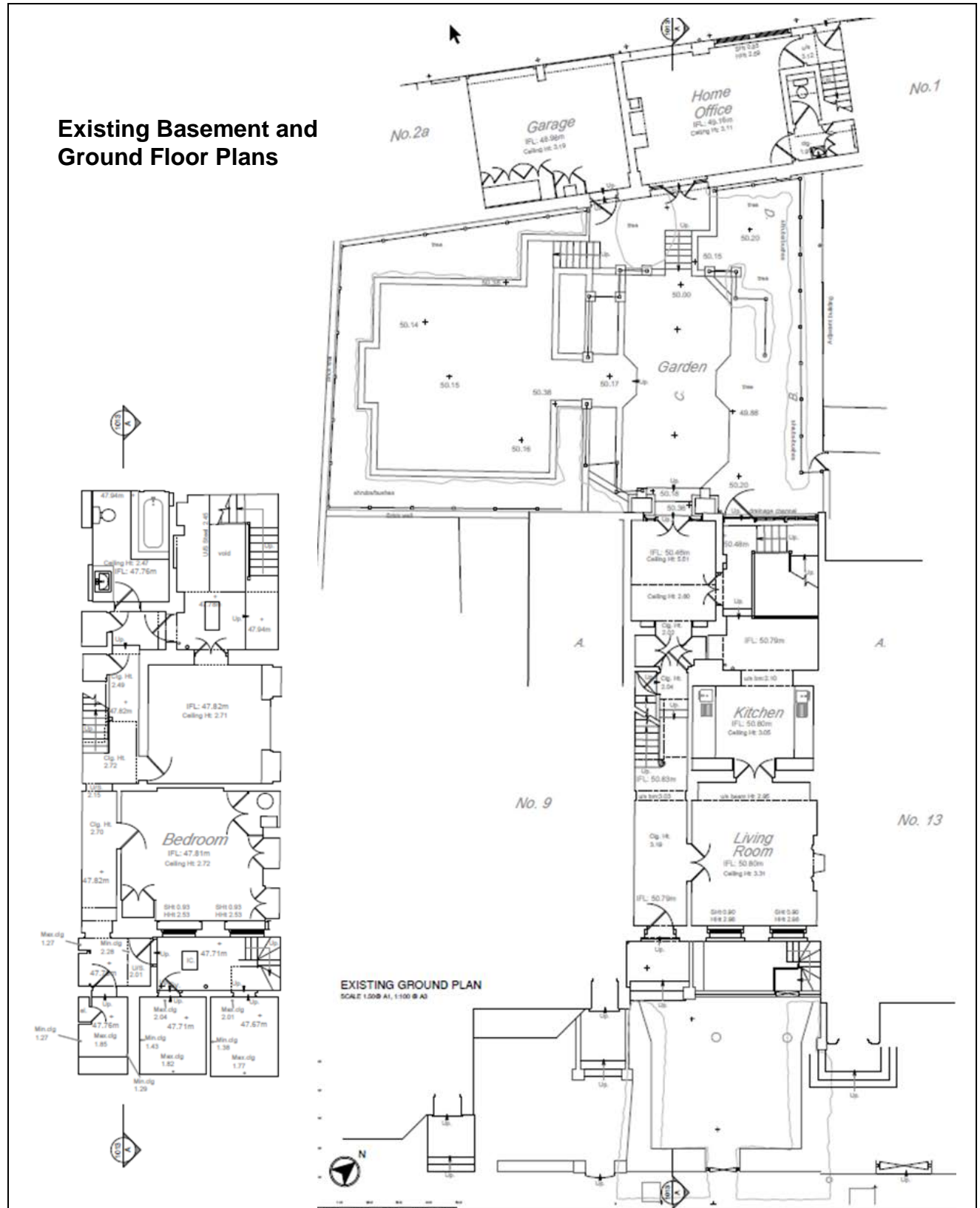
Selected relevant drawings

(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 VINCENT NALLY ON 02076415947 OR BY EMAIL AT vnally@westminster.gov.uk

KEY DRAWINGS

Existing Basement and Ground Floor Plans





EXISTING SECTION AA
SCALE 1:50 @ A1, 1:100 @ A3



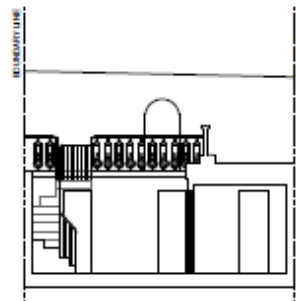
EXISTING MEWS FRONT ELEVATION
SCALE 1:50 @ A1, 1:100 @ A3



EXISTING HOUSE FRONT ELEVATION 1
SCALE 1/8" = 1'-0" @ A3

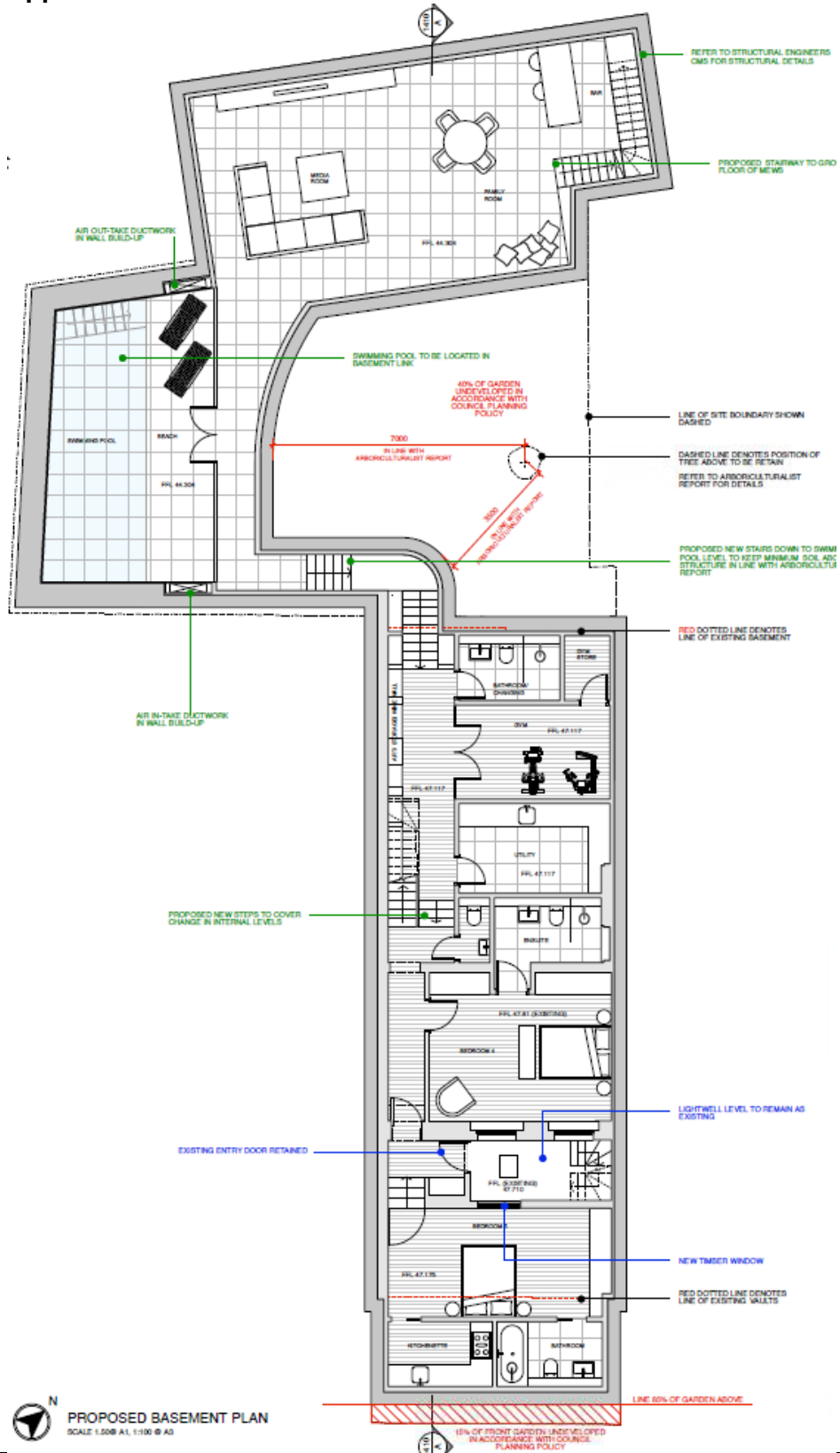


EXISTING HOUSE FRONT ELEVATION 2
SCALE 1/8" = 1'-0" @ A3

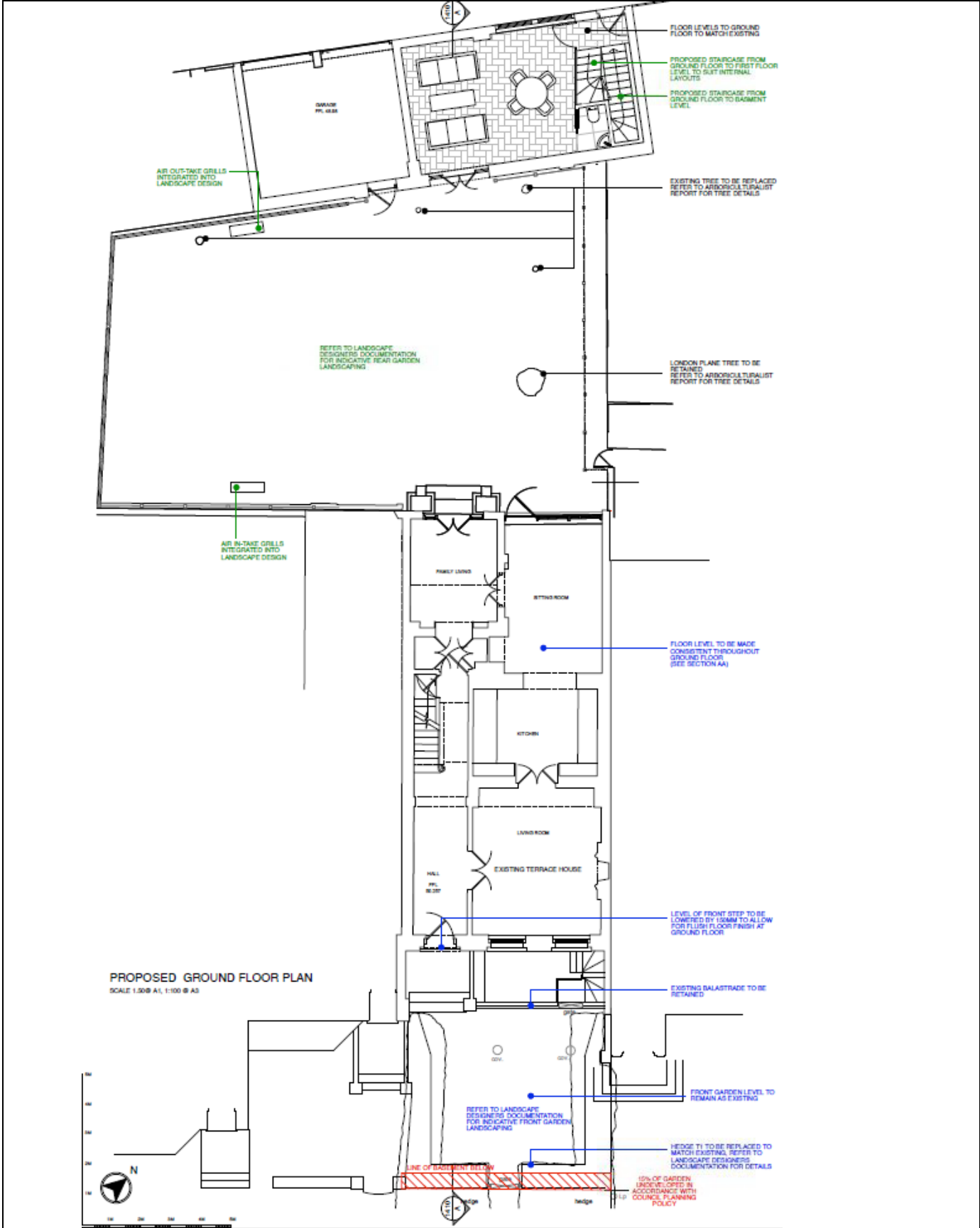


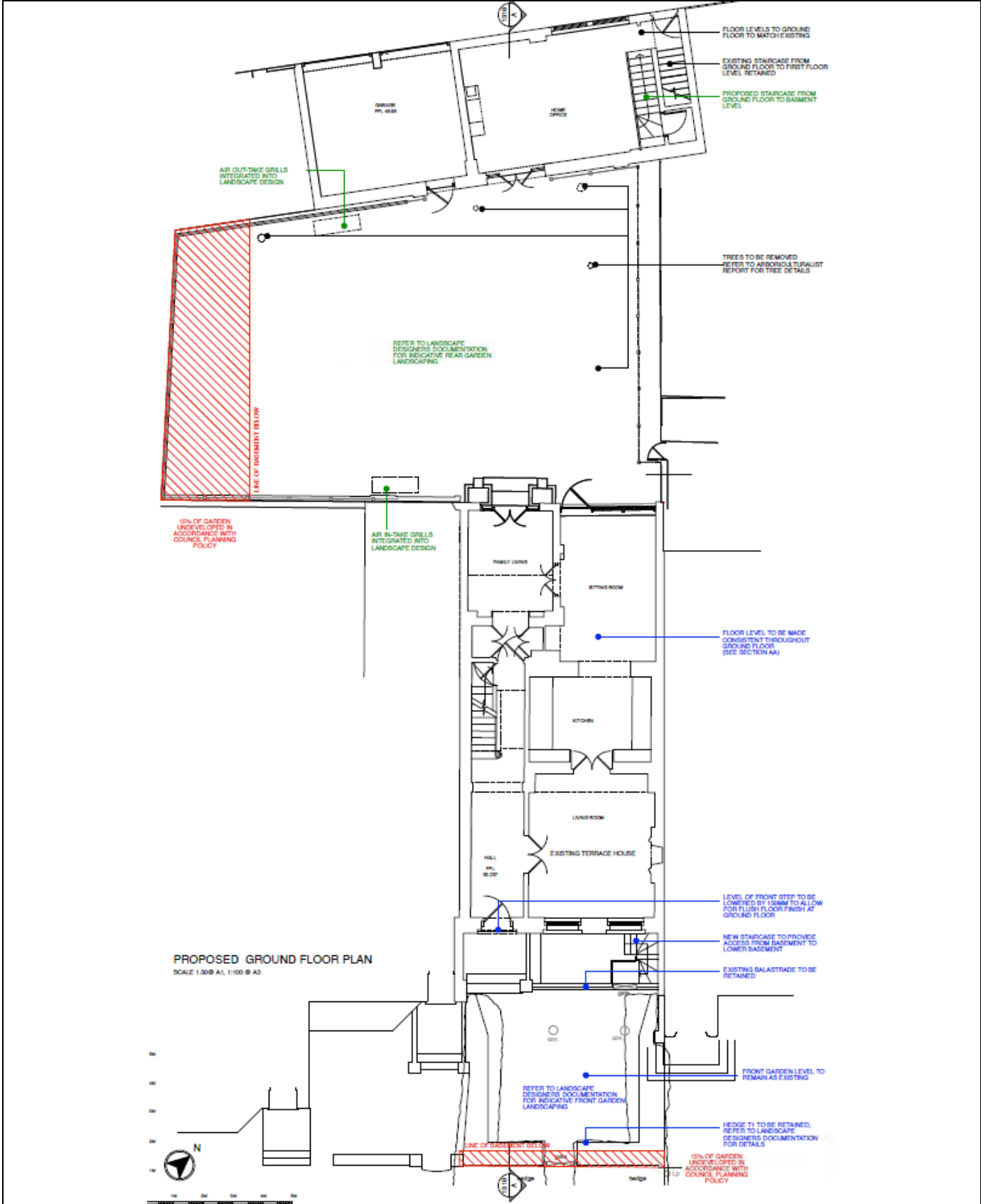
EXISTING HOUSE FRONT ELEVATION 3
SCALE 1/8" = 1'-0" @ A3

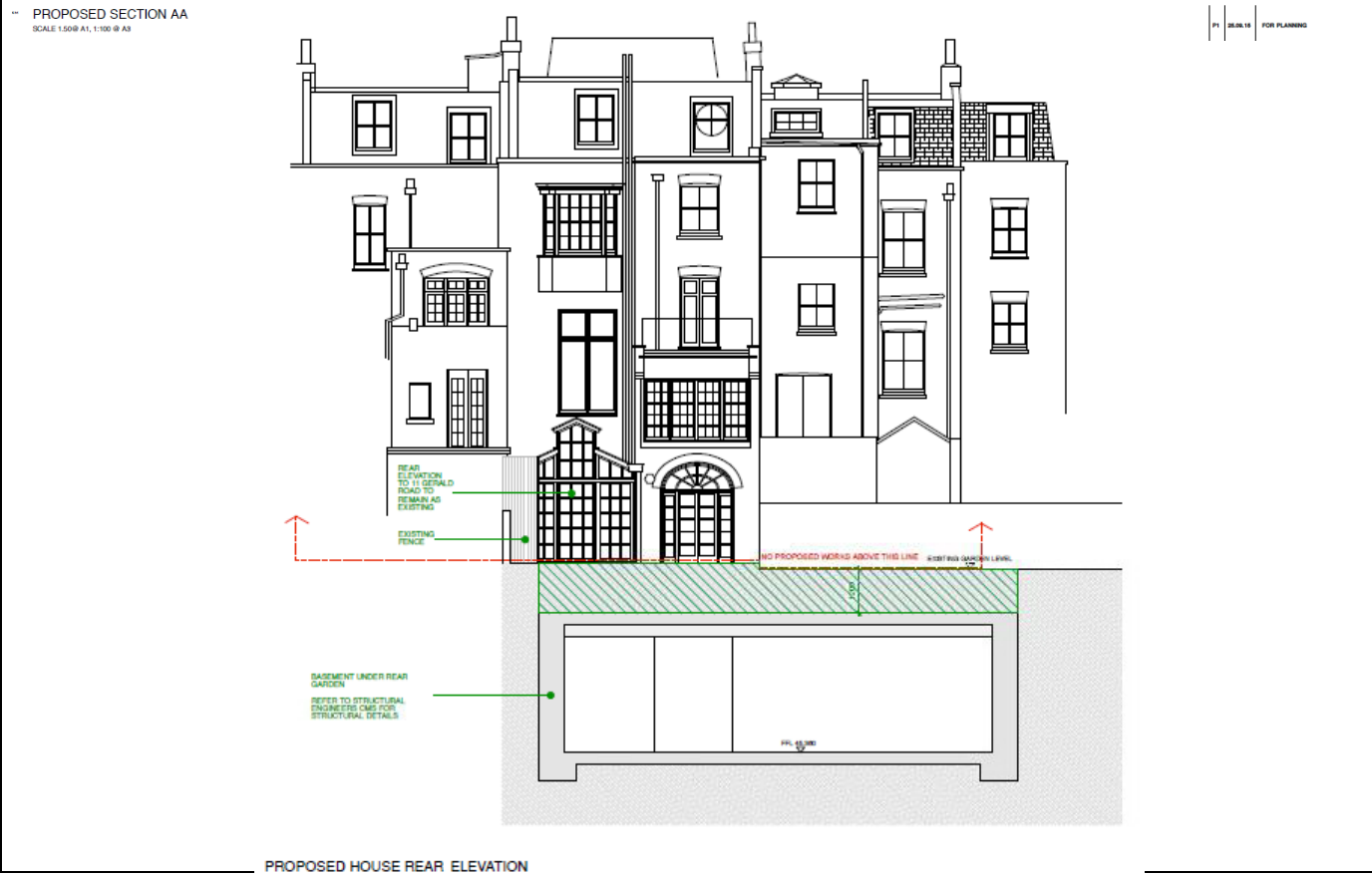
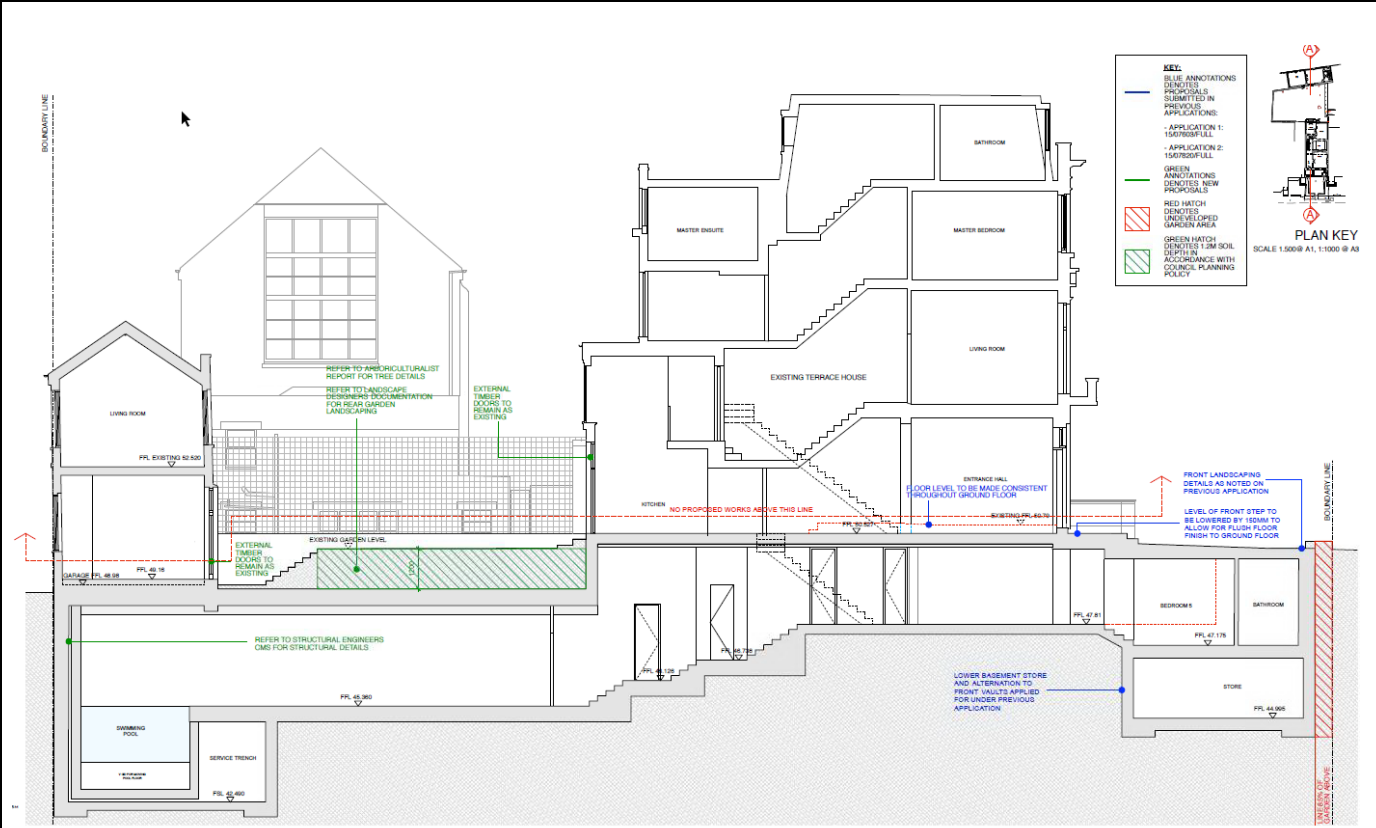
Application 1: 15/10141/FULL



PROPOSED BASEMENT PLAN
SCALE 1:500 A1, 1:100 A3







DRAFT DECISION LETTER – APPLICATION 1

- Address:** 11 Gerald Road, London, SW1W 9EH,
- Proposal:** Excavation to create enlarged basement extension beneath main house, rear garden and Mews building with swimming pool and associated plant under part of the rear garden. Excavation of lower ground floor under the front garden. (Site includes 2 Burton Mews).
- Reference:** 15/10141/FULL
- Plan Nos:** 1000 Rev. P1; 1001 Rev. P1; 1002 Rev. P1; 1003 Rev. P1; 1004 Rev. P1; 1005 Rev. P1; 1006 Rev. P1; 010 Rev. P1; 1011 Rev. P1; 1012 Rev. P1; 1013 Rev. P1; 1400 Rev. P1; 1401 Rev. P3; 1402 Rev. P3; 1403 Rev. P1; 1404 Rev. P1; 1405 Rev. P1; 1406 Rev. P1; 1410 Rev. P3; 1411 Rev. P2; 1420 Rev. P1; 1421 Rev. P1; 1422 Rev. P1; Planning, Heritage and Design and Access Statement; Arboricultural Implications Assessment and Method Statement dated 28 October 2015 and Advice Note and Appendices dated 12 February 2016, prepared by ACS Consulting; Letters from Simon Pryce Arboriculture dated 8 February 2016 and 26 April 2016; Construction Management Statement, prepared by ADL Planning Limited; Plant Noise Assessment dated 21 September 2015, prepared by Environmental Equipment Corporation Ltd; (for information only) Engineering Design & Construction Method Statement Rev P2 dated October 2015, prepared by Elliott Wood Partnership LLP; Basement Impact Assessment dated October 2015, prepared by Site Analytical Services Ltd; Landscape Concept Proposals dated August 2015, prepared by Randle Siddeley Associates.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

Recommended Condition(s) and Reason(s):

- Reason:
- 1 The proposals would result in the loss of or damage to a mature London Plane tree and the loss of a hornbeam tree which make a significant contribution to the character and appearance of the Belgravia Conservation Area. The proposals would therefore be contrary to policies S25, S28, S38 of the Westminster City Plan, policies DES1, DES9, ENV16 and ENV17 of our Unitary Development Plan adopted in January 2007 and guidance in our Basement Development in Westminster Supplementary Planning Document, adopted in October 2014.
- Reason:
- 2 The proposals do not provide adequate soil depth and volume to allow for adequate landscaping in relation to the front basement. The proposals would therefore be contrary to policies S25, S28, S38 of the Westminster City Plan, policies DES1, DES9, ENV16 and ENV17 of our Unitary Development Plan adopted in January 2007 and guidance in our Basement Development in Westminster Supplementary Planning Document, adopted in October 2014.

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.

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 – APPLICATION 2

- Address:** 11 Gerald Road, London, SW1W 9EH,
- Proposal:** Excavation to create enlarged basement extension beneath main house, rear garden and Mews building with swimming pool and associated plant under Mews and part of the rear garden. Excavation of lower ground floor and basement under the front garden. (Site includes 2 Burton Mews).
- Reference:** 15/09279/FULL
- Plan Nos:** 1000 Rev. P1; 1001 Rev. P1; 1002 Rev. P1; 1003 Rev. P1; 1004 Rev. P1; 1005 Rev. P1; 1006 Rev. P1; 010 Rev. P1; 1011 Rev. P1; 1012 Rev. P1; 1013 Rev. P1; 1300 Rev. P1; 1301 A Rev. P1; 1302 Rev. P1; 1303 Rev. P1; 1304 Rev. P1; 1305 Rev. P1; 1306 Rev. P1; 1310 Rev. P1; 1320 Rev. P1; 1321 Rev. P1; 1322 Rev. P1; Planning, Heritage and Design and Access Statement; Tree Survey and Preliminary Arboricultural Report dated 3 September 2015, prepared by ACS Consulting; Construction Management Statement, prepared by ADL Planning Limited; Plant Noise Assessment dated 21 September 2015, prepared by Environmental Equipment Corporation Ltd; (for information only) Engineering Design & Construction Method Statement Rev P2 dated September 2015, prepared by Elliott Wood Partnership LLP; Basement Impact Assessment dated September 2015, prepared by Site Analytical Services Ltd; Landscape Concept Proposals dated August 2015, prepared by Randle Siddeley Associates.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

Recommended Condition(s) and Reason(s):

- Reason:
- 1 The proposals would result in the loss of a mature London Plane tree and loss of a hornbeam tree which make a significant contribution to the character and appearance of the Belgravia Conservation Area. The proposals would therefore be contrary to policies S25, S28, S38 of the Westminster City Plan, policies DES1, DES9, ENV16 and ENV17 of our Unitary Development Plan adopted in January 2007 and guidance in our Basement Development in Westminster Supplementary Planning Document, adopted in October 2014.
- Reason:
- 2 The proposals do not provide adequate soil depth and volume to allow for adequate landscaping in relation to the front basement. The proposals would therefore be contrary to policies S25, S28, S38 of the Westminster City Plan, policies DES1, DES9, ENV16 and ENV17 of our Unitary Development Plan adopted in January 2007 and guidance in our Basement Development in Westminster Supplementary Planning Document, adopted in October 2014.

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.

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.