

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB-COMMITTEE	Date 13 June 2017	Classification For General Release	
Addendum Report of Director of Planning		Ward involved Churchill	
Subject of Report	39 Westmoreland Terrace, London, SW1V 4AQ		
Proposal	Two storey infill extension at rear lower ground and ground floors with roof terrace at first floor level; extensions to closet wing at first and second floor levels; infill extension to front lightwell and lowering of basement vault.		
Agent	Yard Architects		
On behalf of	Mrs Canham		
Registered Number	16/12043/FULL	Date amended/ completed	20 December 2016
Date Application Received	20 December 2016		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application was reported to the Planning Applications Sub-Committee on 16 May 2017 where the Sub-Committee resolved to grant conditional permission. Following Sub-Committee it transpires additional objections were received but not tabled on the night.

Additional objections have been received from residential occupiers at Nos. 16, 41, 43 and 71 Westmoreland Terrace. The additional representations raise similar points which have previously been addressed; however some additional concerns are raised which include damage to property through construction, loss of view and overdevelopment.

Loss of view is not a material planning consideration. In terms of damage to property, whilst this is not controlled through the planning system but through Building Regulations and the Party Wall Act, the applicant has provided a structural engineer's statement which demonstrates that this matter has been adequately considered at this early stage. It would be unreasonable to withhold permission on these grounds.

With regard to overdevelopment, the scale of the proposal is similar to extensions found along the terrace, wider Pimlico area and wider city. Given other considerations including detailed design and impact on amenity are acceptable, the proposals are not considered to constitute overdevelopment.

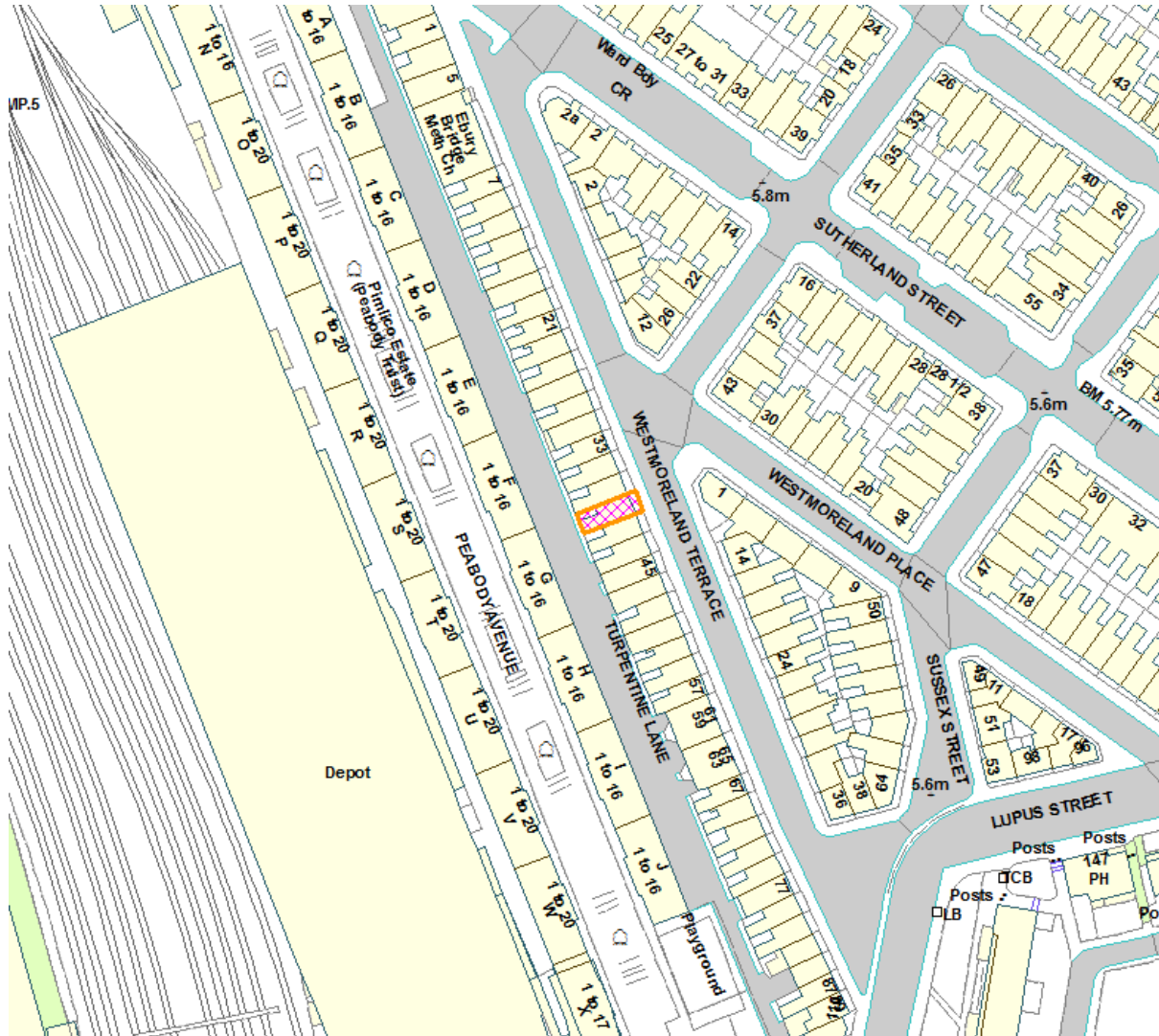
Objectors have also raised the point that, in future, the use of rooms may change or rooms may be further subdivided and that this should be considered when assessing loss of light. Loss of light has been assessed with consideration given to the current use and layout of surrounding rooms. To withhold permission on the basis that room uses could change in future would not be reasonable.

A resident within No.41 states that the room within the closet wing at rear ground floor level is not dual aspect and that the small window located in the flank of the closet wing serves to light a hall and main staircase. The room in question is in use as a library/ utility space and has been partitioned, which includes a bookcase. The small window in the flank of the closet wing serves a narrow library area. The room does not include a door between the library area and the utility space. It would not be reasonable to refuse permission on the grounds of loss of light to this small window and light to uninhabitable rooms or spaces such as a staircase or hall cannot be protected

A resident within No.41 also considers that there have been procedural irregularities in dealing with this application. Officers do not consider this to be the case.

Having regard to the additional representations, the application remains acceptable in design, amenity and land use terms and conditional permission is recommended.

3. LOCATION PLAN



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4. CONSULTATIONS

No additional consultations undertaken.

Four further representations received which were not reported to Sub-Committee on 16 May 2017 from neighbouring residents raising objection on some or all of the following grounds:

DESIGN

- The proposals do not follow the pattern of existing rear extensions in terms of depth, width, height and detailed design;
- Overdevelopment of site;

AMENITY

- Extensions would result in a loss of light;
- Increased sense of enclosure;
- Loss of privacy
- Increased noise.

OTHER

- Loss of light will affect green wall and plants within basement garden;
- Impact of construction noise;
- The proposals could damage adjoining properties;
- The proposals would encroach on views.

5. BACKGROUND PAPERS

1. Committee report dated 16 May 2016.
Representations received.
2. Response from Westminster Society dated 10 January 2017.
3. Response from Building Control dated 14 March 2017.
4. Response from Tree Section dated 20 April 2017.
5. Letter from occupier of 41A Westmoreland Terrace dated 3 January 2017.
6. Letters from occupiers of 41 Westmoreland Terrace dated 17 January, 23 January, 2 February and 15 May 2017.
7. Letter from Right of Light Consulting dated 11 April 2017.
8. Letter from Daylight and Sunlight Ltd dated 20 April 2017.
Additional and late representations received.
9. Letters from occupiers of 41 Westmoreland Terrace dated 8 May, 9 May, 10 May, 15 May and 16 May 2017.
Additional representations not reported to Committee on 16 May 2017.
10. Letter from occupier of 75 Westmoreland Terrace dated 14 May 2017.
11. Letter from occupier of 41 Westmoreland Terrace dated 15 May 2017.
12. Letter from occupier of 43 Westmoreland Terrace dated 15 May 2017.
13. Letter from occupier of 16 Westmoreland Terrace dated 26 May 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: IAN CORRIE BY EMAIL AT icorrie@westminster.gov.uk
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DRAFT DECISION LETTER

- Address:** 39 Westmoreland Terrace, London, SW1V 4AQ
- Proposal:** Two storey infill extension at rear lower ground and ground floors with roof terrace at first floor level; extensions to closet wing at first and second floor levels; infill extension to front lightwell and lowering of basement vault.
- Reference:** 16/12043/FULL
- Plan Nos:** PP-01; PP-02 Rev. A; PP-03 Rev. A; PP-04; PP-05; PP-06; PP-07; PP-08; PP-09 Rev. B; PP-10 Rev. A; PP-11; PP-12 Rev. A; PP-13;

For information:

Structural Engineer's Statement for Planning Approval dated 8 March 2017; Design & Access Statement dated December 2016; Flood Risk Assessment dated December 2016; Daylight and Sunlight Report dated 3 March 2017; Letter from Daylight & Sunlight (UK) Ltd dated 20 April 2017; Updated DD Table received 20 April 2017; Updated VSC Table received 20 April 2017.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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:
- 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 (November 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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 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.

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 (November 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)

- 5 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 (November 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)

- 6 All new external windows and doors must be made out of timber painted white and maintained in that colour.

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 (November 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 You must apply to us for approval of detailed drawings of the following parts of the development - all new external windows and doors, including plans and elevations at 1:20 or 1:10 and sections at 1:10 or 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 approved details.

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 (November 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)

- 8 You must not use the roof of the first 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 (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

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 Please be advised that the Council would encourage the use of integral or true glazing bars for any new double hung sliding sash windows (where the units are double-glazed and have glazing bars), however, simulated or applied glazing bars would be acceptable with white spacers given that the sash rails and glazing bars are of a matching profile to those on the existing windows. Where any of the proposed window units include external drip bars or weatherbars and associated trickle vents, these should be concealed.
- 3 You will need technical approval for the works to the highway (supporting structure) prior to commencement of development. You should contact Andy Foster (afoster1@westminster.gov.uk) in Westminster Highways Infrastructure and Public Realm to progress the application for works to the highway.

- 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 or visit 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.

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.