

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 25 February 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Churchill	
Subject of Report	11 Graham Terrace, London, SW1W 8JE		
Proposal	Replacement of roof to rear extension including raising height of parapet.		
Agent	Ellis Belk Associates Ltd		
On behalf of	Mr & Mrs Nash		
Registered Number	19/04449/FULL and 19/04450/LBC	Date amended/ completed	20 November 2019
Date Application Received	7 June 2019		
Historic Building Grade	II		
Conservation Area	Belgravia		

## 1. RECOMMENDATION

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

## 2. SUMMARY

11 Graham Terrace is grade II listed terrace house located within the Belgravia Conservation Area. It is in use as a single family dwellinghouse.

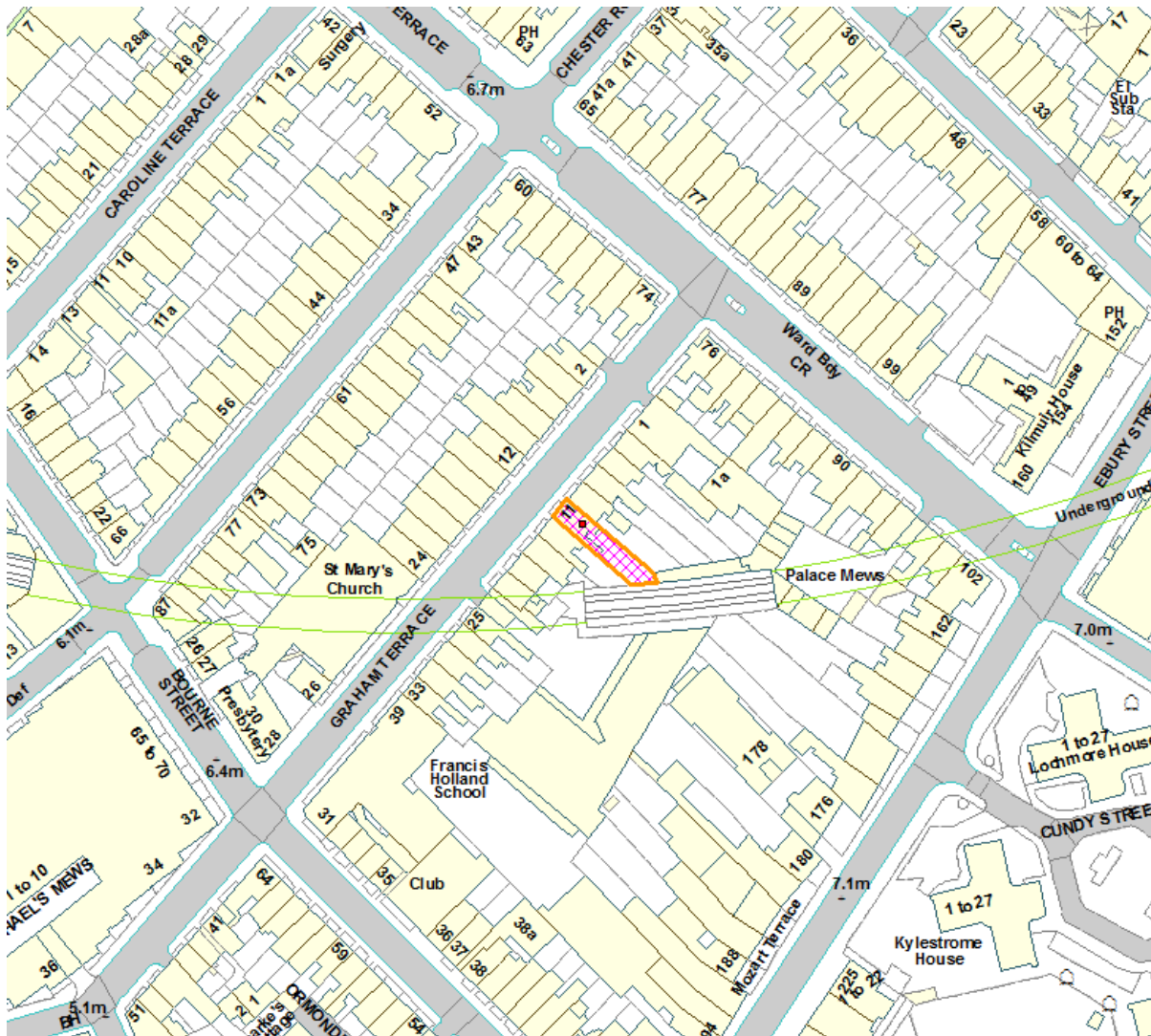
The key issues in this case are:

- the impact of the proposed development on the character and appearance of the listed building and the character and appearance of the Belgravia Conservation Area; and
- the impact on the amenity of neighbouring residents.

Two neighbours object primarily on the grounds of harm to residential amenity.

As set out in this report, the proposed development is considered to accord with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan) and is therefore acceptable in land use, design and amenity terms. As such, the application is recommended for approval subject to the conditions as set out on the draft decision letter.

### 3. LOCATION PLAN



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## 4. PHOTOGRAPHS



Front Elevation





Rear Elevation



View of party wall from 13 Graham Terrace





**View of party wall from 9 Graham Terrace**

## 5. CONSULTATIONS

### BELGRAVIA RESIDENTS ASSOCIATION:

Any response received to be reported verbally by officers.

### THE BELGRAVIA SOCIETY:

Any response received to be reported verbally by officers.

### BELGRAVIA NEIGHBOURHOOD FORUM:

Any response received to be reported verbally by officers.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

#### ORIGINAL APPLICATION

No. Consulted: 2

No. of objections: 2

Two neighbouring residents have raised objection on some, or all, of the following grounds:

#### Design:

- the alterations, including new rooflight, would make the extension bulkier harming the significance of the listed building;

#### Amenity:

- the increased parapet would result in a loss of light and increased overshadowing;
- the rooflight would increase light pollution and impinge on a sense of privacy;

#### Other:

- inadequate drainage is proposed;
- noise disturbance from construction works;
- the cumulative impact of different development on this site increases its impact on neighbours;
- the drawings are inaccurate and incomplete.

#### FIRST REVISED SUBMISSION (Additional drawings submitted)

No. Consulted: 2

No. of objections: 2

Two neighbouring residents have raised objection on some, or all, of the following grounds:

#### Amenity:

- the increased parapet would result in a loss of light and increased overshadowing;

#### Other

- the additional drawings do not overcome the original concerns

- the drawings remain inaccurate, and to achieve the proposed falls to the roof the parapet would have to be raised even higher than currently shown;
- the roof could be repaired/ redesigned without raising the parapets;
- inadequate drainage is still proposed;

SECOND REVISED SUBMISSION (application revised - glass rooflight omitted)

No. Consulted: 2

No. of objections: 2

Two neighbouring residents have raised objection on some, or all, of the following grounds:

Amenity:

- the increased parapet would result in a loss of light and increased overshadowing and this would be worsened if the development cannot be built in accordance with the drawings;

Other:

- there are arrows on the gutters indicating falls but the applicant indicates they will be laid flat;
- the motivation for the proposal is to increase the internal ceiling height of the room (and not just to fix the roof).

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

11 Graham Terrace is a grade II listed terrace house located within the Belgravia Conservation Area. It is in use as a single family dwellinghouse. The building comprises basement, ground and two upper floors.

### 6.2 Recent Relevant History

On 17 December 2013, the City Council granted permission/consent for the 'partial demolition of existing rear extension and erection of a full width extension at rear ground floor level; excavation beneath part of rear garden to provide additional residential accommodation; associated internal alterations' (RN: 13/05064/FULL and 13/05065/LBC)

On 13 August 2015, the City Council refused permission/consent to amend the December 2013 development to allow the closet wing to be extended at second floor level on the grounds it would have harmed the significance of the listed building and conservation area. (RN: 15/03739/FULL and 15/05200/LBC)

On 7 June 2016, the City Council refused permission/consent for the 'partial demolition of existing rear extension and erection of a full width extension at rear ground floor level, excavation beneath part of rear garden to provide additional residential accommodation and increase in height of the closet wing extension to provide an additional storey at second floor level and alterations to the ground floor rear extension' on the grounds the



second floor rear extension would have harmed the significance of the listed building and conservation area. (RN: 16/02045/FULL and 16/02046/LBC)

## **7. THE PROPOSAL**

The applicant seeks planning permission and listed building consent to replace the existing lead/glass roof to the rear extension which includes raising the height of the parapet on the boundaries with 9 and 13 Graham Terrace. The existing flat roof is leaking. In order to remedy this, it is proposed to raise the lead roof to introduce ventilation under the lead and to raise the perimeter parapets to provide watertight details. During the course of determination, the applicant has provided additional and revised drawings. The revision includes the omission of the glass rooflight.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The application property is a single family dwellinghouse. No additional floorspace is to be created as a result of these proposals.

### **8.2 Townscape and Design**

Policies DES 1, DES 5, DES 9 and DES 10 of the UDP apply to the consideration of these applications, whilst S26 and S28 of the City Plan provide the strategic planning policies relevant to design. These policies seek to ensure the highest standard of design and seek to ensure the enhancement or preservation of the character and appearance of heritage assets. Section 16 of the National Planning Policy Framework (NPPF) requires great weight be placed on design quality and on the preservation of designated heritage assets.

The objectors maintain a higher parapet would increase the bulk of the rear extension, and that this would harm the significance of the building. The applicant explains the existing roof is leaking, and that the works are necessary to resolve that and to ensure the roof complies with good building practice.

Whilst the alterations would result in an increase in height, the increase is modest at approximately 155mm and the overall impact on the listed building and townscape would therefore be negligible. The replacement roof would not result in an extension with a significant increase in scale, so it would not upset the existing proportions of the building. It would also be constructed in suitable materials. Further, the revision to remove the rooflight would make the lead roof appear more traditional. In these circumstances, the works would not harm the significance of the listed building or the character and appearance of the Belgravia Conservation Area.

### **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 and enclosure and encourages development that enhances the residential environment of surrounding properties.

The objectors maintain a higher parapet would result in an unacceptable loss of light and increased overshadowing. In this case both adjoining properties, 9 and 13 Graham Terrace, already have a party wall with the existing single storey extension at 11 and these are approximately 2.8 metres high. These existing party walls already enclose and

block some light to the adjoining properties and their gardens, but given the modest proposed 155mm increase in height, it is not considered that this impact would be significantly worsened. This is because any corresponding loss of light or increased sense of enclosure would be minor such that it would unlikely be noticeable.

The objectors contend that it should be possible for the applicant to fix the roof without raising the roof and its parapet, and so the works are unnecessary and disproportionate. The applicant explains that to comply with good building practice and to prevent leaking and the formation of condensation, it is necessary to incorporate ventilation space under the lead roof which the existing roof is missing. They note that the existing roof should not have been built without this, and so seek to remedy it now. They state that if they were to do this without increasing the parapet wall at the same time, the wall could suffer from dampness.

Whilst it may well be possible to repair and replace the roof without increasing the height of the parapet (the applicant could lower the roof and internal ceilings), the principal issue is whether the alterations are harmful or not. As set out above, the proposal is not considered to harm the significance of the listed building or harm residential amenity, and so it is not considered reasonable to refuse permission/consent on the grounds that the applicant could have proposed an alternative solution. It should be noted that officers did suggest to the applicant that they may wish to address neighbours concern with an alternative proposal that did not involve raising the parapet, but the applicant considered this would be impracticable.

#### **8.4 Westminster City Plan**

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

#### **8.5 Neighbourhood Plans**

None are relevant.

#### **8.6 London Plan**

This application raises no strategic issues.

#### **8.7 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.

### 8.8 Planning Obligations

Planning obligations are not relevant in the determination of this application and the development is not liable for a CIL payment.

### 8.9 Other Issues

#### Building Control

The objectors have raised numerous concerns that the alterations could not feasibly be carried out in accordance with the proposed drawings. In particular, the objectors are concerned that the party walls would have to be raised higher than shown to allow for the falls in the roof and gutter.

The issues raised by the objectors have been put to the applicant and to the City Council's Head of Building Control. The applicant states that the falls in the roof are accurately shown, and that the gutters would be flat. The Head of Building Control has no concerns with this arrangement.

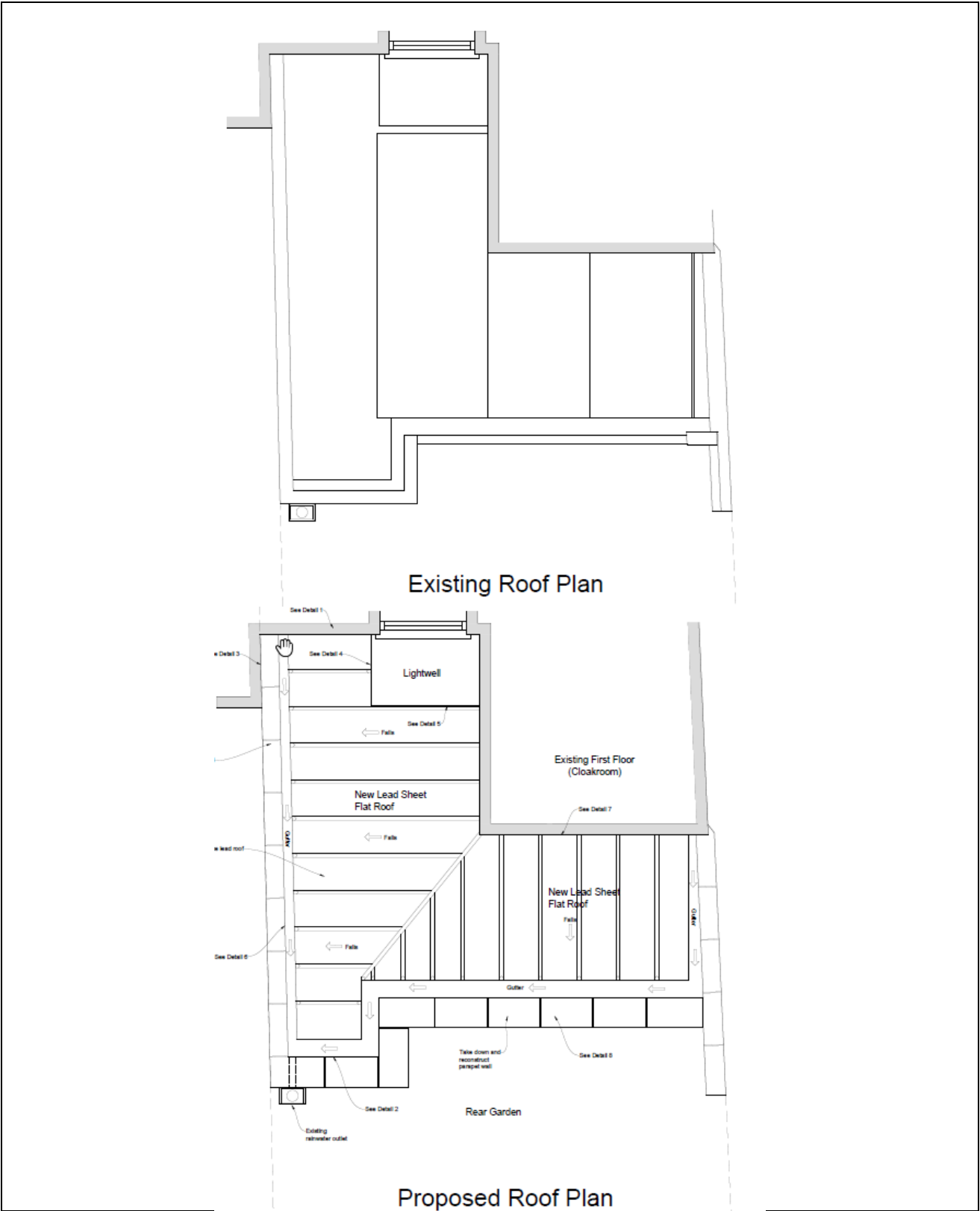
The objectors also suspect that the motivation for the proposal is to increase the internal ceiling heights. This is not what is shown in the detailed drawings, rather the ceiling would remain and the roof construction would have greater depth.

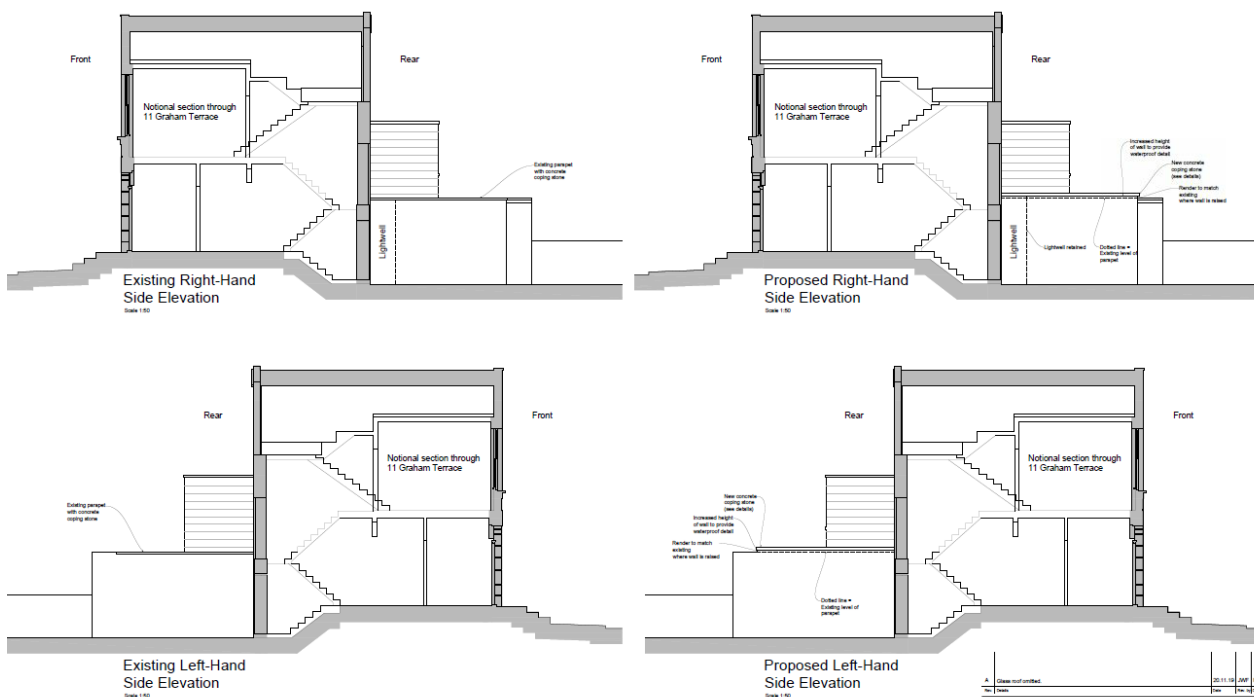
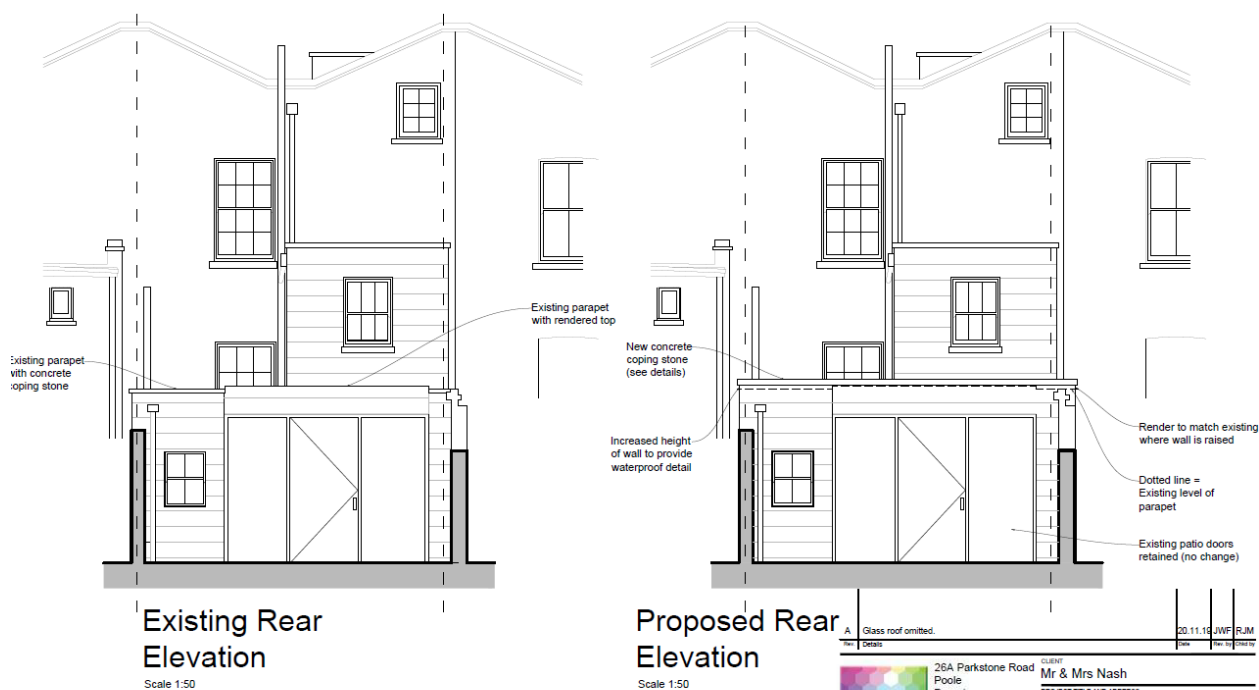
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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



9. KEY DRAWINGS





**DRAFT DECISION LETTER – Planning Permission RN: 19/04449/FULL**

**Address:** 11 Graham Terrace, London, SW1W 8JE

**Proposal:** Replacement of roof to rear extension including raising height of parapet.

**Reference:** 19/04449/FULL

**Plan Nos:** 18038 - 01; 02 rev A; 03 rev C; 04 rev C; 05; 06; 07; 09 rev A; 10 rev A; Historic Building Impact Assessment.

**Case Officer:** Joshua Howitt

**Direct Tel. No.** 020 7641 2069

**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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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 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)

- 4 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

**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, neighbourhood plan (where relevant), 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.

**DRAFT DECISION LETTER – Listed Building Consent RN: 19/04450/LBC**

**Address:** 11 Graham Terrace, London, SW1W 8JE

**Proposal:** Replacement of roof to rear extension including raising height of parapet.

**Reference:** 19/04450/LBC

**Plan Nos:** 18038 - 01; 02 rev A; 03 rev C; 04 rev C; 05; 06; 07; 09 rev A; 10 rev A; Historic Building Impact Assessment.

**Case Officer:** Joshua Howitt

**Direct Tel. No.** 020 7641 2069

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

- 1 The works 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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

**Reason:**

To protect the special architectural or historic interest of this 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 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

**Informative(s):**

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework, the London Plan 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary

Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
- \* any extra work which is necessary after further assessments of the building's condition;
  - \* stripping out or structural investigations; and
  - \* any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.