

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 6 September 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	34 Cheval Place, London, SW7 1ER,		
Proposal	Excavation to create single storey basement extension; erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.		
Agent	Mr Benedict Goodall		
On behalf of	Ms Lisa Mutter		
Registered Number	16/02416/FULL	Date amended/ completed	14 April 2016
Date Application Received	17 March 2016		
Historic Building Grade	Unlisted		
Conservation Area	Knightsbridge		

1. RECOMMENDATION

1. Grant conditional permission.

2. SUMMARY

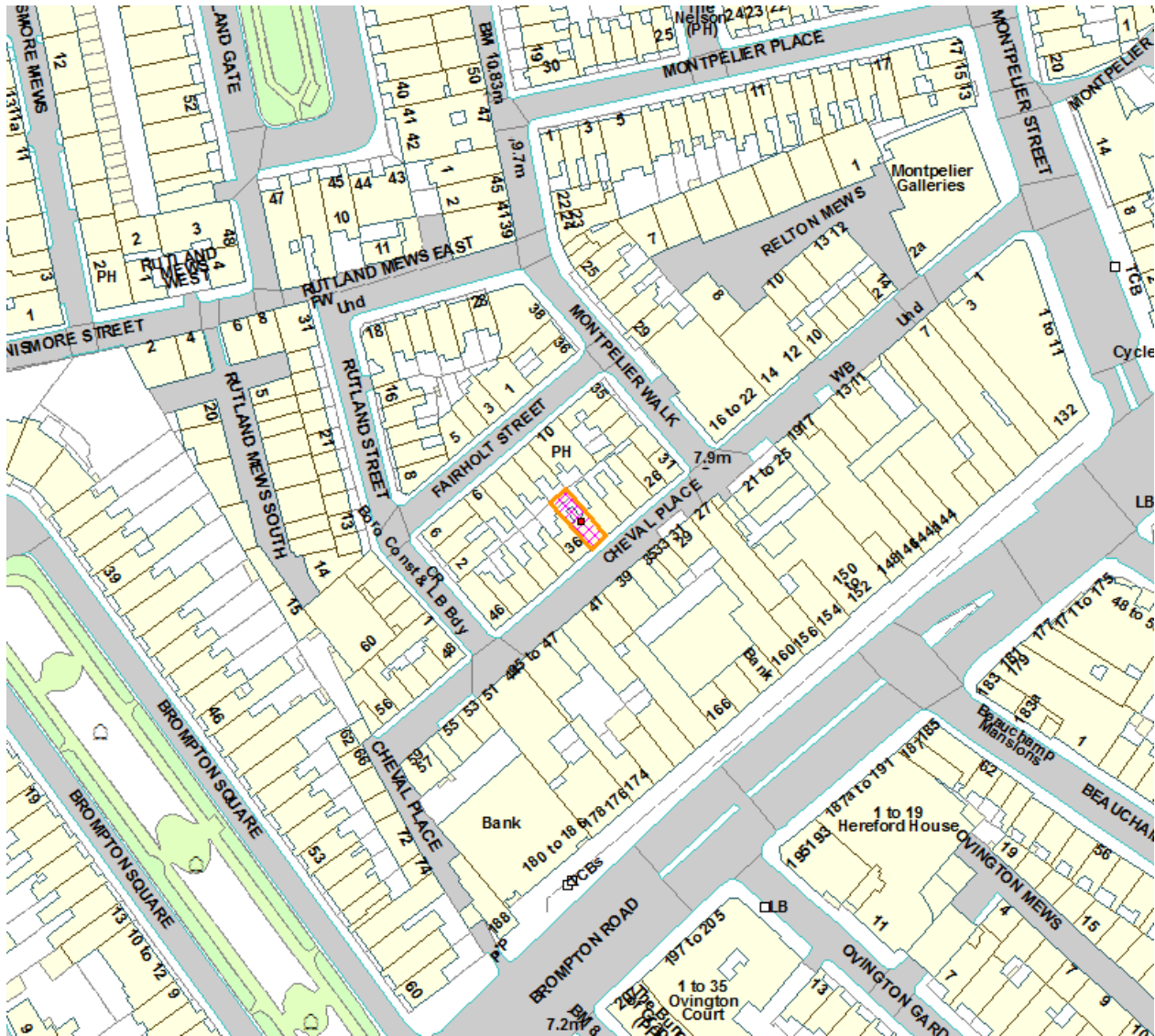
An application has been submitted seeking planning permission for excavation to create a single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer at No. 34 Cheval Place.

The key issues for consideration are:

- * The impact of the proposals on the appearance of the building and character of the surrounding Knightsbridge Conservation Area.
- * The impact of the proposals on the amenity of neighbouring residents.

The proposals are 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 (City Plan) and the Unitary Development Plan (UDP) and the application is accordingly recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front of No. 34 Cheval Place



View from first floor of No. 10 Fairholt Street looking towards Nos. 32 and 34 Cheval Place (tree in adjacent garden of No. 9 Fairholt Street has since been felled).

5. CONSULTATIONS

ROYAL BOROUGH OF KENSINGTON AND CHELSEA

No objection.

KNIGHTSBRIDGE ASSOCIATION

Comments from Association's Transport and Environment Committee - construction management plan should address: control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, 'just-in-time' delivery system, interaction with other developments taking place in the locality.

BUILDING CONTROL

Structural method statement acceptable.

HIGHWAYS PLANNING MANAGER

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 41

Total No. of replies: 2

No. of objections: 2

No. in support: 0

Two letters received from neighbouring residents raising the following issues:

Basement Construction

*Basement does not comply with the Council's guidance on basement extensions

*Construction Management Plan should address: control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, 'just-in-time' delivery system, interaction with other developments taking place in the locality.

Amenity

*Loss of light.

*Loss of privacy and increased sense of enclosure

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No. 34 Cheval Place is an unlisted single-family dwelling located within the Knightsbridge Conservation Area.

6.2 Recent Relevant History

No relevant recent planning history.

7. THE PROPOSAL

Planning permission is sought for excavation to create a single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposal seeks to extend the existing single family dwelling house 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

Due to the very enclosed nature of the site the proposed above-ground elements of the scheme would have no impact on the character or appearance of the conservation area. The minor alterations to the front mansard are consistent with the design of the mansard roofs on adjoining buildings in this terrace.

The below-ground elements of the proposed basement would have no visual impacts upon completion of the work.

For these reasons the proposals would comply with relevant national and local design and conservation policies, in particular DES 1, DES 5 and DES 10 of the UDP.

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 not considered that the creation of a new basement storey under the existing property will materially impact upon the amenity of neighbouring properties in terms of loss of privacy, daylight or sense of enclosure.

With regard to the single storey ground floor rear extension, an objection has been raised on the grounds of loss of light, loss of privacy and increased sense of enclosure by the occupier of 8 Fairholt Street at the rear. The proposed rear extension will extend outwards from the existing rear elevation of the building by approximately 1.2 m. The extension is full width and will abut the party walls with the adjoining properties either side on Cheval Place.

On the boundary with No. 32 Cheval Place there are higher level conservatory window panes which will be partially obstructed by the extension. Given the remaining extent of glazing to conservatory and the higher level of these panes this is not considered to raise amenity issues sufficient to merit a refusal of the application on these grounds. On the boundary with No. 36 the extension will rise above the existing garden party wall however

given its modest depth it is again not considered to raise any significant amenity concerns. No objections have been received from either of these properties.

With regard 8 Fairholt Street at the rear, given the high boundary walls and enclosed nature of the site, the proposed extension at rear ground floor level would be virtually hidden from even the upper floors of properties in Fairholt Street and so it is not considered that the rear extension would lead to a material increase in sense of enclosure, loss of privacy or loss of light to these properties.

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.

8.5 Economic Considerations

Not applicable.

8.6 Access

The access arrangements are unchanged by these proposals.

8.7 Other UDP/Westminster Policy Considerations

Basement Excavation

In line with policy CM28.1 of the City Plan (adopted July 2016), the new basement will have a floor to ceiling height of approx. 2.7m. To provide light, an appropriately proportioned rear light-well sits parallel with the new rear building line created by the single storey rear ground floor extension.

The concrete retaining wall to the lightwell has been set back to leave a 300mm construction free zone from the face of the party fence wall to the outside edge of the concrete retaining wall, thus meeting the requirement of CM28.1 of the City Plan (adopted July 2016) to leave a proportion of undeveloped area surrounding the basement.

The outside edge of the lightwell retaining wall is 2.64m back from the face of the rear elevation and is therefore under the 4m maximum as required by CM28.1 of the City Plan (adopted July 2016).

The existing small rear courtyard is fully paved except for two planters in the corners. These are to be retained and there is a fully permeable zone along the rear edge of the site to allow water to percolate into the soil.

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

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

8.12 Other Issues

Basement

With regard to the construction of the basement itself, 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 have advised that the structural approach appears satisfactory. We are not approving this report or conditioning that the works shall necessarily be carried out in accordance with the report. Its purpose is to show, with the integral professional duty of care, that there is no reasonable impediment foreseeable at this stage to the scheme satisfying the Building Regulations in due course. This report will be attached for information purposes to the decision letter.

Construction impact

The Knightsbridge Association and a neighbouring resident have raised concerns in relation to the Construction Management Plan on the grounds that it fails to address matters such as: the control of dust and emissions, size of vehicles, awareness of local street conditions, wheel and street washing facilities, 'just-in-time' delivery system, and the interaction with other developments taking place in the locality.

The applicant has submitted a Construction Management Plan (CMP) as part of the application. The document is considered useful as a first draft but a condition is recommended requiring the submission of a more detailed CMP to ensure that the

basement excavation process is carefully managed to minimise the environmental impact and to mitigate noise and nuisance for residents.

A further condition is recommended to control the hours of construction works; noisy basement excavation work can only be carried out between the hours of 08.00 to 18.00 Monday to Friday.

9. BACKGROUND PAPERS

1. Application form
2. Letter from Royal Borough of Kensington and Chelsea, dated 8 August 2016
3. Letter from Knightsbridge Association (Transport and Environment Committee), dated 22 April 2016
4. Response from Building Control - Development Planning, dated 27 April 2016
5. Response from Highways Planning Manager, dated 26 July 2016
6. Letter from occupier of 2 Rutland Street, dated 22 April 2016
7. Letter from occupier of 8 Fairholt Street, dated 19 April 2016

Selected relevant drawings

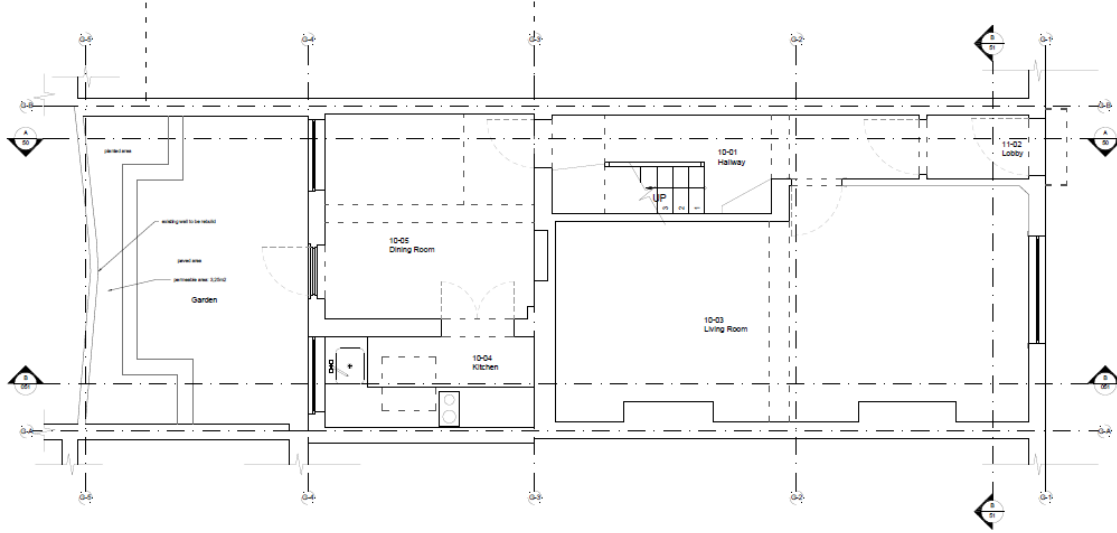
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk.

KEY DRAWINGS

Existing Floor Plans

Ground



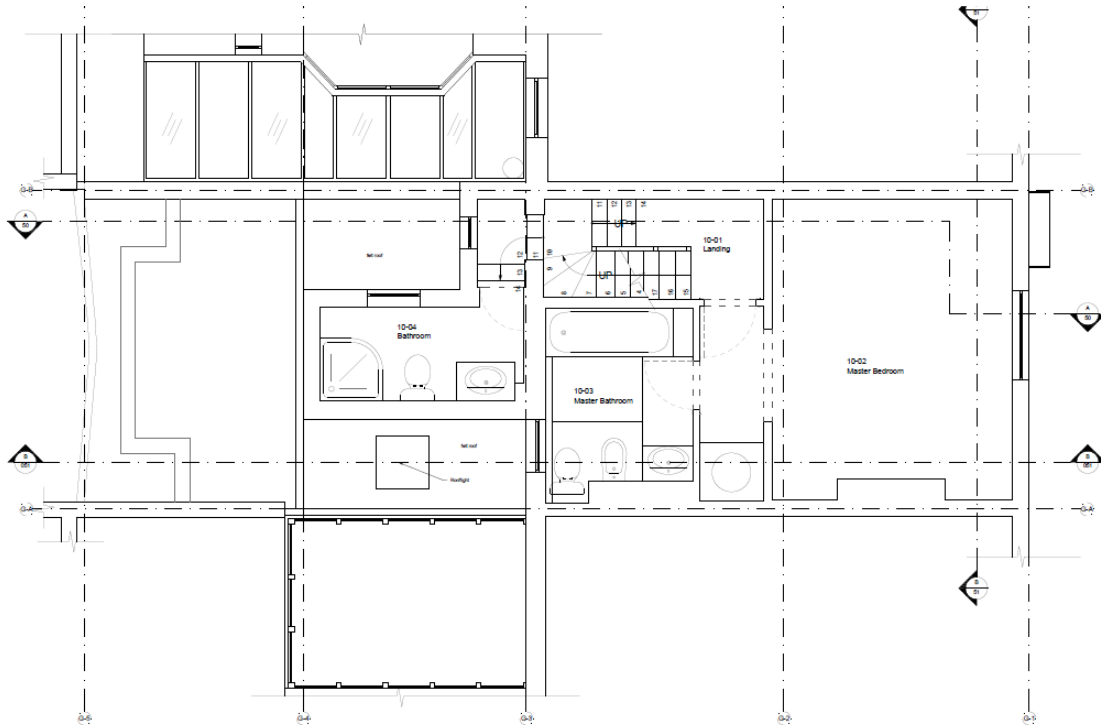
CRUICI
Architects
25 GHALBOW RD
7, LONDON, SE14 6JH

ERRORI
DEVELOPMENT

34 CHEV
LONDON

TYPE:
GROUND
EXISTING

First



CRUICI
Architects
25 GHALBOW RD
7, LONDON, SE14 6JH

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DEVELOPMENT

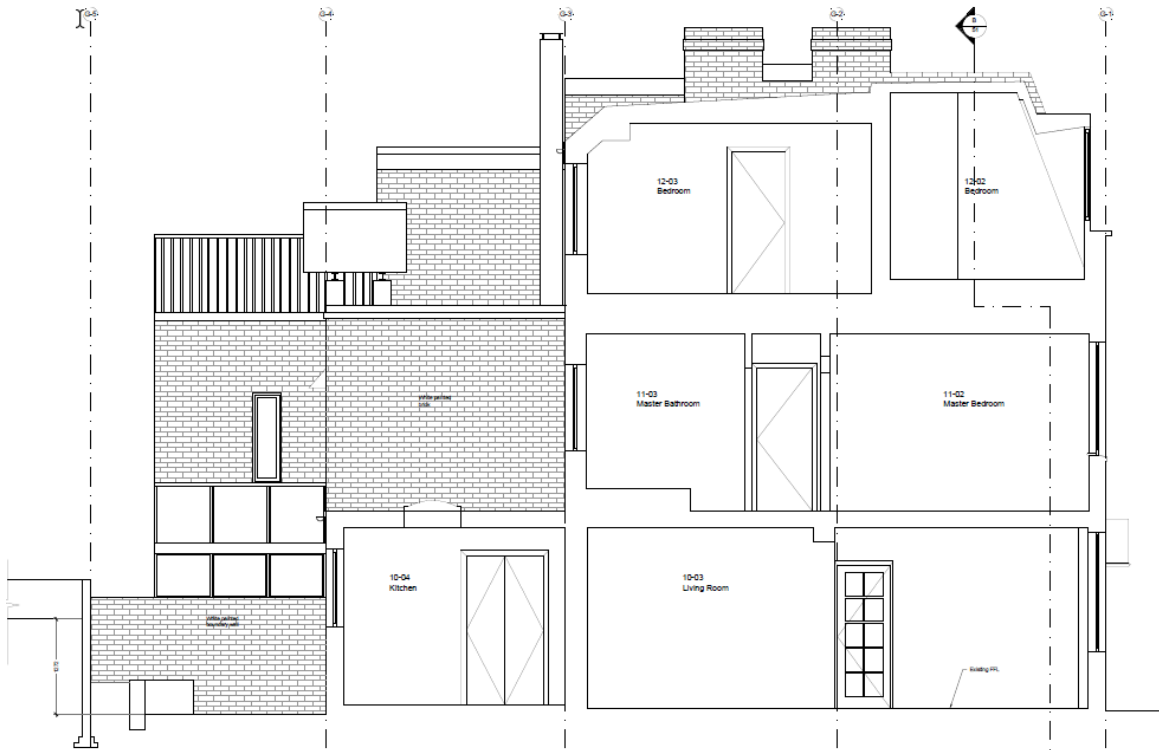
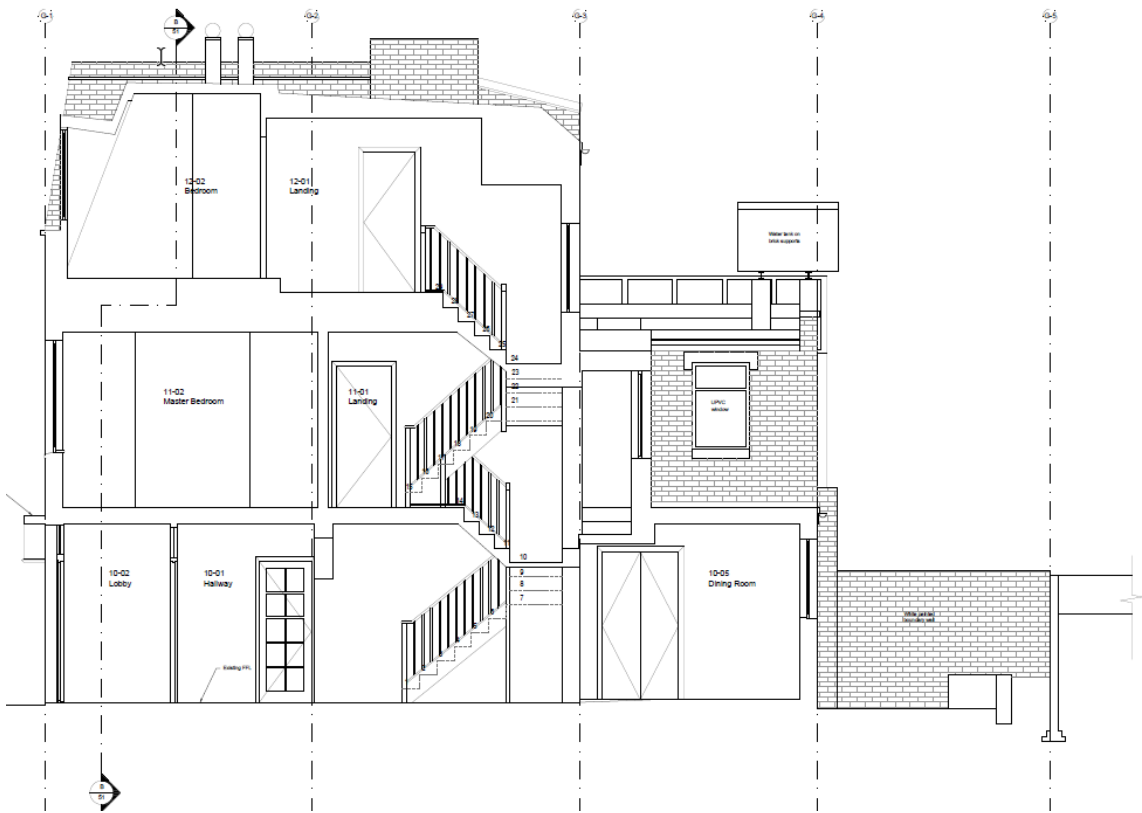
34 CHEV
LONDON

TYPE:
FIRST
EXISTING

Existing Elevations

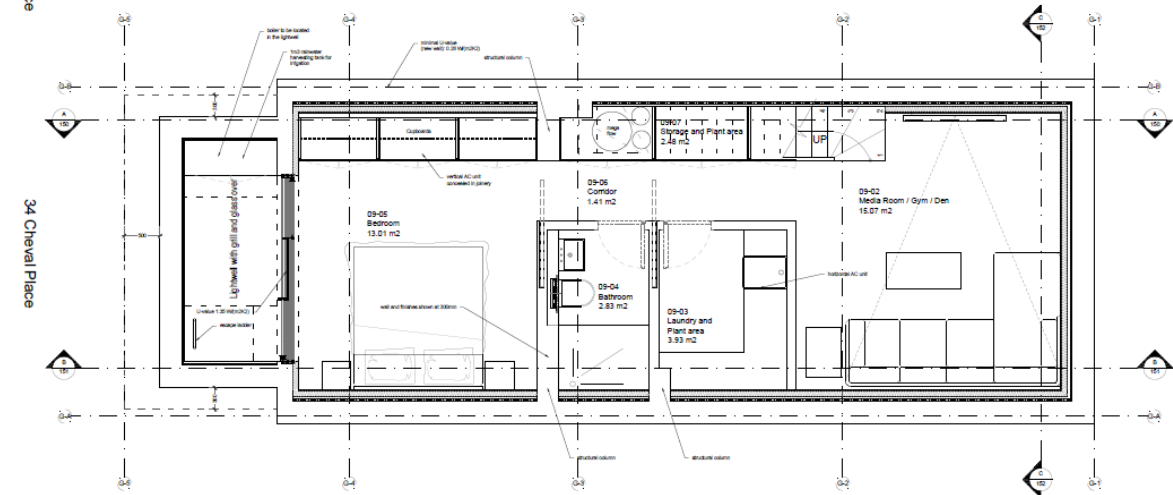


Existing Sections

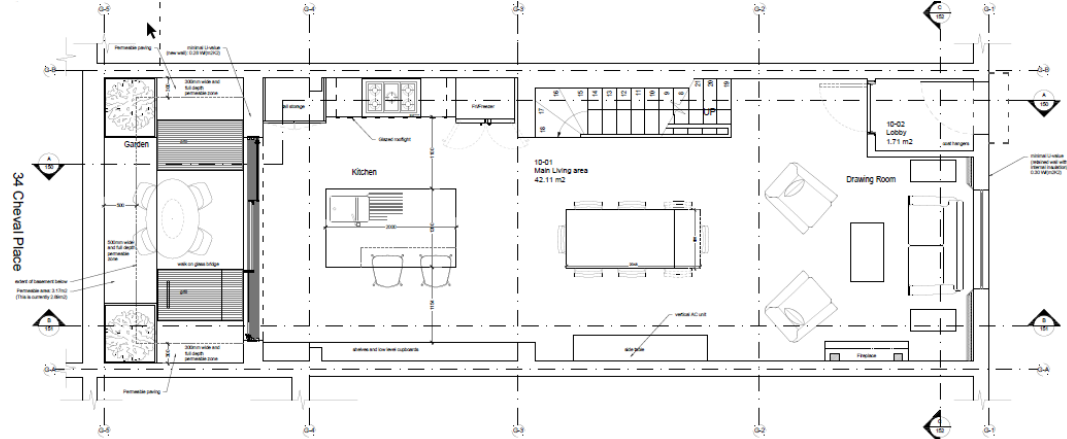


Proposed Floor Plans

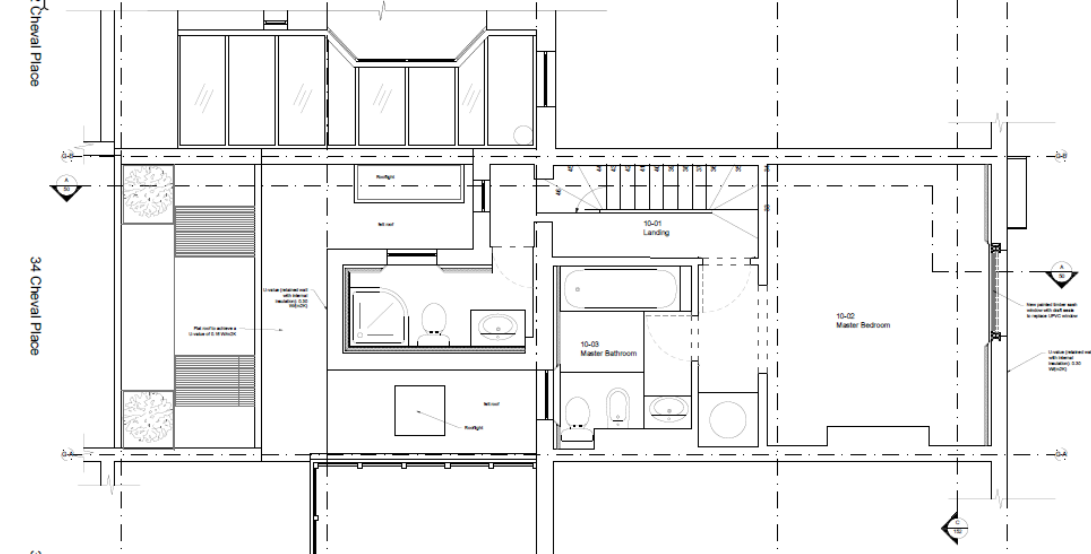
Basement



Ground



First



Proposed Sections



DRAFT DECISION LETTER

Address: 34 Cheval Place, London, SW7 1ER,

Proposal: Excavation to create single storey basement extension, the erection of a single storey ground floor rear extension and the reconfiguration of the front mansard dormer.

Plan Nos: 077 001 Rev 01; 010 Rev 01; 011 Rev 01; 012 Rev 01; 013 Rev 01; 020 Rev 01; 021 Rev 01; 050 Rev 01; 51 Rev 01; 052 Rev 01; 080; 109-1 Rev 02; 110-1 Rev 02; 111-1 Rev 02; 112-1 Rev 02; 113-1 Rev 01; 120-01 Rev 02; 121-1 Rev 02; 150-1 Rev 02; 151-1 Rev 02; 152-1 Rev 02; Construction Management Plan dated 15 March 2016, prepared by Crucie Goodall Architecture and Design; (for information only) Structural Engineers Structural Methodology Statement Rev B dated 15 March 2016, prepared by Engineers HRW.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) 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 Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) 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 roof of the ground floor extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (July 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 5 {b Pre Commencement Condition}. No development shall take place, including any works of demolition, until a construction management plan for the proposed development has been submitted to and approved in writing by the City Council as local planning authority. The plan shall provide the following details:
- (i) a construction programme including a 24 hour emergency contact number;
 - (ii) parking of vehicles of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);
 - (iii) locations for loading/unloading and storage of plant and materials used in constructing the development;
 - (iv) erection and maintenance of security hoardings (including decorative displays and facilities for public viewing, where appropriate);
 - (v) wheel washing facilities and measures to control the emission of dust and dirt during construction; and
 - (vi) a scheme for recycling/disposing of waste resulting from demolition and construction works.

You must not start work until we have approved what you have sent us. You must then carry out the development in accordance with the approved details.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007.

- 6 You must apply to us for approval of details of the following parts of the development:

Detailed drawings of the new rear doors at basement and ground floor levels, sections and elevation (scaled 1:10 and 1:5);

You must not start any work on these parts of the development until we have approved what you

have sent us. You must then carry out the work according to these drawings and samples (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 7 The new windows hereby approved must be traditional timber frame, slim line double-glazed, sliding sash windows.

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 Knightsbridge Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (July 2016), 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, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 3 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 4 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)

- 5 You must apply for a licence from our Highways Licensing Team if you plan to block the road or pavement during structural work to support the building. Your application will need to show why you cannot support the building from private land. For more advice, please phone 020 7641 2560. (I36AA)
- 6 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.
- 7 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)

- 8 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

- 9 For the avoidance of doubt the Construction Management Plan required under condition 5 shall be limited to the items listed. Other matters such as noise, vibration, dust and construction methodology will be controlled under separate consents including the Control of Pollution Act 1974 and the Building Regulations. You will need to secure all necessary approvals under these separate regimes before commencing relevant works.

Please note that the Council has recently adopted a new version of the Code of Construction Practice. Proposals for basement extensions such as the one approved as part of this application will in future require the submission to the Council's Environmental Inspectorate for its approval of a Site Environmental Management Plan or Construction Management plan well before work can commence. Full guidance is given on the Council's website at <https://www.westminster.gov.uk/code-construction-practice>.