

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 13 October 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	77 Chester Row, London, SW1W 8JL		
Proposal	Erection of a single storey extension with associated terrace at rear upper ground floor level.		
Agent	Mr Sammy Chan		
On behalf of	Mr Man Yuk Lai		
Registered Number	20/03518/FULL	Date amended/ completed	9 June 2020
Date Application Received	5 June 2020		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

## 1. RECOMMENDATION

Agree that had an appeal against non-determination not been lodged, that conditional permission would be granted.

## 2. SUMMARY

77 Chester Row is an unlisted single-family dwelling house located within the Belgravia Conservation Area.

Permission is sought for the erection of a single storey extension with associated terrace at rear upper ground floor level. It has been submitted in response to an application for an extension in the same location which was refused permission in November 2019 on the grounds of bulk and design. The bulk of the extension has been reduced and the design refined to address the previous design grounds for refusal.

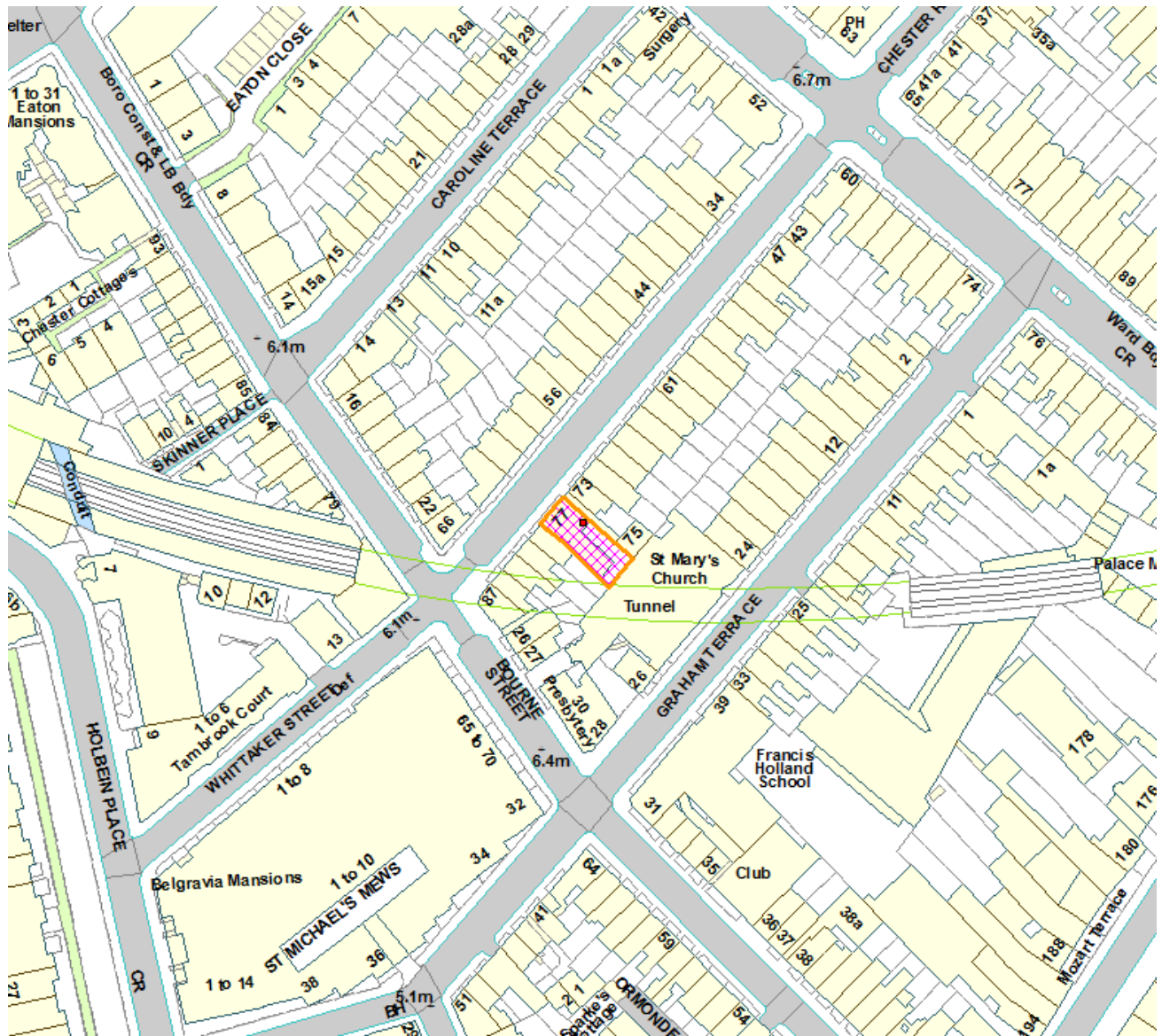
The key issues in this case are:

- \*The impact of the extension on the character and appearance of the building and Belgravia Conservation Area; and
- \* The impact on the amenity of neighbouring residents.

Objections have been received from the Ward Councillors and surrounding residents on the grounds that the proposal will result in the property being overdeveloped and will result in a loss of amenity to neighbouring occupiers.

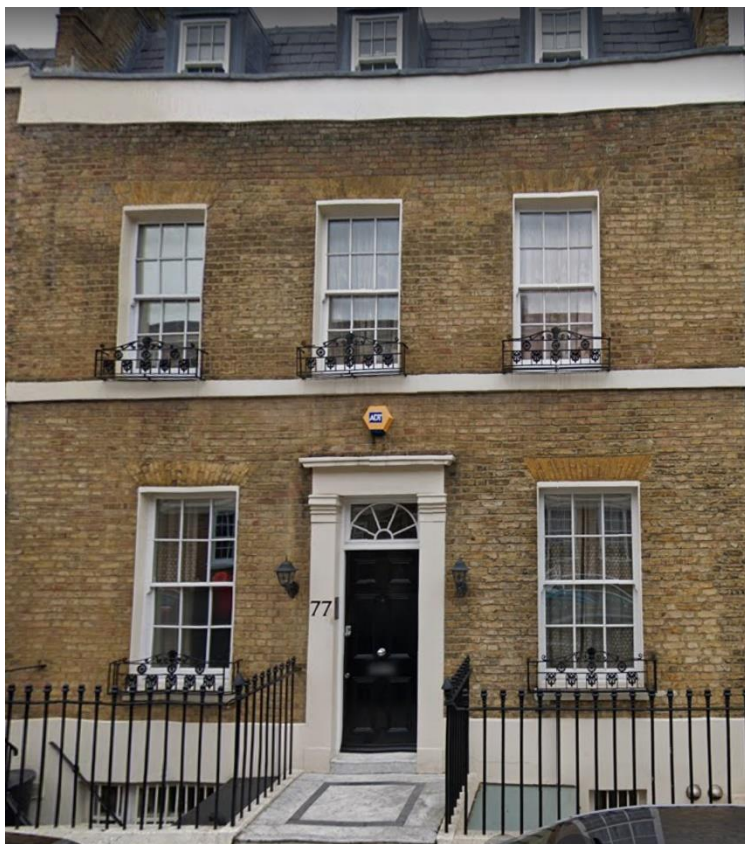
For the reasons set out in the report, the proposals are considered acceptable in design and amenity terms and comply with the City Council's policies as set out in the Unitary Development Plan (adopted in 2007) and Westminster's City Plan (adopted in 2016). The application is therefore recommended for approval subject to the conditions set out in the draft decision letter.

### 3. LOCATION PLAN



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## 4. PHOTOGRAPHS



77 Chester Row



## 5. CONSULTATIONS

### WARD COUNCILLORS FOR KNIGHTSBRIDGE AND BELGRAVIA

Objection from the three Ward Councillors. The property has been developed extensively over the years and has already reached the state of being overdeveloped. This current application barely differs from the application that was refused planning permission in 2019. The extension is disproportionate given the size of the garden. It will cause a further sense of enclosure, loss of light and light spillage causing a loss of amenity to 75 and 79 Chester Row.

### BELGRAVIA RESIDENTS ASSOCIATION

Any response to be reported verbally.

### BELGRAVIA NEIGHBOURHOOD FORUM

Any response to be reported verbally.

### THE BELGRAVIA SOCIETY

Any response to be reported verbally.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 6

Total No. of replies: 6

Six letters of objection have been received from residents in Chester Row on some or all of the following grounds:

#### Design

- Overdevelopment of the site.
- The extensions are out of proportion to other extensions in the neighbourhood. The Character of the terrace and neighbourhood will be lost.
- Loss of garden area.
- The extension will set an unwelcome precedent for over-development in the area

#### Amenity

- Loss of light, privacy, sense of enclosure and light pollution to neighbouring properties.

#### Other

- There is no difference between the current and refused scheme.
- The neighbouring properties have already been significantly disturbed by construction work at the property. The proposal will cause more noise and disturbance during construction.
- Potential drainage issues and noise disturbance through the party wall.
- Old site location plan has been submitted not showing the neighbouring property at No. 75 correctly.

### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

77 Chester Row is a mid terrace single-family dwelling house comprising basement, ground and two upper floors. It is not listed, but lies within the Belgravia Conservation Area. The rear boundary of the application site adjoins St Mary's Church.

### 6.2 Recent Relevant History

Planning permission was granted for the for the erection of an extension at ground floor level to include a roof light and lantern light; and installation of glass balustrade to paved garden area on 27 September 2009.

Planning permission was granted for alterations including the construction of a mansard roof, construction of an extension at lower ground floor with a terrace above, rebuilding of existing single storey rear extension and alterations to front lightwell on 30 August 2011

Planning permission was refused for the for erection of a single storey ground floor rear extension on 6 November 2019 on the following grounds:

*Because of its bulk and detailed design the proposed extension would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance (visual amenity) of the Belgravia Conservation Area. This would not meet policies in the NPPF, S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 5, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007 and our adopted guidance.*

## 7. THE PROPOSAL

Planning permission is sought for the erection of a single storey extension at rear upper ground floor level with an associated terrace. Angled roof windows to the existing extension below at lower ground floor level will be removed and the edge straightened with timber clerestory windows introduced.

The application has been submitted in response to an application for an extension in the same location which was refused in November 2019 on the grounds of bulk and design. The current scheme reduces the depth and width of the extension and the design has been refined.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

The property will remain in use as a single family dwelling and raises no land use issues.

### 8.2 Townscape and Design

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

Policy DES5: Alterations and Extensions, states that permission may be refused for extension (A) (4) where its design does not reflect the style and details of the existing building and its scale over dominates the existing building and immediate surroundings.

A significant variety of extensions exists to the rear along this section of Chester Row. No. 77 has already been extended with a full length ground floor extension along its south western boundary. Immediately adjacent is a lower ground floor extension with a terrace and shallower two storey closet wing above. An existing angled roof window at the end of the existing terrace railings provides light to the lower ground floor level extension. The terrace is enclosed by the boundary wall of the adjoining property at no. 75 Chester Row. The proposals involve the creation of a single storey extension to the closet wing at ground floor level and retention of a reduced size terrace area. At lower ground floor level below, the angled roof window would be removed and the edge straightened with timber clerestory windows introduced within the rear elevation which itself has been altered from being predominantly glazing to brick.

The ground floor extension in the November 2019 refused scheme was wider than the existing closet wing and projected to the full depth of the existing lower ground floor extension. It was considered too bulky and the window openings did not match those in the main dwelling house. The current application therefore seeks to address the previous design grounds for refusal.

The proposed ground floor extension will be on the same line as the existing closet wing and will not extend out as deeply as the existing lower ground floor rear extension, thus retaining part of the terrace area at this level which would be accessed by French doors within the proposed new extension. The existing garden area will be retained. As such, the proposals are not considered to represent an overdevelopment of the site.

The existing glazed lower ground floor extension is proposed to be altered to provide a more traditional coped brick elevation containing timber clerestory windows which would relate to the proposed French doors within the extension above. By virtue of their modest nature and use of traditional materials the proposals would largely retain the traditional appearance of the building, with the introduction of the stepped closet wing configuration being both in keeping with the existing dwelling house and conservation area setting.

A condition is recommended requiring revised details of the clerestory windows and French doors as the detail drawing provided shows internal glazing bars, which would not be acceptable as any glazing bars should truly divide the slimline double glazed panes.

As such, the proposals are considered acceptable, mindful of Unitary Development Plan (UDP) policies DES 1, DES 5 and DES 9 and City Plan Policies S25 and S28 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **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, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Objections have been received from the Ward Councillors and neighbouring residents in Chester Row on amenity grounds, with regards to loss of light, privacy and increased sense of enclosure.

The property has already been extended to the rear, with an extension at ground floor level extending the full garden length (from the house to the rear wall of St Mary's church) along the boundary with no. 79 Chester Row. Next to this, along the boundary with No. 75 Chester Row is an extension at lower ground floor level with a terrace and two storey closet wing above. The proposal is to extend the closet wing out on to the existing terrace at upper ground floor level. Alterations are also proposed to replace the existing glazing within the lower ground floor extension so a reduced terrace can be retained.

No. 75 Chester Row also has a ground floor extension (with lantern lights) which extends the full length of their garden and creates a high boundary wall with the application property. The proposed extension will be adjacent to this boundary wall and will rise approximately 0.6m above it. Given the limited height above the boundary wall and projection of the extension (approximately 2.4m) it is not considered that it will result in a significant loss of light or cause a sense of enclosure to no.75.

Given the presence of the existing ground floor extension to the property the proposed extension will be set away and largely concealed from no.79 Chester Row and it will not therefore give rise to any amenity implications to this property.

The proposed terrace will be located at the same level as the existing, albeit beyond the new extension. It is in a highly enclosed location and it will not therefore result in any loss of privacy/overlooking to neighbouring occupiers. A condition is recommended that the roof of the new extension shall not be used as a terrace. The proposal is therefore considered acceptable in amenity terms.



**8.4 Transportation/Parking**

The proposal raises no highway implications.

**8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

**8.6 Access**

The proposal would not alter the existing access arrangements.

**8.7 Other UDP/Westminster Policy Considerations**

None

**8.8 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.

**8.9 London Plan**

This application raises no strategic issues.

**8.10 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.

**8.11 Planning Obligations**

Planning obligations are not relevant in the determination of this application.

**8.12 Environmental Impact Assessment**

None

**8.13 Other Issues**

Drainage and insulation of the extension will be dealt with under the Building

Regulations.

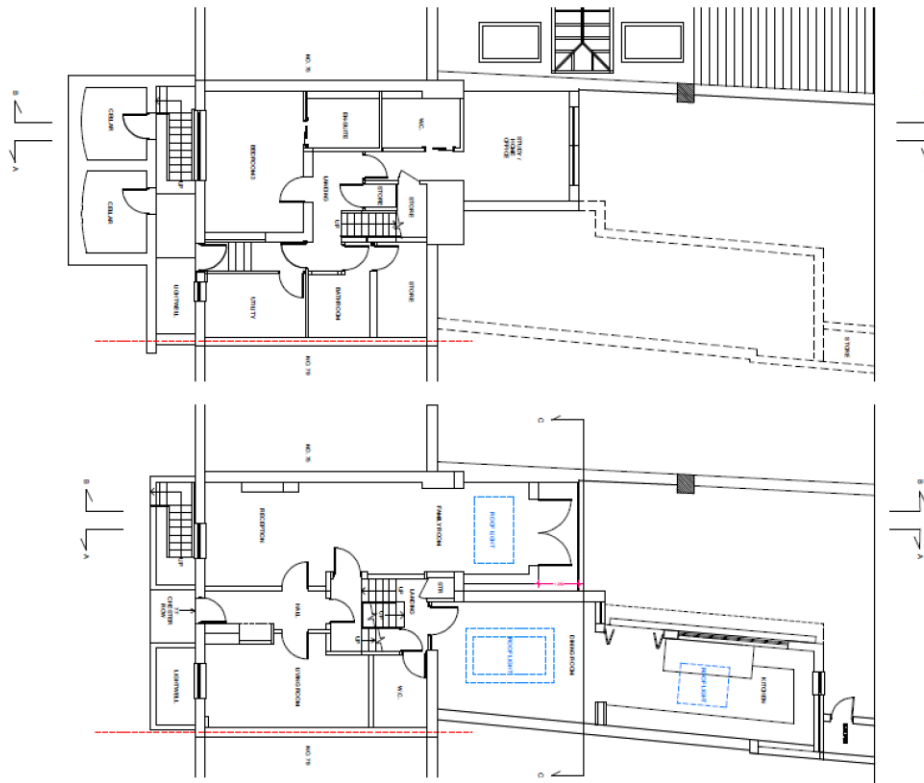
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

Architectural drawings of the existing ground and lower ground for a building project. The top drawing is a plan view of the existing ground at a scale of 1:100, showing the building footprint, surrounding terrain, and existing structures. The bottom drawing is a plan view of the existing lower ground at a scale of 1:100, showing the building footprint, surrounding terrain, and existing structures. Both drawings include a north arrow and a scale bar.

EXISTING LOWER GROUND (1:10)

EXISTING GROUND (1:100)

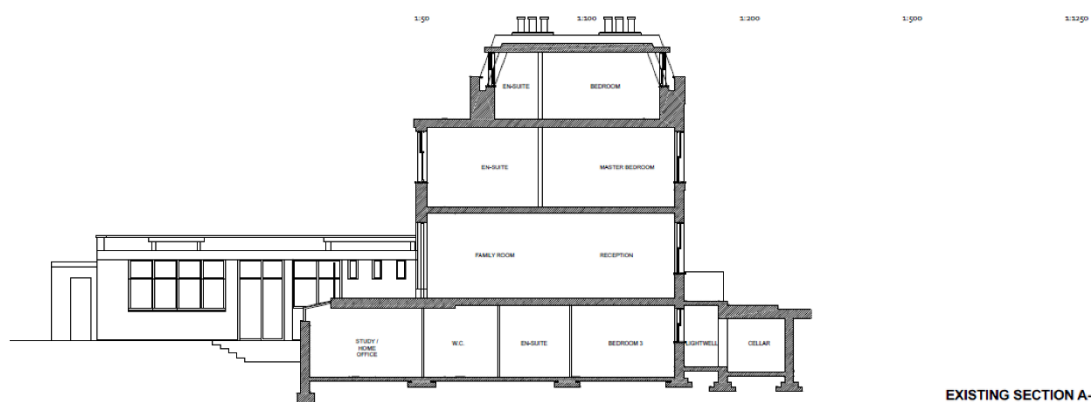




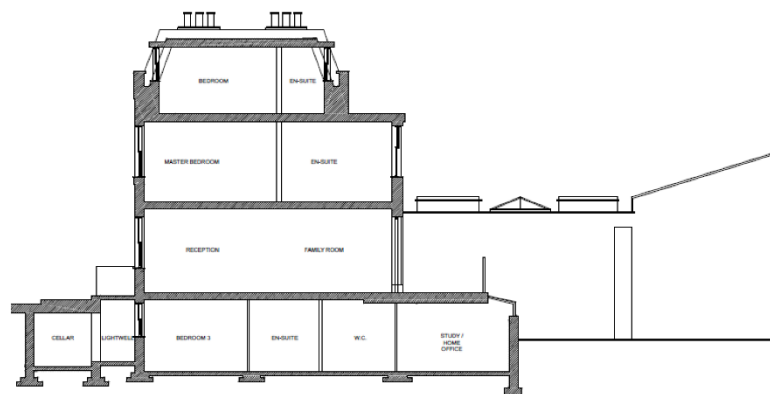
EXISTING REAR (1:100)  
(SECTION C-C)



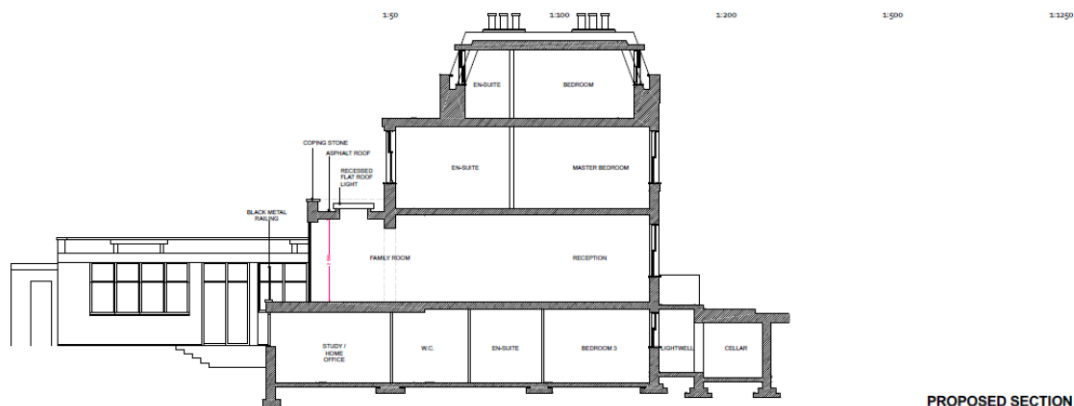
PROPOSED REAR (1:100)  
(SECTION C-C)



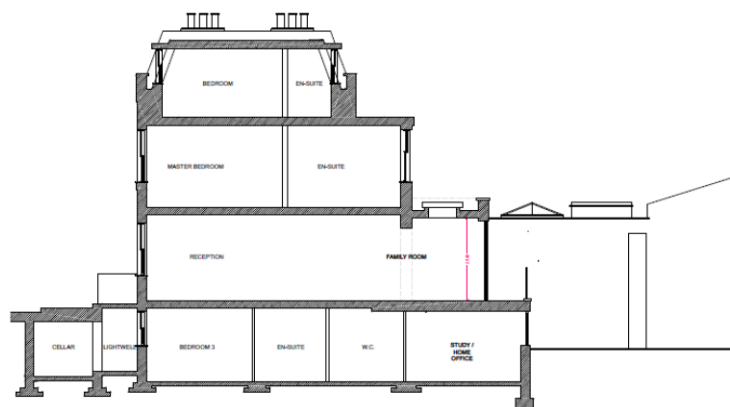
EXISTING SECTION A-A (1:100)



EXISTING SECTION B-B (1:100)



PROPOSED SECTION A-A (1:100)



PROPOSED SECTION B-B (1:100)

**DRAFT DECISION LETTER**

**Address:** 77 Chester Row, London, SW1W 8JL

**Proposal:** Erection of a single storey extension at rear upper ground floor level.

**Reference:** 20/03518/FULL

**Plan Nos:** 2019-77CR-RE-1 R:1:0D, RE-2 R: 1:0D, RE-3 R: 1:0D, RE-4 R: 1:0D, RE-5 R: 1:0D, RE-6 R: 1:0D, RE-7 R: 1:0D, RE-8 R: 1:0D, RE-9 R: 1:0D and RE-10 R: 1:0D

**Case Officer:** Nosheen Javed

**Direct Tel. No.** 020 7641  
07866037836

**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 , onot 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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part 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 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 Notwithstanding drawing no. 2019-77CR-RE-10, you must apply for revised detailed drawings at 1:10 with sections at 1:5 of the French doors and clerestory windows. 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 details. (C26DB)

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 Belgravia 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 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. 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, 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.
- 2 You are advised in relation to Condition 4 that the new windows and doors should be slim line double glazed, with integral glazing bars (i.e. the glazing bars truly divide the panes, unlike on your drawing 2019-77CR-RE-10 where they are shown as being internal), concealed trickle vents and no weather bars.



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- 3 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).

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.

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