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| <b>CITY OF WESTMINSTER</b>               |   |  |                     |
| <b>PLANNING APPLICATIONS COMMITTEE</b>   | <b>Date</b><br>28 February 2017   | <b>Classification</b><br>For General Release |                     |
| <b>Report of</b><br>Director of Planning |   | <b>Ward(s) involved</b><br>Churchill         |                     |
| <b>Subject of Report</b>                 | <b>10 Bloomfield Terrace, London, SW1W 8PG,</b>   |  |                     |
| <b>Proposal</b>                          | Excavation of new basement with rear lightwell. Erection of a rear extension at lower ground floor. |  |                     |
| <b>Agent</b>                             | Mr Jonathan Wright  |  |                     |
| <b>On behalf of</b>                      | Fox Davies Gallagher Ltd  |  |                     |
| <b>Registered Number</b>                 | 16/10428/FULL<br>16/10430/LBC   | <b>Date amended/<br/>completed</b>           | 19 December<br>2016 |
| <b>Date Application Received</b>         | 28 October 2016   |  |                     |
| <b>Historic Building Grade</b>           | II  |  |                     |
| <b>Conservation Area</b>                 | Belgravia   |  |                     |

## 1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree the reasons for granting listed building consent as set out within Informative 1 of the draft decision letter.

## 2. SUMMARY

10 Bloomfield Terrace is a mid-terrace single family dwelling comprising lower ground, ground and first floor levels. The building is Grade II listed and within the Belgravia Conservation Area.

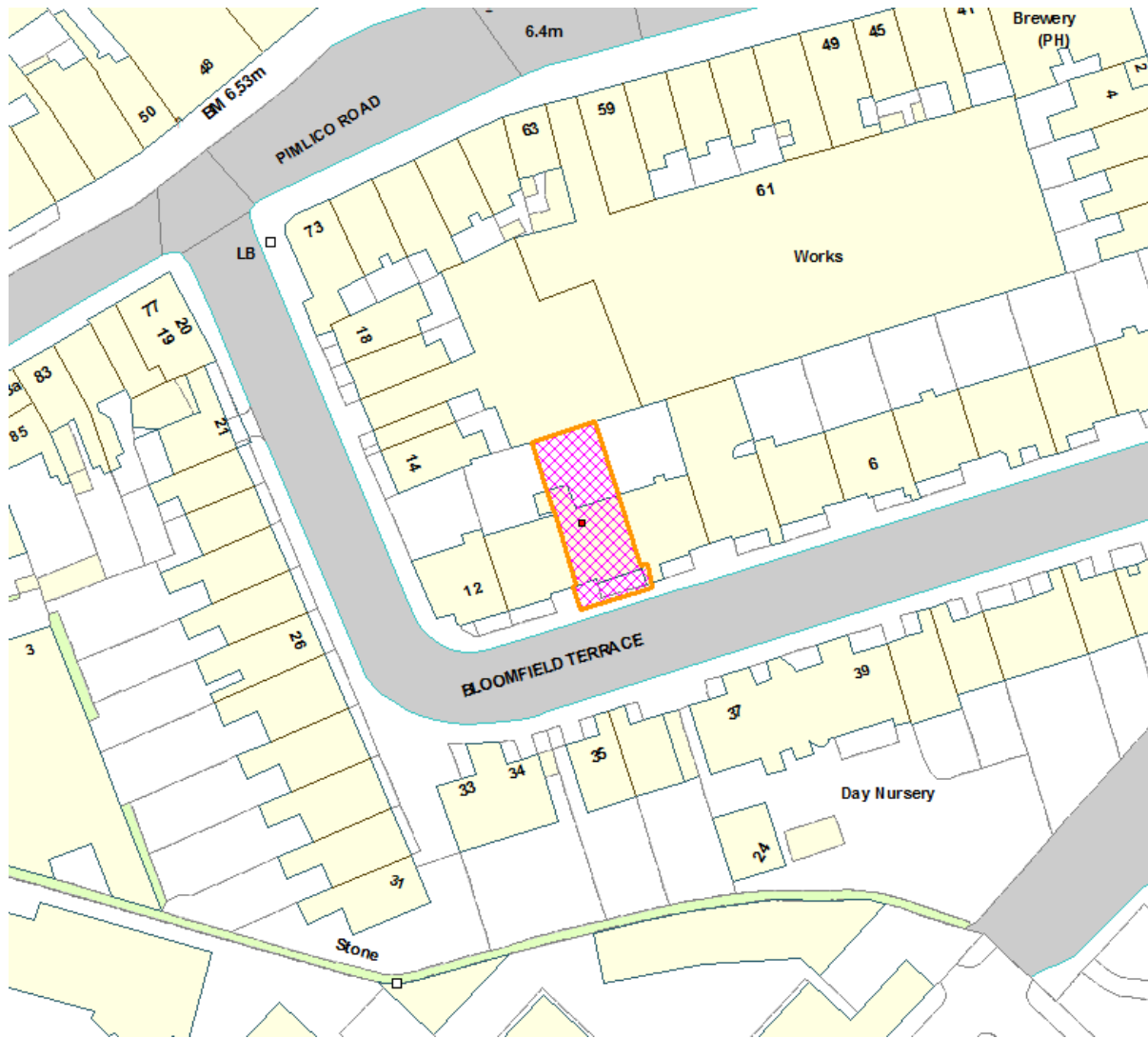
Permission and listed building consent are sought for the excavation of a new basement with a rear lightwell and erection of a rear extension at lower ground floor level.

The key issues in this case are:

- \* The impact of the proposals upon the special architectural or historic interest (significance) of the listed building and the character and appearance of the Belgravia Conservation Area;
- \* The impact of the proposals upon the amenity of neighbouring residents.

The proposals are considered to comply with the Council's policies in relation to amenity, design and conservation as set out in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan) and the applications are recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation

## 5. CONSULTATIONS

### BELGRAVIA RESIDENTS ASSOCIATION:

Objects. Following a review of the plans submitted to the Council the BRA is interested in how the design and conservation officer views the proposed excavation of a Grade II Listed Building? There is also a potential issue relating to the loss of amenity with the establishment of a terrace. Is the officer considering any restrictions relating to usage?

### BELGRAVIA NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

### BELGRAVIA SOCIETY:

Any response to be reported verbally.

### HIGHWAYS PLANNING:

No objection.

### BUILDING CONTROL:

The structural method statement is considered to be acceptable.

### ENVIRONMENTAL HEALTH:

No objection.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 33

Total No. of replies: 4

No. of objections: 4

No. in support: 0

#### Amenity

- Impact on quality of life and living conditions of residents.
- Noise associated with excavation works, vibration, dust and disruption.
- Noise transference between houses caused by other basement developments in the street.
- Overlooking from extended ground floor extension.

#### Design

- Proposal changes nature of the property and its surroundings.
- Proportions of property would be lost as a result of proposals.
- Object to lightwell to the front of the house (This part of the proposal has now been removed)

#### Basement issues

- Structural impact of basement on adjoining properties.
- Cumulative impact of basements in the area.
- Impact of basement development on water table and foundations.
- Impact of development on public sewer.

- Formation of second basement is not permitted under Council policy.
- Last time a basement was excavated disruption was experienced for two years.

#### Other considerations

- Property is rented and arises for commercial reasons.
- Disruption caused by Chelsea Barracks development and Travis Perkins/John Newson timber yard.
- Grosvenor Estate discourages basement excavations due to impact on buildings and amenity of surrounding area.
- No information provided on how developers would manage disruption to pavement area in front of premises
- Scarce parking spaces would be out of action.
- Submitted plans show little change from those previously submitted.
- Health and safety
- Precedent set by previously refused scheme and refusal in 1999 of ground floor extension to No. 11.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## **6. BACKGROUND INFORMATION**

### **6.1 The Application Site**

10 Bloomfield is a single family dwelling arranged over lower ground, ground and first floor levels. The building is Grade II listed and within the Belgravia Conservation Area.

### **6.2 Recent Relevant History**

Permission and consent refused in May 2016 for 'Excavation of basement with front and rear lightwell and construction of a rear extension at lower ground floor'. The applications were refused on the grounds that the glazed roof light to the front lightwell would harm the special interest and character and appearance of the listed building and Belgravia Conservation Area; and that insufficient information was provided to show how the new basement retaining structure will be designed, temporarily propped during construction, or permanently restrained on completion.

Permission and consent granted in October 2015 for 'Erection of a rear extension at lower ground floor level.'

Permission and consent refused October 1999 for 'Erection of rear extension at basement level with terrace over' on design grounds.

## **7. THE PROPOSAL**

Permission and listed building consent are sought for the excavation of basement with rear lightwell and for the erection of a single storey rear extension at lower ground floor level.

The proposed rear extension is the same as the extant permission and listed building consent for a new extension at rear lower ground floor level approved October 2015 that has not yet been implemented.

The proposed new basement will extend beneath the footprint of the building with a lightwell to the rear set against the building line with two small roof lights over. The front of the new basement will provide a small internal plant room which is sited below an existing room at lower ground floor level. The previously proposed front lightwell rooflight has been removed from the scheme.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The proposed works seek to increase residential floor space to the existing single dwelling house which is acceptable in land use terms.

### **8.2 Townscape and Design**

There is an existing large extension at rear lower ground floor which serves a dining room. It is proposed to extend this extension to full width. The only change to the current scheme when compared to the extant scheme is the insertion of a roof light and close to the boundary with No. 11 Bloomfield Terrace. The proposed alterations to the rear lower ground floor extension are similar to that previously approved and are again considered acceptable in design and listed building terms.

The consultation comments raised concern that a similar proposal for a full width extension was refused in 1999 to No. 11 and that the proposals would set a precedent. The scheme refused in 1999 predates current policy and was refused on the basis that it would add additional bulk to the building. The current scheme involves infilling a small area adjacent to No. 11 and is considered to be in proportion with the application property.

The proposed basement does not involve the excavation of more than one storey below the lowest original floor level. On this basis the principle of an additional basement storey is considered acceptable in terms of adopted policy CM28.1 of the City Plan. The proposal has been amended to take into account the requirements of policy CM28.1 as the floor to ceiling height of the basement has been reduced from 3.2m as originally proposed down to 2.7m and an area of undeveloped land (0.5m) either side of the newly formed light well to the rear is provided.

The external manifestation of the basement is limited to two small roof lights to the rear of the property set against the building line. However this would not change the external appearance of the building as it would still be read as a two storey building with existing lower ground floor level. There is already an existing front lightwell area but the proposals do not extend beneath this part of the building. The provision of an additional single basement level is not considered to upset the hierarchy of this listed building.

The proposed basement extension is considered acceptable in design and listed building terms and accords with policy CM28.1.

### **8.3 Residential Amenity**

The proposed lower ground floor extension is set within the flank walls of the adjoining boundary walls with No. 11 Bloomfield Terrace and so will have a limited impact on this property in amenity terms.

There is a small roof terrace on the existing rear extension at lower ground floor level. In order to protect the privacy of residents of No. 11 Bloomfield Terrace a condition is recommended to ensure that the extended roof area is not used as a terrace.

A condition is recommended to ensure that the development complies with the City Council's Code of Construction Practice (COCP) which will require the developer to provide a Construction Management Plan (CMP) and funding for the Environmental Inspectorate to monitor the construction phase of the development. The COCP sets out the minimum standards and procedures for managing and minimising the environmental impacts of construction projects within Westminster. The key issues to address as part of the CoCP and production of a CMP are liaison with the public, general requirements relating to the site environment, traffic and highways matters, noise and vibration, dust and air quality, waste management and flood control.

Concerns have been raised by residents about the construction impact of the basement extension. The applicant will be required to address these concerns through the COCP and CMP.

Comment has also been made that existing basements within the street that have been constructed are causing noise levels to increase between the houses. It is unclear which properties this is attributed to or the particular circumstances of the case. It is not considered that this is a sustainable reason for refusal and is more of a matter to consider through the Building Regulations.

### **8.4 Transportation/Parking**

The proposal does not represent an increase in the number of residential units or the loss of parking as such the proposal complies with Policy TRANS 23 of the UDP.

### **8.5 Economic Considerations**

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

### **8.6 Access**

No changes are proposed to the existing access/egress to the building.

### **8.7 Other UDP/Westminster Policy Considerations**



There are none.

### **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.

This development does not generate a Mayor CIL or WCC CIL payment.

### **8.11 Environmental Impact Assessment**

Not applicable.

### **8.12 Other Issues**

#### Basement excavation

A structural method statement has been submitted which has been assessed by Building Control. Concerns have been raised over the impact of the proposed basement on the structural stability to adjoining properties and the impact it has on the water table. Building Control has confirmed that the structural method statement that has been submitted is considered to be acceptable. They have also confirmed that an investigation of existing structures and geology has been undertaken and found to be of sufficient detail. The existence of groundwater has been researched and the likelihood of local flooding or adverse effects on the water table has been found to be negligible. The basement is to be constructed using reinforced concrete underpinning which is considered to be appropriate for this site. The proposals to safeguard adjacent properties during construction are considered to be acceptable.

Concern has been raised that the proposed basement is over a public sewer which runs under Nos. 10 and 11. The maintenance of public sewers predominately falls under the responsibility of Thames Water. Whilst the City Council considers the basement proposals and the method of undertaking such works to be acceptable, a build over agreement would need to be acquired by the applicant through Thames Water in order to permit any works near or over a public sewer to ensure the correct clearance is maintained between the proposed works and the public sewer. In addition the proposed works would need to comply with Part H4 of the Building Regulations 2010. An informative is recommended to advise the applicant of this requirement.

Comment has been made that the proposals are for financial gain however this is not considered to be a material consideration in the assessment of the application.

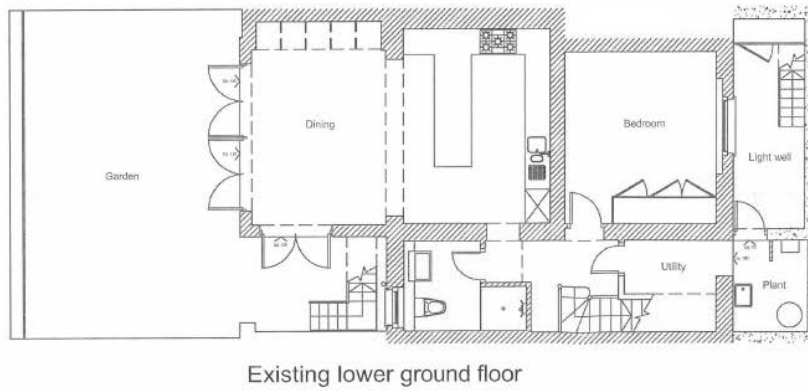
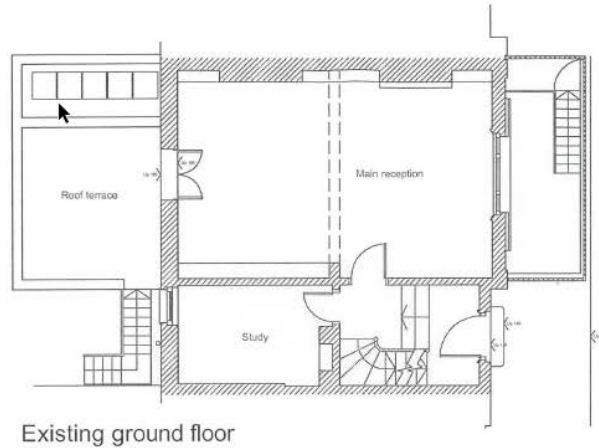
## 9. BACKGROUND PAPERS

1. Application form.
2. E-mail from Belgravia Residents Association dated 13 February 2017.
3. Memorandum from Highways Planning Manager dated 28 December 2016.
4. Memorandum from Environmental Health received 29 December 2016.
5. E-mail from the residential occupier of 12 Bloomfield Terrace received on the 19 January 2017.
6. E-mails from the residential occupier of 11 Bloomfield Terrace received on the 27 December 2016, 17 January 2017, 8 January 2017, 31 January 2017 and 18 February 2017.
7. E-mail from the residential occupier of 6 Bloomfield Terrace received on the 8 January 2017.

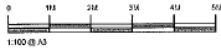
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT [MMASON@WESTMINSTER.GOV.UK](mailto:MMASON@WESTMINSTER.GOV.UK).

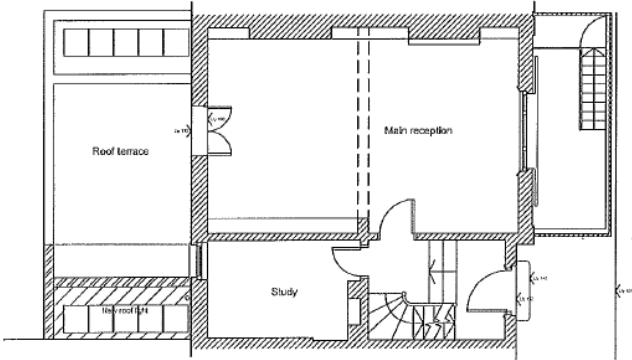
### 3. KEY DRAWINGS



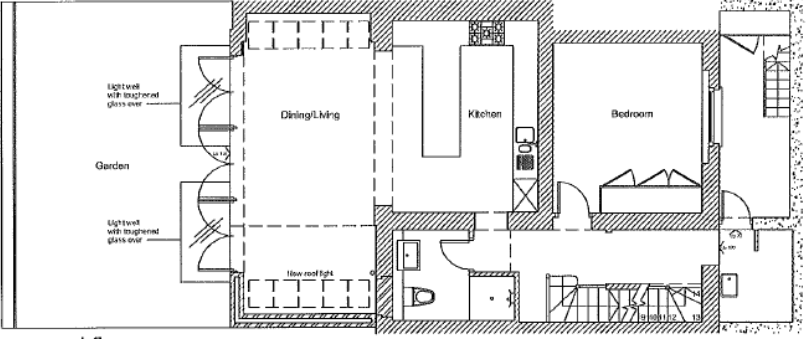
**Existing ground and lower ground floor plan**



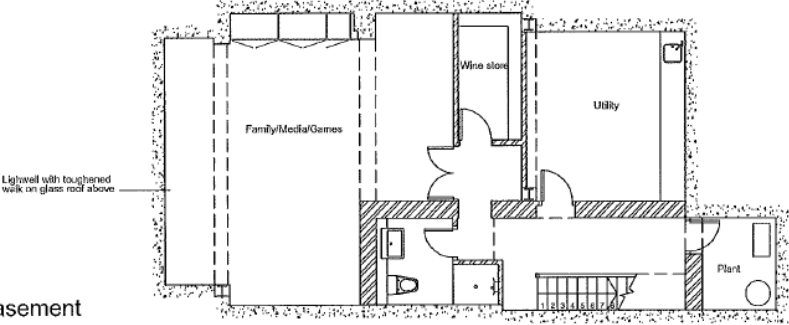
Proposed ground floor



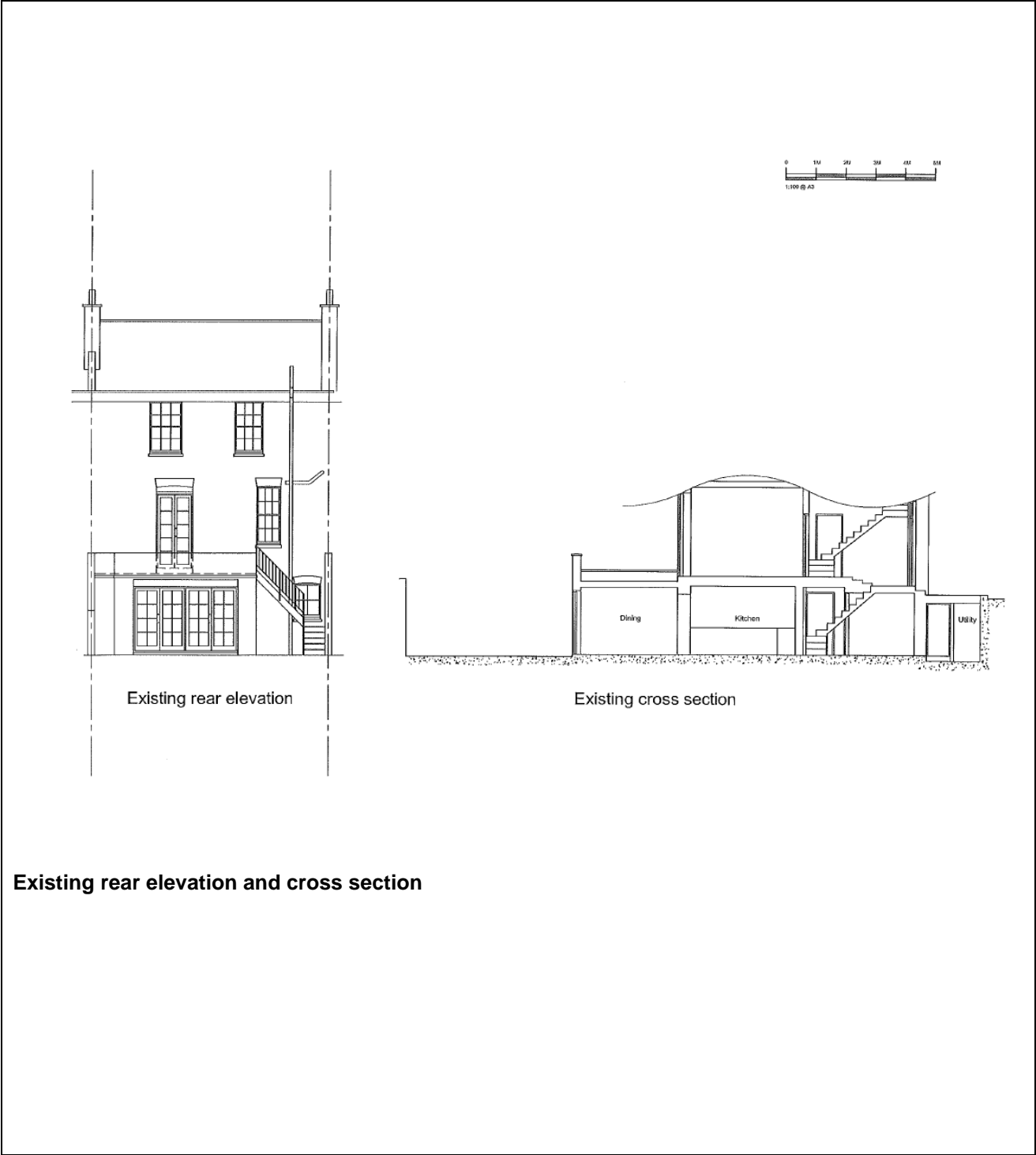
Proposed lower ground floor



Proposed sub basement



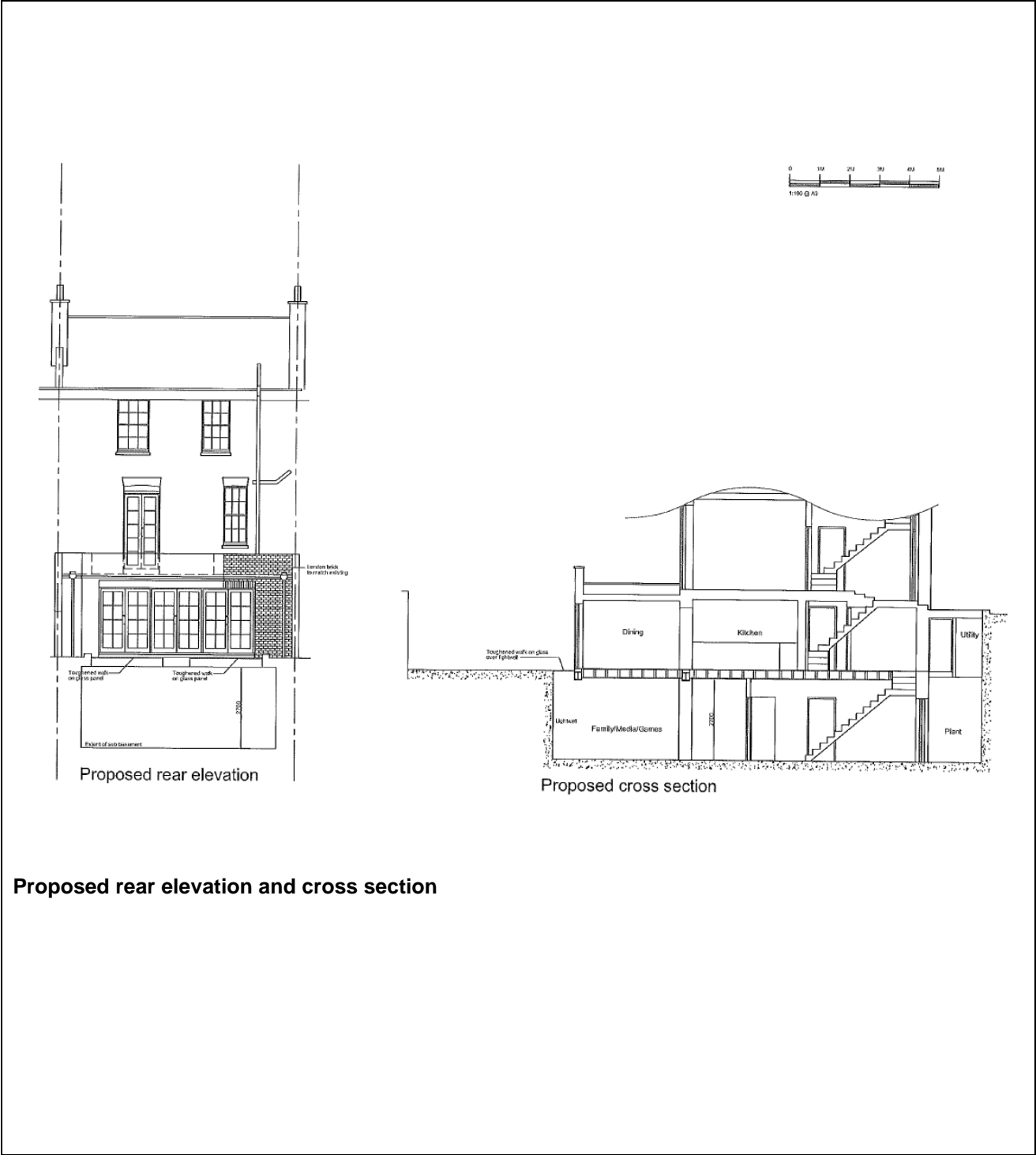
**Proposed ground, lower ground and sub basement plans**



Existing rear elevation

Existing cross section

**Existing rear elevation and cross section**



**Proposed rear elevation and cross section**

**DRAFT DECISION LETTER**

**Address:** 10 Bloomfield Terrace, London, SW1W 8PG,  
**Proposal:** Excavation of new basement with rear lightwell. Erection of a rear extension at lower ground floor.  
**Reference:** 16/10428/FULL  
**Plan Nos:** Location plan, 099-01, 099-02 Rev. A, 099-05 Rev. F and 099-06 Rev D.

For information only: Basement structural method statement (9247/4 SW) dated 10 October 2016

**Case Officer:** Zulekha Hosenally

**Direct Tel. No.** 020 7641 2511

**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 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:

- 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.

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

- between 08.00 and 18.00 Monday to Friday; and
- 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 (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 4 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 Only the flat roof of the rear lower ground floor extension marked as roof terrace on the approved drawings can be used as a terrace. For the avoidance of doubt the areas occupied by roof lights on the drawings to the east and west part of the roof must not be used for sitting out or for any other purpose. You can however use the entire roof of the extension to escape in an emergency.,

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

**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 (November 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 With reference to condition 3 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.
- 3 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.
- 4 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](mailto:siteenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).
- 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 You are advised that the property may be located over a public sewer. The maintenance of public sewers predominately falls under the responsibility of Thames Water. Whilst the City Council considers the basement proposals and the method of undertaking such works to be acceptable, a build over agreement would need to be acquired by the applicant through Thames Water in order to permit any works near or over a public sewer to ensure the correct clearance is maintained between the proposed works and the public sewer. Further information can be obtained at <https://developers.thameswater.co.uk/domestic-and-small-commercial/building-near-pipes/building-over-or-near-a-sewer>. In addition the proposed works would need to comply with Part H4 of the Building Regulations 2010.

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.