

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 10 October 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> St James's	
<b>Subject of Report</b>	11 Floral Street, London, WC2E 9DH,		
<b>Proposal</b>	Installation of cleaning gantry with access ladder and associated works to rear atrium roof glazing.		
<b>Agent</b>	Gerald Eve LLP		
<b>On behalf of</b>	Capital & Counties CG Limited		
<b>Registered Number</b>	17/06012/FULL	<b>Date amended/ completed</b>	7 July 2017
<b>Date Application Received</b>	7 July 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Covent Garden		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

11 Floral Street is a retail unit located within an unlisted building within the Covent Garden Conservation Area. This application relates to the atrium roof glazing to the rear of the site, which is adjacent nos. 41 - 43 King Street, a Grade II\* listed building.

Planning permission is sought to install a cleaning gantry with access ladder and associated works to the southern side of the atrium roof glazing. The proposed gantry would be located in an enclosed area of the site immediately adjacent to 41 - 43 King Street.

The key issues are:

- The impact on the amenity of neighbouring residents; and
- The impact on the setting of the adjacent II\* listed building (41 – 43 King Street) and character and appearance of the Covent Garden Conservation Area.

The supporting information states that there is currently no access to the southern side of the atrium roof which had fallen into a state of disrepair and had to be replaced. Works are taking place to refurbish the atrium roof glazing in connection with the extant permissions. The gantry is proposed for routine cleaning and maintenance and would not be used for any other purpose. There is already

suitable access to the other side of the atrium roof.

Policy ENV13 of the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 of the City Plan aims to protect the amenity of residents from the effects of development.

The proposed gantry would be accessed from inside No. 11 Floral Street via an access hatch, with a fixed ladder. The gantry would run along the entire length of the atrium roof and would be located directly outside the rear first floor windows of Flat 1, 43 King Street. All rear windows to this flat would look onto the proposed gantry. Five of the first floor windows on the rear elevation serve two bedrooms (two windows to one bedroom and three windows to the second bedroom), whilst the other two windows serve bathrooms and are located in the east and west side return elevations.

Whilst an objection has been received from the owner of this flat on the grounds of sense of enclosure and overlooking together with a loss of privacy, a site visit from this property reveals that the juxtaposition with the glazed atrium is such that the views from these neighbouring windows is already restricted.

The gantry would be located in close proximity to the windows of the neighbouring flat but as the windows are large, it is considered that they would still receive suitable levels of sunlight and daylight. Furthermore, due to the design of the gantry being set back from the windows and not exceeding the height of the atrium, and as it would not be a solid structure such as a brick wall, it is considered that it would be difficult to justify it would result in a significant increase in sense of enclosure.

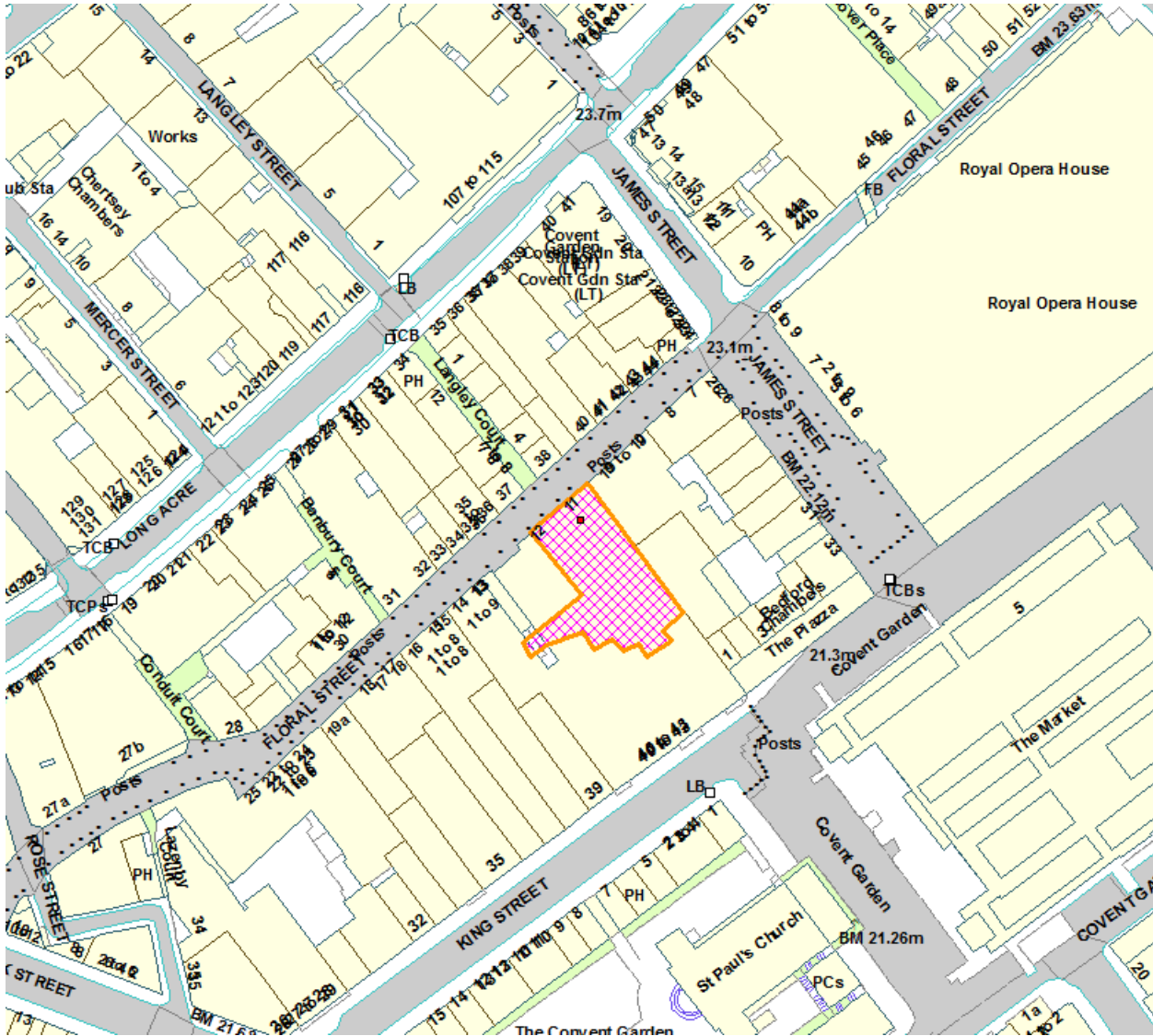
With regards to outlook, the view from the bedroom windows is already impaired by the glazed atrium and although the gantry could appear unsightly, it is not considered that the outlook from these windows would be significantly worsened to an unacceptable degree.

The objector also raises concerns that there would be direct overlooking into the bedrooms and bathroom from the users of the gantry. Whilst the concerns from the objector are understood, the gantry is only considered to be acceptable providing it is used for cleaning and maintenance purposes only. A condition is recommended requiring that the gantry shall only be used for cleaning and maintenance purposes and for a maximum of 6 days per annum, with a minimum of 2 days' notice to be provided to the occupier of No. 43 King Street. Subject to the recommended condition, on balance the proposal is considered acceptable in amenity terms.

In terms of design, the new gantry would not be fixed to the adjacent listed building and no historic fabric would be affected by this work. The significant bulk of the existing atrium roof already causes some harm to the setting of the adjacent listed building and the addition of the gantry would not significantly worsen the existing situation. The addition of a utilitarian structure on the atrium roof is not ideal, however given that there would be little or no impact on the setting of the adjacent listed building, and due to the isolated position of the gantry it would not detract from the character and appearance of the Covent Garden Conservation Area. As such, the proposal would be in compliance with DES1, DES5, DES9 and DES10 of the UDP.

Having regards to the site visit to the objector's property and subject to the recommended conditions, on balance the application is acceptable in design and amenity terms and is recommended for approval.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



11 Floral Street



**Atrium roof of 11 Floral Street adjacent to 43 King Street  
(Prior to works to refurbish atrium glazing)**



**Atrium roof of 11 Floral Street adjacent to 43 King Street  
(Works taking place to refurbish atrium glazing in connection with permitted works on site)**



**View from bathroom window of Flat 1, 43 King Street**



**View from a bedroom window of Flat 1, 43 King Street**





**View from a bedroom window of Flat 1, 43 King Street**

## 5. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION:  
No objection.

COVENT GARDEN AREA TRUST:  
No response to date.

HISTORIC ENGLAND:  
This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:  
No. Consulted: 50  
No. of replies: 1

Objection from a neighbour on the following grounds:

- The walkway and gantry is approximately 2 metres away from six windows in the neighbouring flat;
- The proposal significantly increases the sense of enclosure and overlooking together with a loss of privacy to the neighbouring flat.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

## 6. Recent Relevant History

### 11 Floral Street

09 July 2010:

Permission and listed building consent granted for 'Alterations at roof level including the installation of a plant room, solar panels and metal walkway' (10/03044/FULL and 10/00457/LBC).

### 11 - 12 Floral Street

18 October 2016:

Permission and listed building consent granted for 'Installation of new shopfront to no.11; use of part basement, part ground, first and second floors of no. 11 as retail (Class A1) with ancillary cafe and use of part basement floor of no. 12 as retail (Class A1); use of part basement, part ground, and first to fourth floors of no. 12 as offices (Class B1); and associated external alterations to nos. 11 and 12' (16/05805/FULL and 16/05806/LBC).

05 June 2017:

Permission and listed building consent granted for 'Variation of Conditions 1 and 7 of planning permission (RN: 16/05805) and Condition 1 of listed building consent (RN: 16/05806) dated 18 October 2016 for 'Installation of new shopfront to no.11; use of part basement, part ground, first and second floors of no. 11 as retail (Class A1) with ancillary cafe and use of part basement floor of no. 12 as retail (Class A1); use of part basement, part ground, and first to fourth floors of no. 12 as offices (Class B1); and associated

external alterations to nos. 11 and 12; namely, to allow for a variety of external design amendments and small increase in Class A1 floorspace' (17/03130/FULL and 17/03362/LBC).

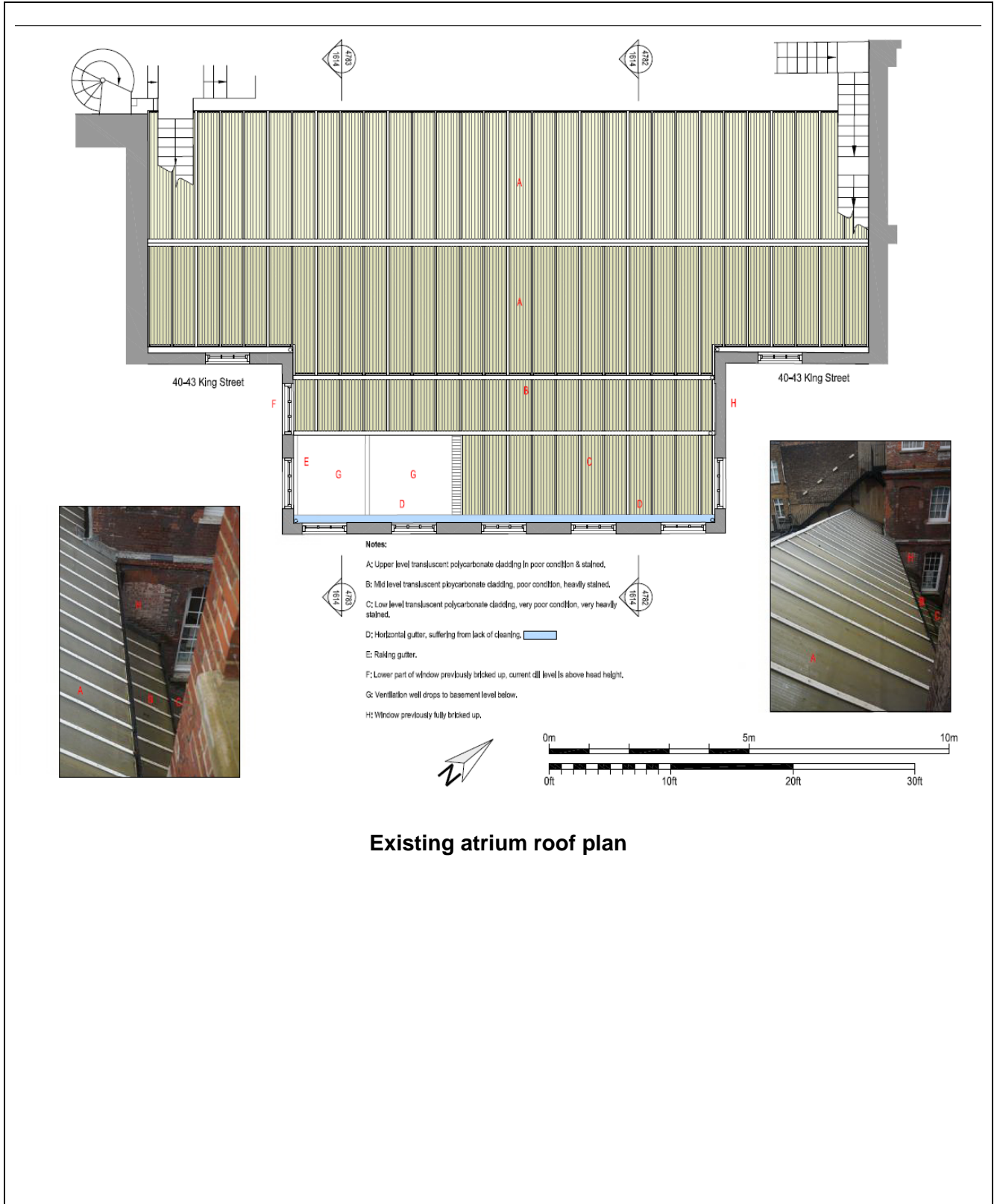
## **7. BACKGROUND PAPERS**

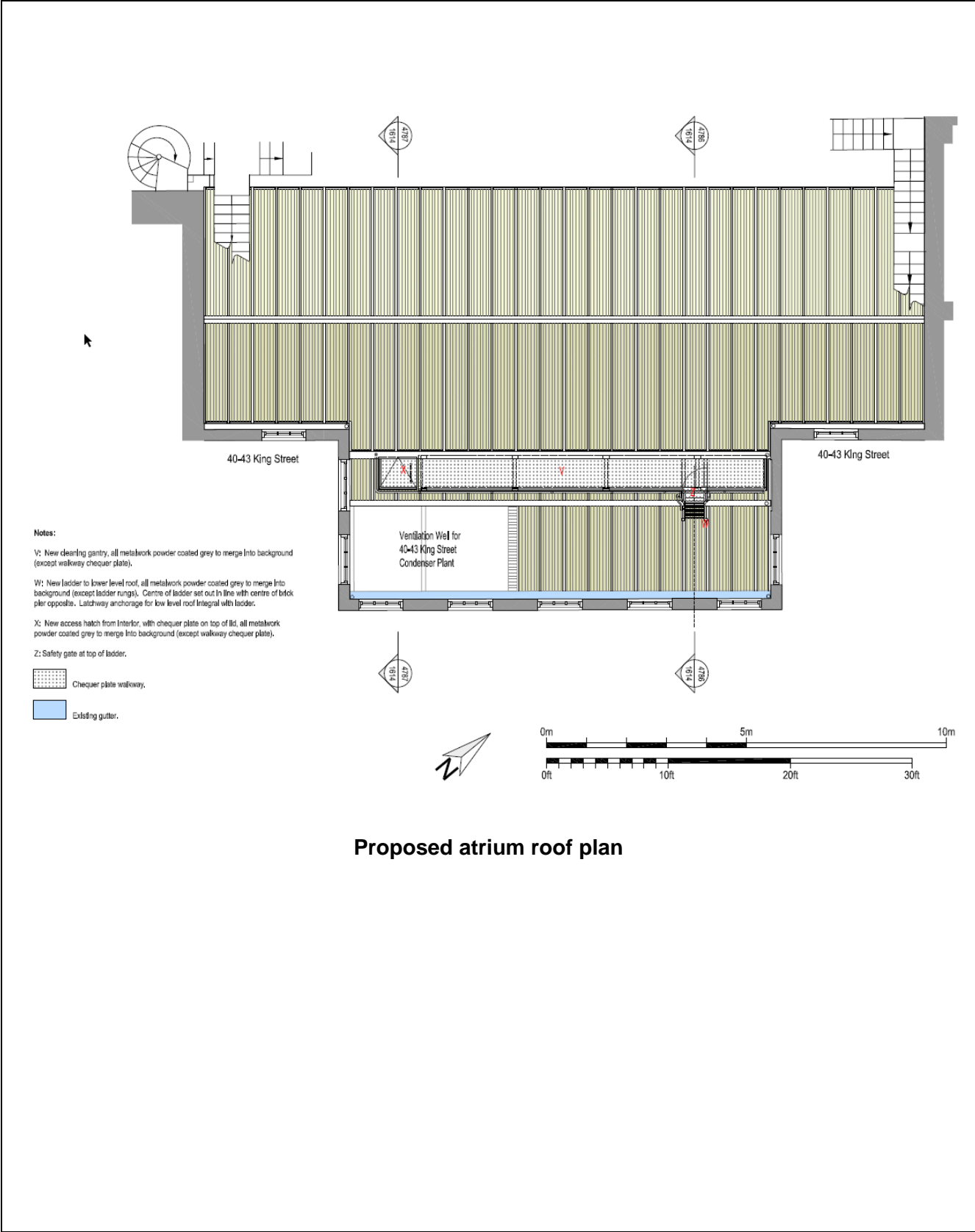
1. Application form
2. Response from Covent Garden Community Association dated 30 July 2017
3. Letter from owner of Flat 1, 43 King Street dated 3 August 2017
4. Response from Historic England dated 22 September 2017

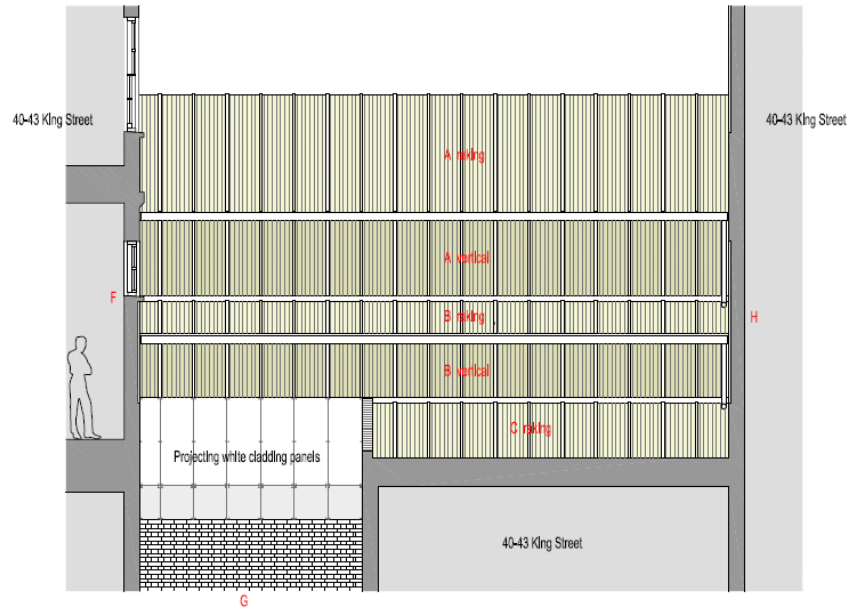
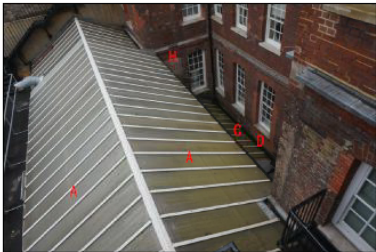
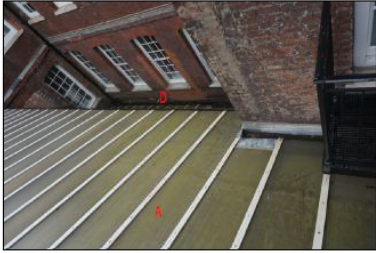
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

### 8. KEY DRAWINGS



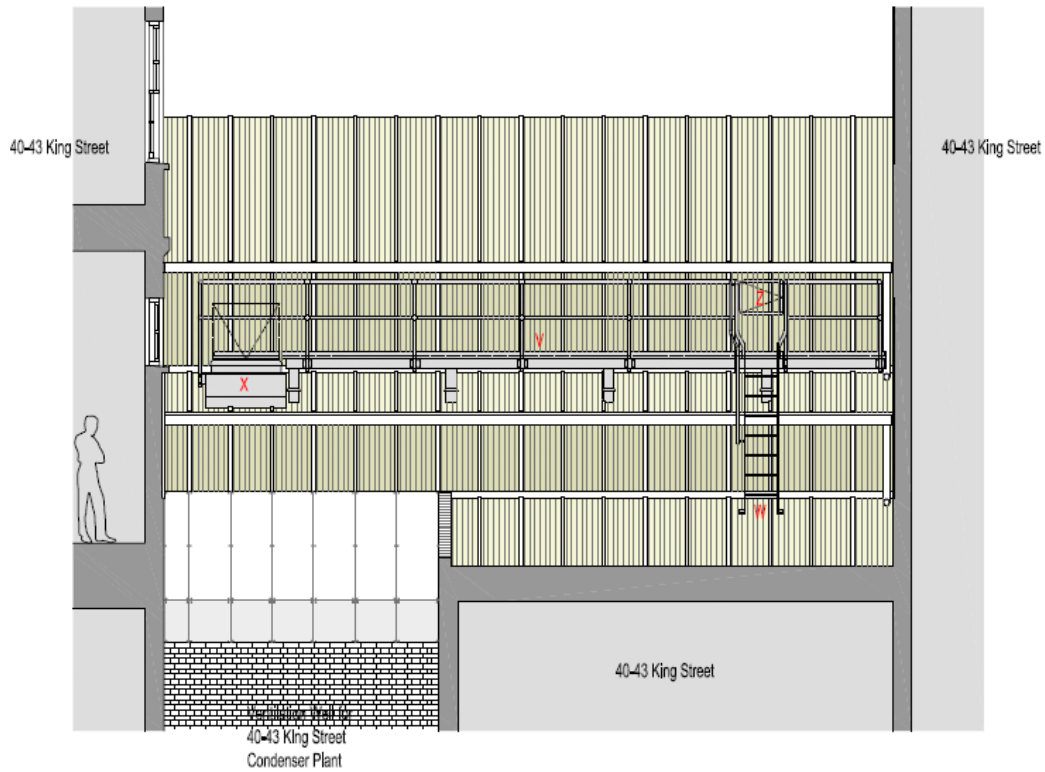




- Notes:
- A: Upper level translucent polycarbonate cladding in poor condition & stained.
  - B: Mid level translucent polycarbonate cladding, poor condition, heavily stained.
  - C: Low level translucent polycarbonate cladding, very poor condition, very heavily stained.
  - F: Lower part of window previously bricked up, current cill level is above head height.
  - G: Ventilation well drops to basement level below.
  - H: Window previously fully bricked up.



Existing atrium elevation



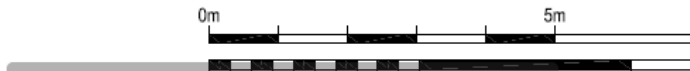
**Notes:**

V: New cleaning gantry, all metalwork powder coated grey to merge into background (except walkway chequer plate).

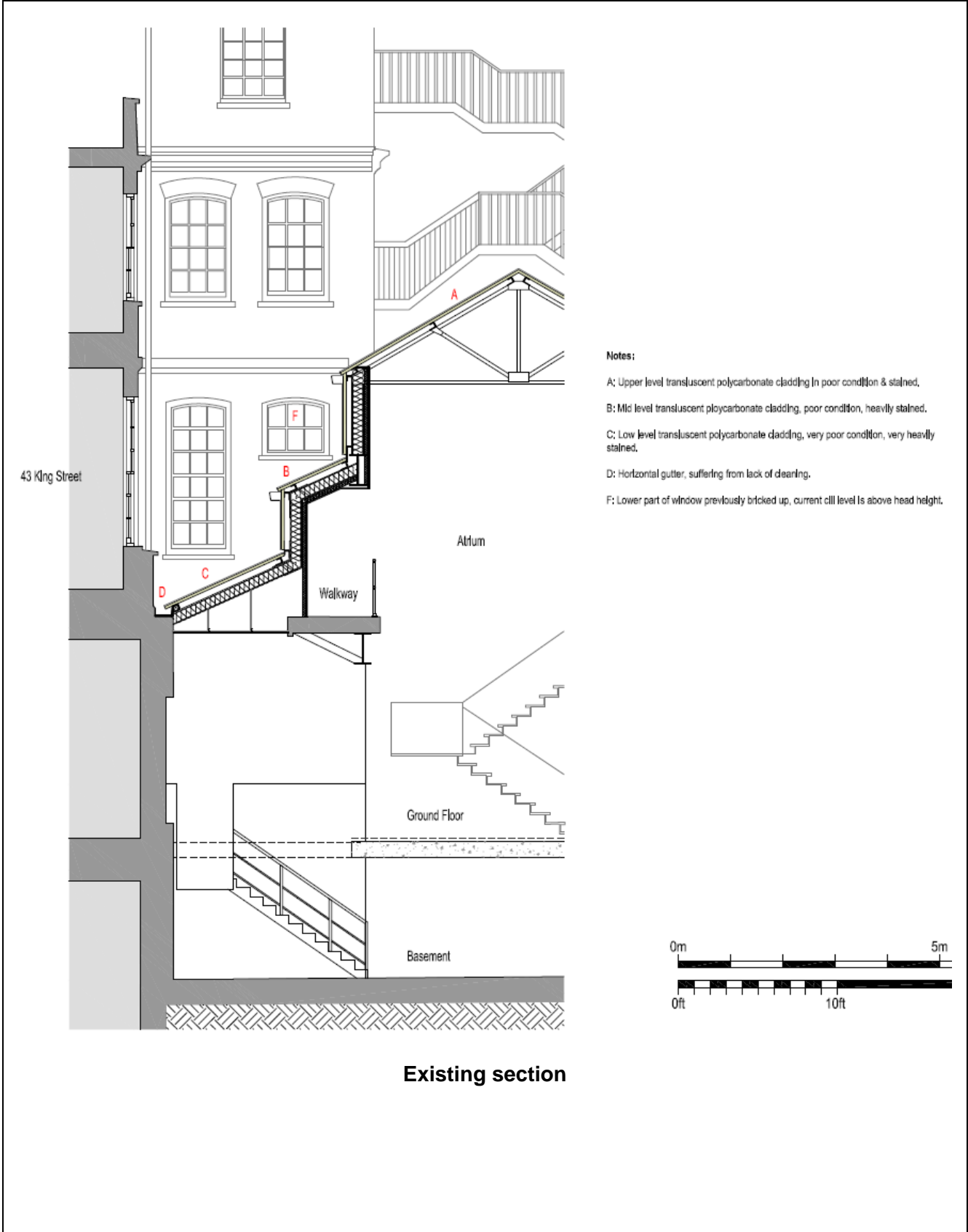
W: New ladder to lower level roof, all metalwork powder coated grey to merge into background (except ladder rungs). Centre of ladder set out in line with centre of brick pier opposite. Latchway anchorage for low level roof integral with ladder.

X: New access hatch from interior, with chequer plate on top of lid, all metalwork powder coated grey to merge into background (except walkway chequer plate).

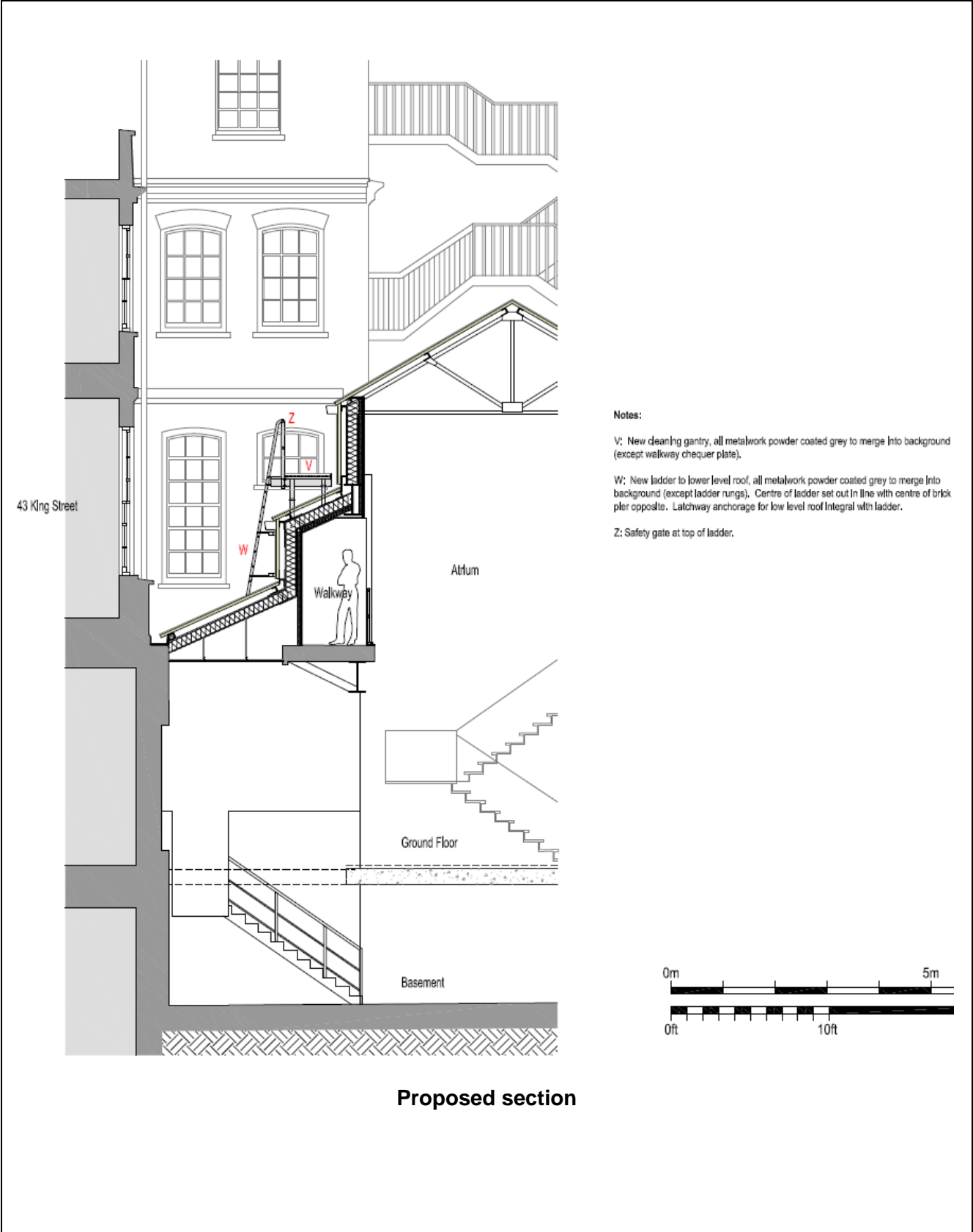
Z: Safety gate at top of ladder.

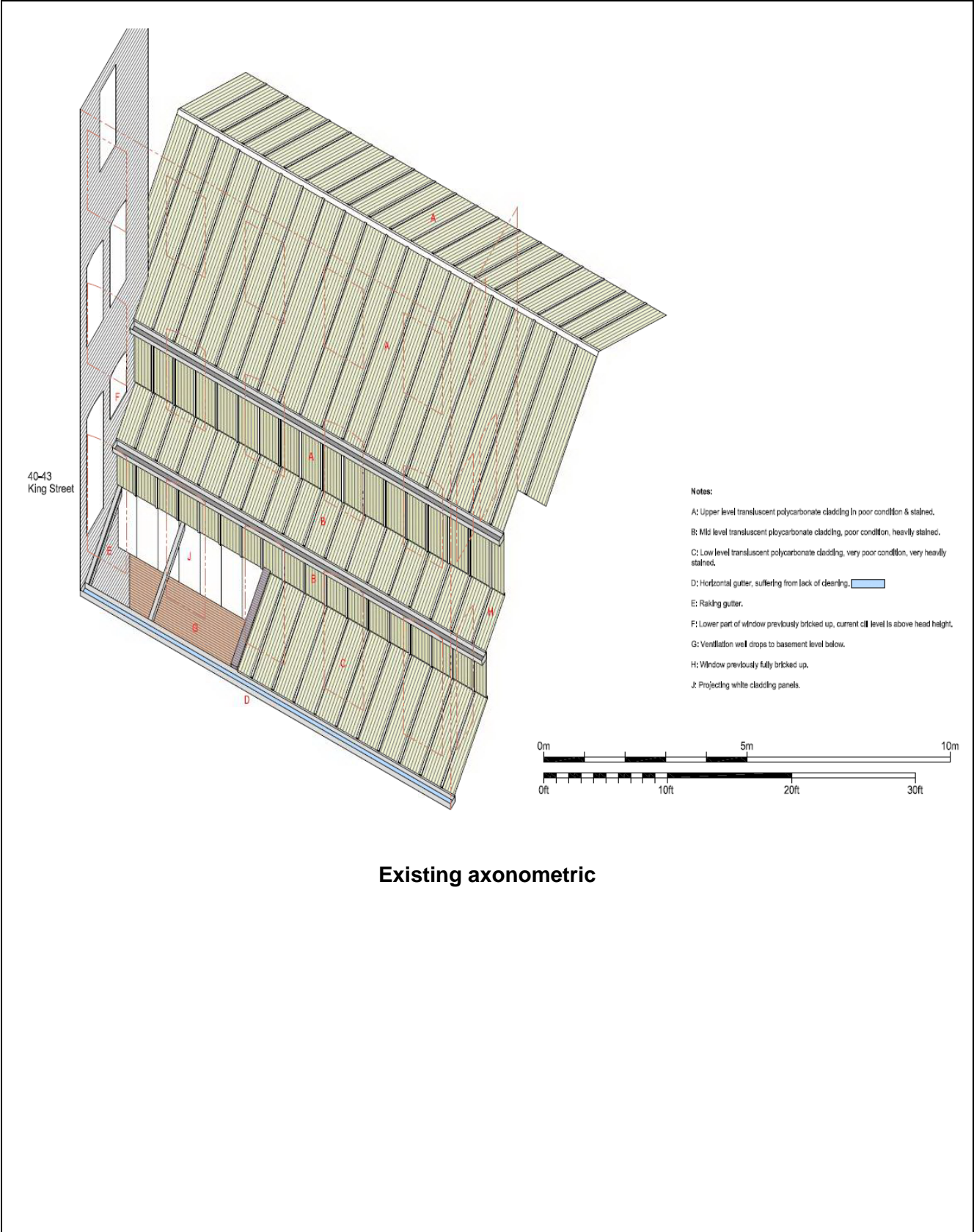


**Proposed atrium elevation**

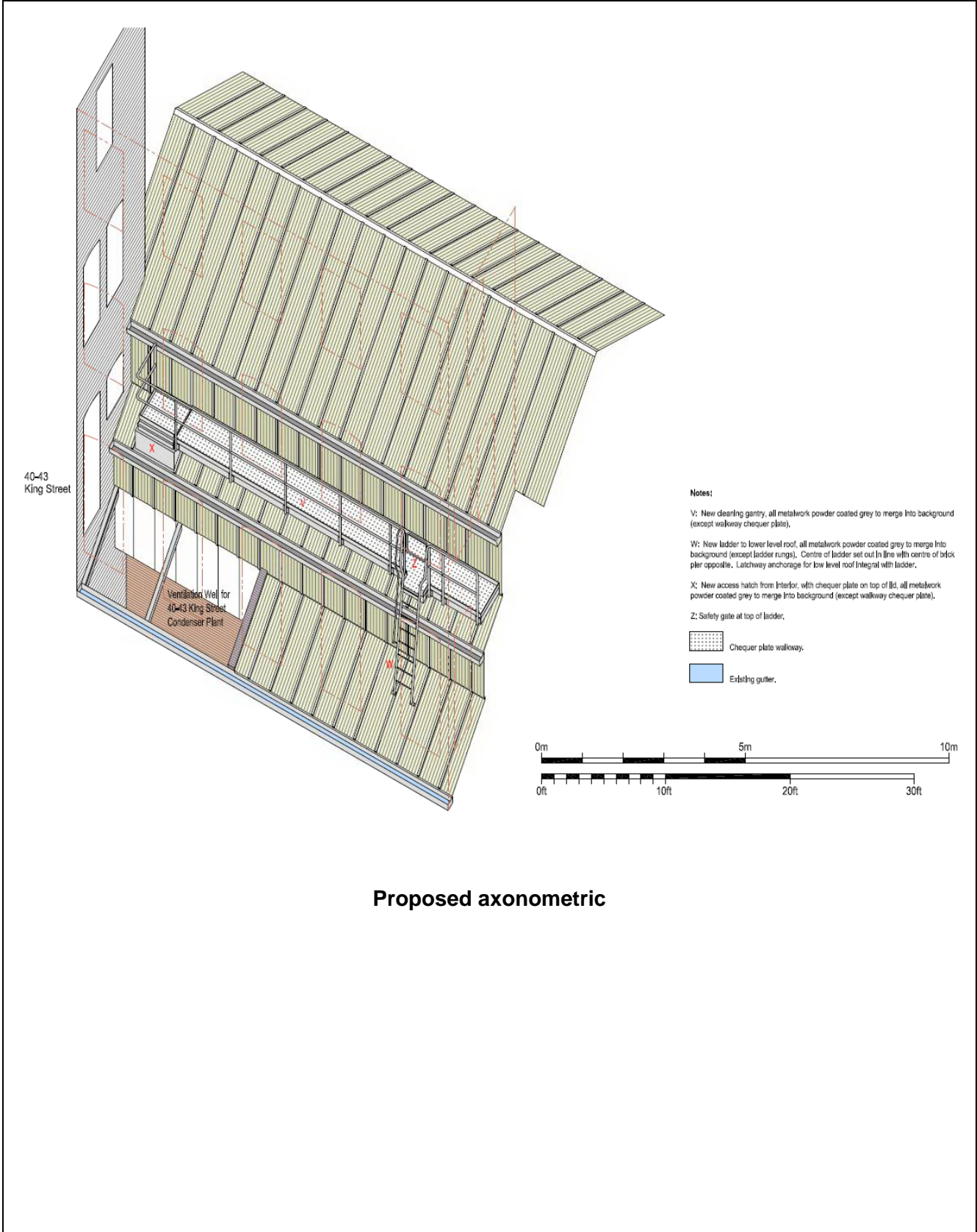








**Existing axonometric**



Proposed axonometric

**DRAFT DECISION LETTER**

**Address:** 11 Floral Street, London, WC2E 9DH,

**Proposal:** Installation of cleaning gantry with access ladder and associated works to rear atrium roof glazing.

**Reference:** 17/06012/FULL

**Plan Nos:** 1614-0007, 1614-4784 rev: B, 1614-4781 rev: A, 1614-4780 rev: A, 16-14-4790 rev: A, 1614-4782 rev: A, 1614-4789, 1614-4783 rev: A, 1614-4785 rev: B, 1614-4787 rev: B, 1614-4788 rev: B, , Design and Access Statement and covering letter and second letter dated 17/08/17 for information only

**Case Officer:** Nosheen Javed

**Direct Tel. No.** 020 7641 2858

**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).

**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.

- 3 You must apply to us for approval of a detailed cleaning management plan showing how you will clean the glazed roof light. You must not start work until we have approved what you have sent us. You must then carry out the work according to these drawings.

**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.

- 4 The approved gantry shall only be used for cleaning and maintenance purposes and for a maximum of 6 days per annum, with a minimum of 2 days' notice to be provided to the occupier of No. 43 King Street (except 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.

**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.

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.