

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 9 August 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Warwick	
Subject of Report	1 Guildhouse Street, London, SW1V 1JE,		
Proposal	Erection of part-single part-two storey rear extension, to provide additional residential accommodation (Class C3). Installation of rooflight to main building. Installation of replacement rooflight to front lightwell. Replacement of existing windows to the main building, including enlarged lower ground floor opening to the rear. Installation of replacement air-conditioning unit at ground floor level.		
Agent	emeda Architecture Studio		
On behalf of	Mrs Elisabetta Meda		
Registered Number	16/01290/FULL	Date amended/ completed	20 April 2016
Date Application Received	13 February 2016		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

1 Guildhouse Street is an unlisted building located in the Pimlico Conservation Area. The lawful use of the property is as a single family dwellinghouse (Class C3). From 2011 to mid-June 2016 the property was used unlawfully as a House in Multiple Occupation for eight persons (Sui Generis).

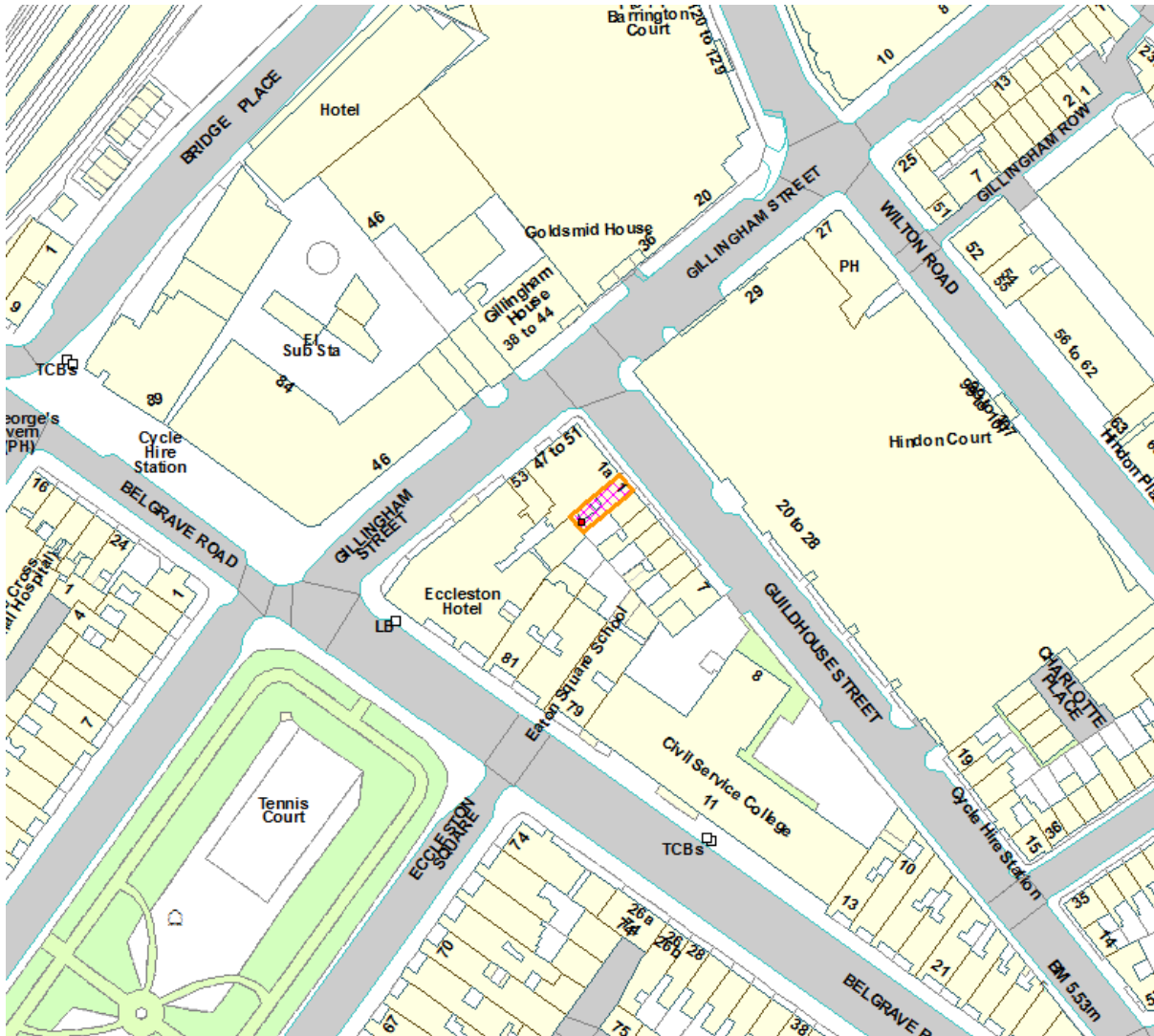
Planning permission is sought for the replacement of the rear conservatory extension with a new part-single part-two storey rear extension to provide additional residential accommodation; the replacement of existing windows to the main building, including enlarged lower ground floor opening to the rear; the installation of a rooflight to the main building; the installation of a replacement rooflight to the front lightwell; and the installation of a replacement air-conditioning unit at ground floor level. The alterations and extensions are all in connection with the use of the property as a single family dwellinghouse (Class C3).

The main issues for consideration are:

- The impact of the proposals on the character and appearance of the building and the conservation area; and
- The impact of the proposals on the amenity of neighbouring residents.

The proposal is considered to comply with the Council's policies in relation to design, conservation and amenity as set out in Westminster's City Plan: Strategic Policies (the City Plan) and the Unitary Development Plan (UDP). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation



View of existing rear extension

5. CONSULTATIONS

WESTMINSTER SOCIETY:

No objection.

THORNEY ISLAND SOCIETY

No comment.

ENVIRONMENTAL HEALTH (Plant and Equipment):

No objection, subject to conditions.

ENVIRONMENTAL HEALTH (Use):

No objection. Westminster City Council has prosecuted the company which has been managing the property for failing to licence it as a House in Multiple Occupation.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 21

Total No. of replies: 6

No. of objections: 5

No. in support: 1

Objections from neighbouring residents on some or all of the following grounds:

Inaccurate drawings:

- The original drawings submitted are inaccurate with regards to the roof of the main building. The existing drawings show the building has a flat roof but it actually has a pitched roof.
(N.B. the drawings were revised to correct this error. It is not proposed to alter the existing pitched roof with the exception of a new rooflight.)

Amenity:

- If the existing pitched roof of the main building was replaced with a flat roof with access through a rooflight, the roof could be used as a terrace which would harm the amenity of neighbours.
- Noise and disturbance from mechanical plant.

Security:

- If the existing pitched roof of the main building was replaced with a flat roof, this could pose a security risk to neighbours.

Other:

- The development could harm a party wall.
- Noise and disturbance from building works;
- The property is under investigation as an un-licensed HMO.

The supporter of the application is mostly happy with the proposals, but draws attention to the inaccurate drawings originally submitted.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

1 Guildhouse Street is an end of terrace single family dwellinghouse, which comprises of basement, ground, first and mansard floor levels. The entire rear garden has been infilled with a conservatory extension.

The property is not listed but is located in the Pimlico Conservation Area and forms part of a wider terrace of six comparable properties. The property backs onto the Premier Inn Hotel, 82 – 83 Eccelston Square, and is flanked on one side by Sovereign Court, 51 Gillingham Street.

6.2 Relevant Planning History

On 26 September 1989 permission was granted for alterations including a mansard roof and rear extension within existing boundary walls, including conservatory at ground floor for use as a single family dwelling.

7. THE PROPOSAL

Planning permission is sought for the replacement of the rear conservatory extension with a new part-single part-two storey rear extension to provide additional residential accommodation; the replacement of existing windows to the main building, including enlarged lower ground floor opening to the rear; the installation of a rooflight to the main building; the installation of a replacement rooflight to the front lightwell; and the installation of a replacement air-conditioning unit at ground floor level. The alterations and extensions are all in connection with the use of the property as a single family dwelling house (Class C3).

8. DETAILED CONSIDERATIONS

8.1 Land Use

The lawful use of the property is as a single family dwelling house (Class C3). However, from 2011 to mid-June 2016 the property has been used unlawfully as a House in Multiple Occupation for eight persons (Sui Generis). Westminster City Council has prosecuted the company which has been managing the property for failing to licence it as a House in Multiple Occupation.

In these circumstances the application, which would allow for the enlargement of the lawful single family dwelling house, does not raise any land use issues.

8.2 Townscape and Design

An existing ground floor conservatory extension covers the entire rear garden, with the exception of a small courtyard. The proposed part-single part-two storey rear extension would cover a similar footprint as the existing and would align with the height of the neighbour's existing two-storey extension at 2 Guildhouse Street. The existing extensions

at 1 and 2 Guildhouse Street are unusual in their scale. However the additional height and bulk proposed here would have a modest impact because the rear is already enclosed by high neighbouring boundary walls on all sides. As such, the rear extension would not be highly visible. In these circumstances, the extension is considered acceptable in design and conservation terms.

The proposed new and replacement windows, doors and rooflights are also considered acceptable in design and conservation terms. The location of the external plant would be discreet and would not harm the visual appearance of the host property or the character and appearance of the conservation area.

8.3 Residential Amenity

Objections have been received regarding the possible formation of a new flat roof to the main building and the creation of a roof terrace which would harm the amenity of neighbours, particularly those living in Sovereign Court, 51 Gillingham Street.

The originally submitted drawings were inaccurate as they showed a flat roof to the main building on both the existing and proposed. The existing roof is pitched and the proposal would not alter this. Revised drawings have been submitted to clarify that it is not proposed to alter the existing pitched roof with the exception of a new rooflight.

A condition is recommended to prevent the use of the extension or main roof from being use as a terrace

In respect of the part-single part-two storey rear extension, it is not considered to be of a scale that would harm the amenity of neighbours in terms of light or outlook. The rear of the site is already enclosed by high neighbouring boundary walls on all sides. Directly, to the rear the property is enclosed by the large blank wall of the Premier Inn, 82 – 83 Eccelston Square.

On one side, the extension would be two stories on the party boundary with 2 Guildhouse Street, which also has a two storey rear extension. The proposed extension here would not be visible from within the room in the adjacent extension, nor would it have a notable impact from rooms within the main building of 2 Guildhouse Street. The neighbours at 2 Guildhouse Street would be able to view the proposed extension from within the 'link' between their extension and the main building, but this 'link' is a corridor and is not a habitable space. Further, the 'link' between the proposed extension and the main building of 1 Guildhouse Street has been designed to reflect that existing at 2 Guildhouse Street. In these circumstances, it is not considered there would be any harm to the amenity of the occupiers of 2 Guildhouse Street.

On the other side, there is an existing window on the party boundary with Sovereign Court however this is not considered to be adversely affected. The part-single storey element of the extension would be adjacent this window, however the replacement extension is largely comparable to the existing in terms of scale and massing. The part-two storey element would also be set on the other side away from the boundary with Sovereign Court. Furthermore, the window to Sovereign court is not a residential window and is obscure glazed. The residential occupiers of Sovereign Court would not be harmed by the extension in terms of light, outlook or privacy.

Subject to the recommended conditions, the proposals would not harm the amenity of neighbouring occupiers and as such accord with Policies S29 of the City Plan and ENV13 of the UDP.

8.4 Transportation/Parking

The alteration and enlargement of this single family dwellinghouse does not raise any highways issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

There are no access issues arising from this proposal.

8.7 Other UDP/Westminster Policy Considerations

Plant

In terms of the impact of noise from the proposed plant at the rear, an acoustic report has been submitted as part of the application and this has been assessed by Environmental Health officers, who conclude that the proposed mechanical plant is capable of according with noise Policies ENV6 and ENV7 in the UDP and Policy S32 in the City Plan.

The proposals are acceptable subject to conditions relating to plant noise and vibration. On this basis, it is not considered that the plant operation would adversely affect the amenity of neighbouring residents.

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

The proposals are of insufficient scale to require an environmental assessment and any environmental impact issues have been covered in section 8.7 of this report.

8.12 Other Issues

Party Wall

The Party Wall Act provides a framework for preventing or resolving disputes in relation to party walls, party structures, boundary walls and excavation near neighbouring buildings. The provisions of this Act are a matter for the building owner and adjoining owners to resolve.

Construction Impact

Concerns have been raised by a neighbouring resident regarding noise and disturbance that could be generated by construction work. Noise and disturbance during construction is an unwelcome and well understood consequence of allowing new development. In a densely developed urban environment, it must be accepted that such disturbance will inevitably occur as a result of building works. The City Council cannot refuse permission to develop on the grounds that building work will be noisy and disruptive. As a local planning authority, we can impose a restriction on the working hours and encourage contractors to be a member of the Considerate Constructors Scheme.

9. BACKGROUND PAPERS

1. Application form.
2. Responses from Westminster Society dated 5 April 2016 and dated 3 May 2016.
3. Response from Thorney Island Society dated 12 April 2016.
4. Response from Environmental Health (Plant And Equipment) dated 26 April 2016
5. Response and email correspondence from Environmental Health (Use) dated 27 April 2016 and 3 June 2016.
6. Letter from occupier of Flat 5, Sovereign Court, 51 Gillingham Street dated 12 April 2016.
7. Letter and email correspondence from occupier (Director of the company that owns Sovereign Court) of Flat 4, Sovereign Court, 51 Gillingham Street dated 18 April 2016 and 17 May 2016).
8. Letter from occupier of Flat 9, Sovereign Court, 51 Gillingham Street dated 18 April 2016.
9. Letter from Malvern Estate Agents on behalf of occupiers of Flat 2, Sovereign Court, 51 Gillingham Street dated 18 April 2016.
10. Letter from occupier of Flat 6, Sovereign Court, 51 Gillingham Street dated 18 April 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)

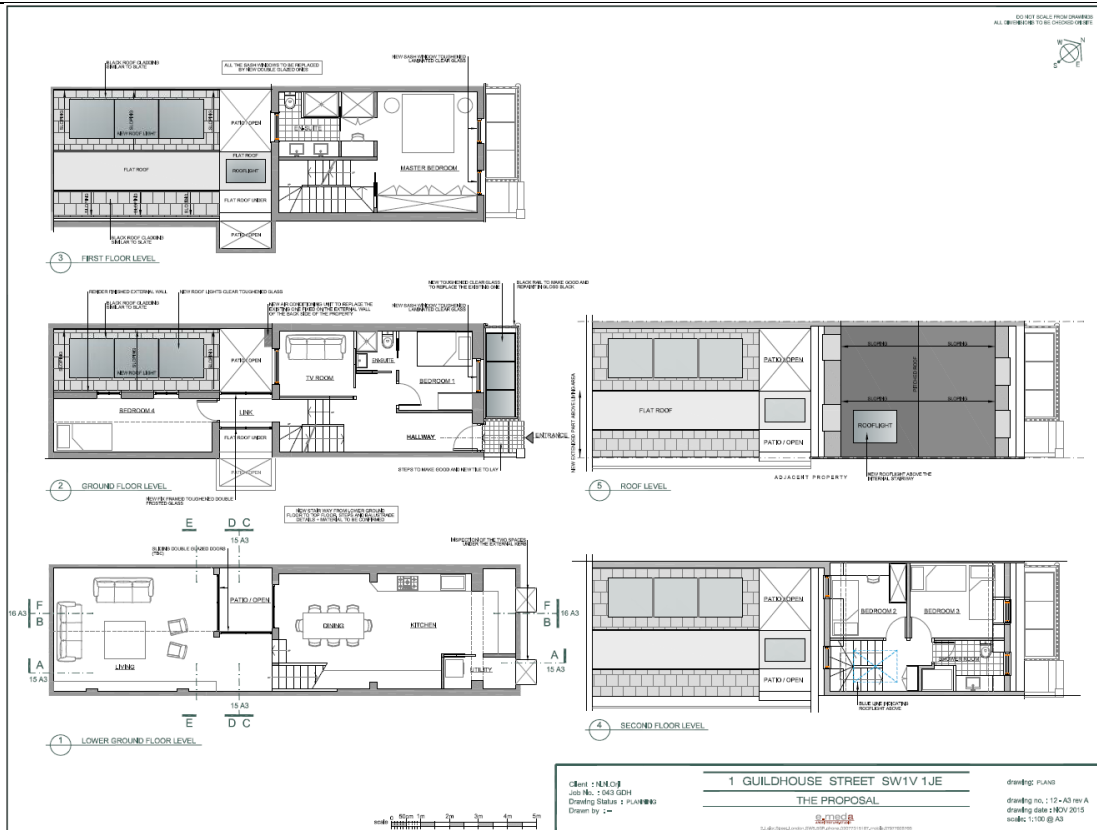
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk

10. KEY DRAWINGS

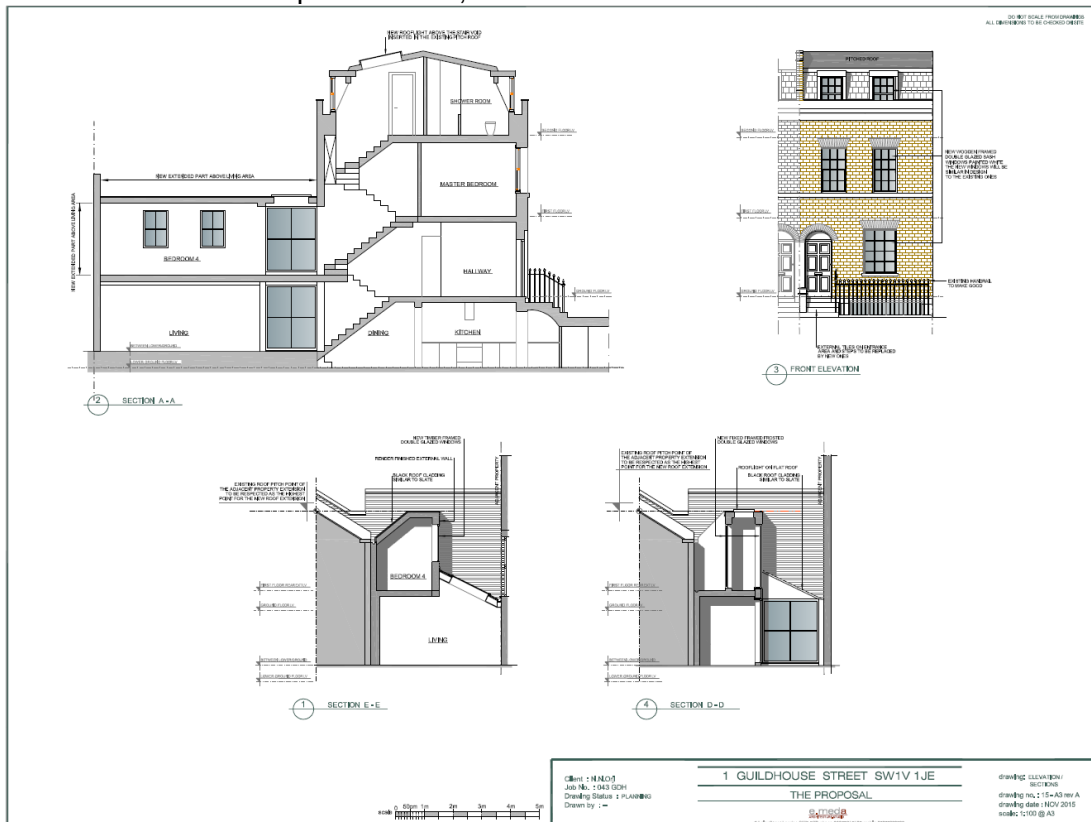


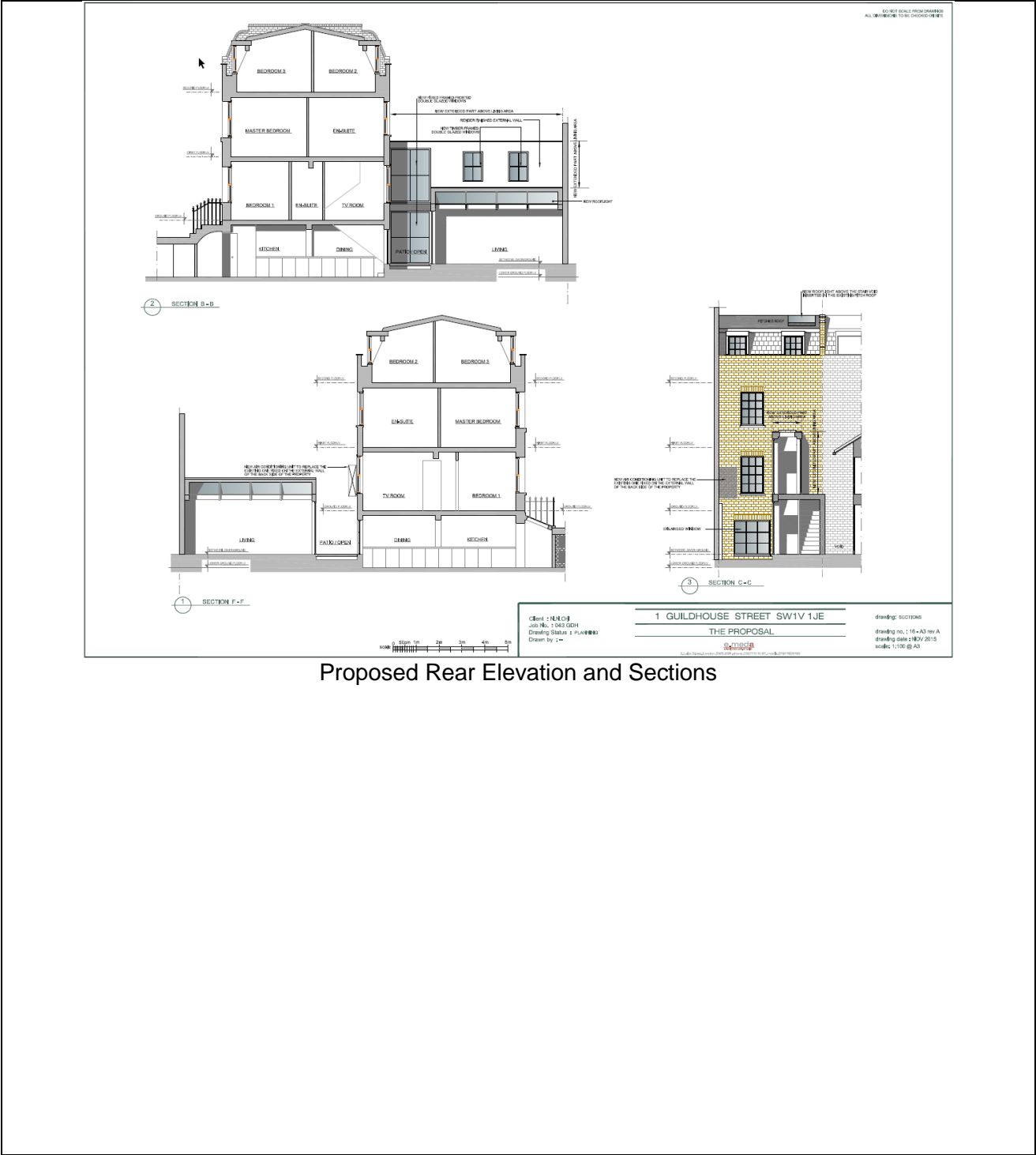
Existing Plans, Elevations and Sections





Proposed Plans, Front Elevation and Sections





Proposed Rear Elevation and Sections

DRAFT DECISION LETTER

Address: 1 Guildhouse Street, London, SW1V 1JE,

Proposal: Erection of part-single part-two storey rear extension. Installation of rooflight to main building. Installation of replacement rooflight to front lightwell. Replacement of existing windows to the main building, including enlarged lower ground floor opening to the rear. Installation of replacement air-conditioning unit at ground floor level.

Reference: 16/01290/FULL

Plan Nos: Location Plan, Site Plan, 0A-A4 rev:A, 0B-A3 rev:A, 02-A3 rev:A, 05-A3 rev:A, 12-A3 rev:A, 15-A3 rev:A, 16-A3 rev:A, Design and Access Statement (e.media Architecture Studio), Acoustic Assessment Report (PC Environmental Ltd), Tenancy Agreement 2006, Tenancy Agreement 2009.

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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 not use the roofs of the main building or extension for sitting out or for any other purpose. You can however use the roofs to escape in an emergency. (C21AA)

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)

- 5 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the

window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;

(g) The lowest existing L A90, 15 mins measurement recorded under (f) above;

(h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;

(i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission.

- 6 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration.

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 are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

- 3 Conditions 5 and 6 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 4 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.
- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 6 Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:
- * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
 - * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.
- Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.
- It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.
- 7 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

- 8 Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM_s). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM_s, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 9 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)
- 10 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 11 Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste

produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.

- 12 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact:

Residential Environmental Health Team
4th Floor East, Westminster City Hall
64 Victoria Street
London SW1E 6QP
www.westminster.gov.uk
Email: res@westminster.gov.uk
Tel: 020 7641 3003 Fax: 020 7641 8504.

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.