

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 13 February 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Vincent Square	
Subject of Report	78 - 110 Rochester Row, London, SW1P 1JU		
Proposal	Erection of a roof extension to provide office floorspace (Use Class B1) and associated alterations.		
Agent	Turley		
On behalf of	Wrenton Limited		
Registered Number	17/09143/FULL	Date amended/ completed	20 October 2017
Date Application Received	13 October 2017		
Historic Building Grade	Unlisted		
Conservation Area	N/A		

1. RECOMMENDATION

Refuse permission – land use.

2. SUMMARY

78 – 110 Rochester Row is a part-five part-six storey building in mixed commercial and residential use built in the 1980s. The application site is located within the Pimlico CAZ. It is not listed or located within a conservation area but is adjacent to the Vincent Square Conservation Area and two Grade II listed buildings.

Permission was granted in 2016 to extend the building at roof level to provide six residential flats. This application seeks permission for the same roof extension but to use it for B1 office purposes.

The main issue for consideration is the acceptability of the proposal in land use terms.

Two objectors have reiterated their objections to the roof extension, and have raised new concerns relating to the office use. The commercial use of the proposed extension is considered inappropriate in the Pimlico CAZ where development should primarily be for residential use. As such the proposal fails to meet with the policies set out in Westminster's City Plan (the City Plan) and is recommended for refusal for the reason set in the draft decision notice.

4. PHOTOGRAPHS



78 – 110 Rochester Row
(View along Rochester Row/ junction with Willow Place)



78 – 110 Rochester Row

5. CONSULTATIONS

WESTMINSTER SOCIETY:

No objection.

HIGHWAYS PLANNING MANAGER:

No objection, subject to conditions.

CLEANSING MANAGER:

No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED:

No. Consulted: 231

Total No. of replies: 3

No. of objections: 3 (incl. two from one neighbour)

No. in support: 0

Objections from neighbouring residents on the following summarised grounds:

- Loss of privacy;
- Loss of light (to flat 17 within the application building from the obstruction of a rooflight);
- Overbearing, sense of enclosure and loss of outlook;
- Loss of monetary value to neighbouring residential properties; and
- Loss of views.

One resident states that should permission be granted the same conditions relating to ensuring neighbours are not unduly harmed which were previously imposed should be re-applied to any new permission. The objector also raises a new concern regarding the use of the new floorspace, which they consider could be harmful if a B1 use other than office was implemented, and so state that the use should be restricted by condition to office B1(a) only.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site is located on north-west side of Rochester Row, close to the junction with Vauxhall Bridge Road. The building is part-five part-six storeys high plus a basement level. The building is in mixed office, residential and non-residential institution (D1) uses (a conference centre) with a shared car park at basement level. The existing roof level includes roof plant and lift overrun structures, as well as the upper floor of an existing flat (Flat 17) and its associated roof terrace to the south-west corner of the building.

The application site is not listed or located within a conservation area. It is adjacent to the Vincent Square Conservation Area to the east and north and opposite two Grade II listed buildings.

The building dates from the 1980s and given its location has a strong presence in the townscape. It is comparable in height and scale to neighbouring buildings which are between four and six storeys high.

6.2 Recent Relevant History

On 23 August 2016 planning permission was granted for the erection of a roof extension to provide six residential units (Use Class C3) and associated alterations.

7. THE PROPOSAL

Permission is sought for the erection of a roof extension to provide office floorspace (Use Class B1) and associated alterations. The design of the roof extension matches that granted permission in 2016, the difference is the use of the floorspace as B1 office.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
B1 (office)	1757	2290	533
C3 (residential)	1853	1853	0
D1 (conference centre)	692	692	0
Total	4302	4835	533

8. DETAILED CONSIDERATIONS

8.1 Land Use

Policy S20 of the City Plan identifies the need for significant additional office floorspace within Westminster to retain and enhance Westminster's strategic role in London's office sector and support London's global competitiveness. The policy states new office floorspace will be directed towards the Core CAZ, Opportunity Areas and Named Streets as these areas are identified as having the predominate capacity for growth and because commercial uses are the priority in these areas. Elsewhere, area specific policies will apply and Policy S10 of the City Plan relates to Pimlico. It states this area will be primarily residential, and new commercial uses will not generally be appropriate, unless they provide services to support the local residential community.

In support of their application, the applicant states that whilst Policy S20 directs new office floorspace to the Core CAZ, that it does not preclude it elsewhere. The applicant also stresses that the application building already contains a mix of both commercial and residential floorspace, and the immediate area around the junction of Rochester Row and Vauxhall Bridge Road is also made up of a mix of uses. The applicant argues that whilst Policy S10 states that new commercial uses are not generally appropriate to Pimlico, given the arguments put forward above, the proposal would not represent an inappropriate intensification of commercial uses on this site and the proposals would contribute to the Council's city wide target for additional office floorspace.

The applicant also argues that whilst not in Westminster's Core CAZ, the site is located within London's Central Activities Zone as defined by the Mayor, and the Mayor's SPG on the Central Activities Zone states office uses may be given equal weight relative to residential in this part of the zone.

The proposal would add a total of 533 sqm (GIA) of office floorspace, and it is recognised that this would contribute to meeting the City Council's office floorspace targets. However, it would conflict with the Council's policy relating to Pimlico where in order to protect and enhance its residential character and function, and to promote residential development in the appropriate areas, new commercial uses are resisted unless they provide services for the residential community that live there. As the commercial use proposed in this instance is a private office, it would not provide a service to the local community. The policy does allow for other exceptions to be made such as in shopping areas, but the application building is located outside of these areas. The policy does not state or suggest exceptions should be made for mixed use sites. Particularly given there is extant permission for a residential extension to this property, it is not considered there is sufficient justification to depart from the Council's development plan. The proposal fails to comply with policy S10 of the City Plan and is unacceptable in land use terms as a consequence.

The Mayor's SPG does say office uses may be given equal weight to residential uses in this part of the CAZ but it recognises that it is Local Plans that play the key role in setting out detailed office and housing policy in the area and the appropriate balance between London's Central Activities Zone strategic functions (including offices) and residential needs. It states Local Planning Authorities will identify locations where residential development is appropriate in the CAZ – Westminster has done this within Policy S10 of its City Plan.

It should also be noted that the City Council's mixed use policy (S1 of the City Plan) does not require residential floorspace to offset the increase in office floorspace for sites outside of the Core CAZ. Therefore, had the proposal been considered acceptable in principle, no housing provisions would be required.

One objector considers that, if the proposals were to be permitted, the use of the additional floorspace should be restricted by condition to only B1(a) office. The Use Class Order defines B1 uses as business uses which comprises B1(a) office, B1(b) research and development of products and processes and B1(c) light industry appropriate in a residential area. Permission for a B1 use would allow changes between these categories of uses. The suggested condition would remove the applicant's permitted development rights to use the space for B1(b) or (c) uses in future on the grounds that B1 uses other than office would harm the amenity of neighbouring residents. The Use Class Order states that all B1 uses (whether they are (a), (b) or (c)) are uses "which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit." The condition suggested by the objector could not reasonably be considered necessary when B1 uses by definition cannot include uses which are detrimental to residents.

8.2 Townscape and Design

The design of the extension matches that with extant permission. Previously, it was considered that the extension would successfully integrate into the host property, improving the roof scape and contributing positively to the townscape and setting of the adjacent conservation area and listed buildings. Given the circumstances have not changed since 2016 in these respects, this view is maintained. Accordingly, the proposal

continues to be consistent with Policies S25 and S28 of the City Plan and Policies DES 1, DES 5, DES 6, DES 9 and DES 10 of the UDP.

8.3 Residential Amenity

Objections were received from nine residents to the 2016 proposals primarily on the grounds of harm to residential amenity. Two residents have reiterated these concerns. Previously, it was considered that the extension would not unduly harm neighbours subject to conditions, which included a condition to ensure a light tube is installed to ensure that light still reaches internal areas of flat 17 within the building via a rooflight that it currently enjoys. One objector states that should permission be granted; this condition should be re-applied. Officers agree, and had the application been acceptable this condition would have been applied.

Another objector also reiterates their concerns regarding privacy. As the currently proposed extension would be used for offices, which are used primarily during the day, the degree of overlooking would be less in comparison to the extant permission for residential. But in any case, the distance between the application site and those opposite is sufficient to prevent harmful overlooking. In terms of outlook and enclosure, the impact would be no different when compared to the extant scheme. In these circumstances, officers maintain the position that the extension is acceptable in terms of residential amenity and complies with S29 of the City Plan and Policy ENV 13 of the UDP.

8.4 Transportation/Parking

Car Parking

No additional car parking is proposed, and this is welcomed by the Highway Planning Manager - Policy TRANS 22 of the UDP says a maximum of one space for 1,500 sqm will be allowed.

Cycle Parking

Five additional cycle parking spaces are proposed. The London Plan requires 1 space per 90sqm which would equate to six spaces in this instance. Therefore, had the proposal been acceptable, the required six spaces would have been secured by condition.

Servicing

With regard to servicing, while the Highway Planning Manager notes that it currently is carried out from the street which is not in line with Policy TRANS 20 of the UDP, it is not considered the additional office floorspace would make a significant difference to the number of vehicles that will have to service the site, and so an objection on this ground is not considered sustainable.

8.5 Economic Considerations

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

8.6 Access

The proposed office floorspace would be accessible by lift.

8.7 Other UDP/Westminster Policy Considerations

Plant

The plant equipment located at roof level would be re-located to the basement floor level. This location would be an improvement in terms of appearance. Further, the basement location is likely to have no greater impact in terms of noise than the current location. However, no acoustic report has been submitted with the application and therefore there is not the information to establish a design criterion at the nearest sensitive receptor, nor is it understood specifically what plant is proposed to be installed and what the predicted noise levels would be at the nearest sensitive receptor. Therefore, had the application been acceptable, this further detail and an acoustic report could have been secured by condition in order to demonstrate that the plant would comply with ENV 7 of the UDP. This would ensure the proposals would not harm the amenity of neighbouring properties.

Refuse/ Recycling

The submitted drawings indicate that the existing waste and recyclable material area would be expanded to provide for the additional office floorspace. The Cleansing Manager is satisfied with this provision. Had the application been acceptable, a condition would be attached to ensure this storage is provided and used for no other purpose.

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.

Had the application been acceptable, the estimated CIL payment would be:

Mayoral CIL: £37,405.61

Westminster CIL: £92,340.77

8.11 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this size.

8.12 Other Issues

None.

9. BACKGROUND PAPERS

1. Application form
2. Response from Westminster Society, dated 26 October 2017
3. Response from Cleansing Manger, dated 3 November 2017
4. Response from Highways Planning Manager, dated 4 December 2017
5. Letter from owners of Flat 17, 102 Rochester Row dated 10 November 2017
6. Objection from occupier of Flat 11, 75 Rochester Row, dated 14 November 2017

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

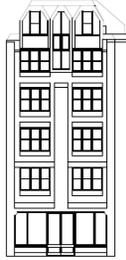
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk



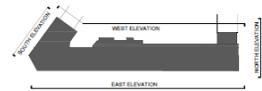
Existing East Elevation (Rochester Row)



Existing South Elevation (Willow Place)



Existing South Elevation (Corner between Willow Place and Rochester Row)



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	<p>Title: Existing East & South Elevations</p>	<p>Date: 17/02/2017</p>	

Existing and Proposed Elevations



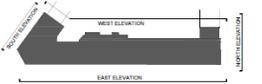
Proposed East Elevation (Rochester Row)



Proposed South Elevation (Willow Place)



Proposed South Elevation (Corner between Willow Place and Rochester Row)



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	<p>Title: Proposed East & South Elevations</p>	<p>Date: 17/02/2017</p>	

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DRAFT DECISION LETTER

Address: 78 - 110 Rochester Row, London, ,

Proposal: Erection of a roof extension to provide office floorspace (Use Class B1) and associated alterations.

Reference: 17/09143/FULL

Plan Nos: Site Location Plan; L714_P(0)010; L714_P(0)011; L714_P(0)012; L714_P(0)013; L714_P(0)014; L714_P(0)020; L714_P(0)021; L714_P(0)101 rev A; L714_P(0)102 rev A; L714_P(0)103; L714_P(0)104; L714_P(0)105; L714_P(0)201; L714_P(0)202; L714_P(0)301; L624_P(0)310; L624_P(0)311; Design and Access Statement; Environmental Performance Statement; BREEAM 2014 Pre-Assessment Report; Flood Risk Assessment; Daylight and Sunlight Report; Planning Statement; Cover Letter.

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

Recommended Condition(s) and Reason(s)**Reason:**

Under Policy S10 of Westminster's City Plan (November 2016), we aim to restrict new commercial uses in Pimlico. New office floorspace is directed to the Core Central Activities Zone. We consider Pimlico more suitable for residential development and prefer to prevent office development in the mainly residential areas such as this. In this area we will normally allow only local service offices. Your development is not in the Core Central Activities Zone and is not for a local service office. And we do not consider that the circumstances of your case justify an exception to our policies.

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 so far as practicable. 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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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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.