

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 14 March 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	34 Bark Place, London, W2 4AT		
Proposal	Excavation of basement; erection of rear infill extension at ground floor level with rear garden trellis; alterations to windows, doors and garden stairs; installation of roof light; and associated works.		
Agent	Mr Oliver Bray		
On behalf of	Ms Victoria Davison		
Registered Number	16/09096/FULL	Date amended/ completed	28 November 2016
Date Application Received	21 September 2016		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application relates to a single family dwelling terraced property located within the Bayswater Conservation Area. Permission is sought for the excavation of a single storey basement beneath the existing dwellinghouse, and part of the front and rear gardens and part, and erection of a side infill extension, providing additional living space in connection with the existing dwelling. Objections have been received from adjoining occupiers with respect to compliance with the Councils adopted basement policy and other related matters.

The key considerations relate to;

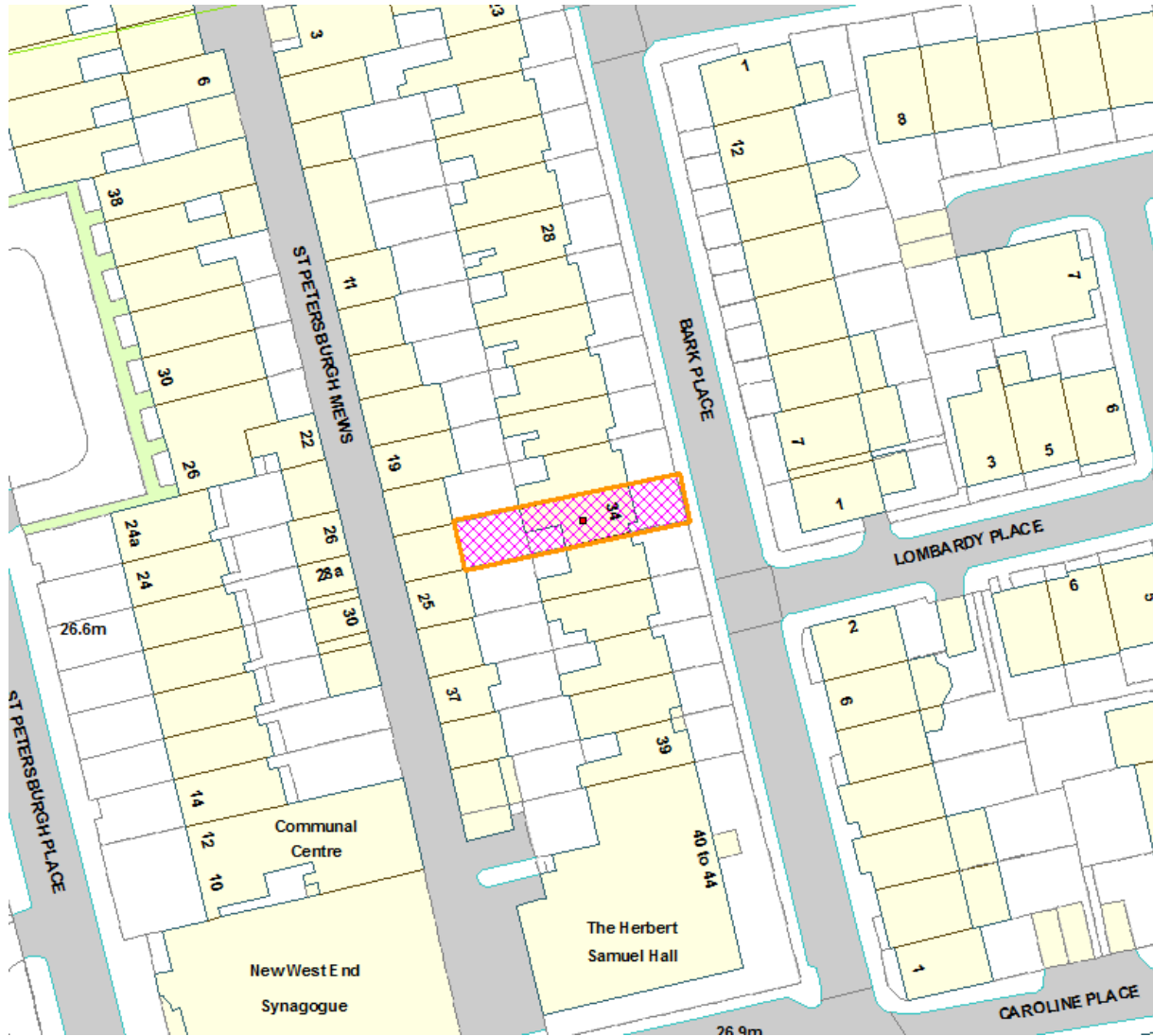
- * Impact of the development on the amenity of adjacent occupiers.
- * Impact of the development on the character and appearance of the Bayswater Conservation Area.

Following advice from Officers, a set of revised drawings were submitted to the Council with a further round of consultation undertaken. The revisions consist of;

- Reduction to basement floor area beneath rear garden.
- Removal of large basement light well, external basement steps and front walk on grill.
- Incorporation of soft landscaping to garden perimeter.
- Alterations to steps and landing leading into garden with incorporation of raised planters on boundary with No. 35 Bark Place.

Many of the previous objectors reiterated their concerns, however the revised scheme complies with the adopted basement policy and other related policies, as such it would not be sustainable to withhold permission on the grounds raised in objections. The revised proposals are considered to comply with policies within the Unitary Development Plan (UDP) and City Plan and conditional approval is recommended.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front elevation



Rear elevation and boundary with No. 35 Bark Place



View from first floor window and from garden toward location of proposed extension on boundary with No. 33 Bark Place



5. CONSULTATIONS

Initial consultation

BAYSWATER RESIDENTS ASSOCIATION

No reply

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

No reply

HIGHWAYS PLANNING

No objections.

BUILDING CONTROL

No reply.

ENVIRONMENTAL HEALTH

Objection on grounds of unsatisfactory means of escape.

ARBORICULTURAL SECTION

* Questions adherence with basement policy with regards to footprint of basement and lack of topsoil above basement.

* Identifies tree protected by TPO in front garden of application site and young trees in neighbouring front garden, although proposals unlikely to cause harm.

* Proposed tree planting in sunken courtyard not feasible.

THAMES WATER UTILITIES LTD

No reply.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 20

Total No. of replies: 19 (*Some multiple responses, see background papers. 13 representees in total, 3 on behalf of 33 Bark Place*).

No. of objections: 13

No. in support: 0

Design and townscape

* Tight knit fabric of terrace and adjacent Mews means properties not suited to large extensions. In light of this proposals are too extensive in their scope and unsympathetic to character of building and Conservation Area.

* Building already enlarged, more so than others in street so further enlargement unacceptable.

* Basement does not comply with basement policy in terms of footprint, lack of vertical soil depth, two storey depth (property already has lower ground level), no margin of undeveloped land, prominent rear open lightwell and unsightly grill in front garden.

* Excessive use of glazing.

* No possibility of greening, hard surfacing does not allow drainage and proposed tree in basement lightwell not viable

* Set a precedence.

- * Trees in adjoining gardens at risk and no tree protection plan provided.

Amenity

- * Loss of natural light to neighbour, No. 33 Bark Place, No Daylight/sunlight report.
- * Increased sense of enclosure upon occupiers of No. 33 Bark Place.
- * Proposed boundary wall with No. 33 not reduced in comparison to previous application.
- * Light disturbance from excessive glazing in extension and lower ground floor rear façade.
- * Infringement on privacy of Mews buildings to rear with respect to overlooking. If permitted should remove requirements for them (No. 21 St Peterburch Mews) to include obscure glazing to the rear.
- * If permitted, roof of extension should be solid with no opening roof lights.
- * Sound pollution from two storey lightwell.
- * Enlarged ground floor external landing un neighbourly
- * Render No. 100-D-40 shows large trellis on rear boundary with No. 23 St Petersburg Mews that will block natural light and result in increased sense of enclosure. Not shown on other drawings.

Construction Impact

- * Disturbance to tranquillity of street.
- * Inadequate construction management plan with regards to vehicular movements with one way system likely to place pressure on neighbouring St Peterburgh Place.
- * Risk of damage upon adjoining properties from development.
- * Buildings designed as single terraced mansions, owners should not be able to undertake works to enlarge to the detriment of neighbouring amenity and structural satability.

Other

- * Discrepancies in drawings.
- * Site notice obscured from view.
- * Development description did not include party wall trellis.
- * Development encroaches on neighbours land.
- * Failure of applicant to serve notice on neighbouring occupiers.
- * Maintenance of extension not possible.
- * Basement and kitchen open and unlikely to comply with building regulations 'means of escape'.
- * Extension precludes ability to construct extension at No.33.
- * 'Infill' description misleading.
- * Design and Access statement inaccurate in its assertion that no objections to informal consultation undertaken by applicant with neighbours prior to submission of application.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

Revised proposals consultation responses

BAYSWATER RESIDENTS ASSOCIATION

Some of the contentious issues resolved including reduction of basement. Following concerns remain;

- * Extension too high.

- * Extent of glazing cause of light pollution and overlooking.
- * Support comments of neighbours and consider the scheme should be further revised.

SOUTH EAST BAYSWATER ASSOCIATION

- * Object to proposals on grounds of size of basement and rear extension.
- * Support neighbours representations.

HIGHWAYS PLANNING

No objections.

BUILDING CONTROL

- * No objection on structural grounds.
- * Means of escape unsatisfactory.

ENVIRONMENTAL HEALTH

Any further response to be reported verbally.

ARBORICULTURAL SECTION

Any further response to be reported verbally.

THAMES WATER UTILITIES LTD

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 20

Total No. of replies: 9 (8 previous objectors and 1 new neighbour)

No. of objections: 9

No. in support: 0

Many of original concerns reiterated plus additional points as summarised below.

Design and Townscape

- * Basement still not compliant with policy on following terms; footprint (new drawing 100-D-60 inaccurate portrayal of original pre 1948 building envelope), basement beneath existing lower ground level (2 storey), lack of soil depth and margin of undeveloped land, lack of permeable paving and no opportunities for onsite greening, neighbouring trees still at risk, no natural ventilation and means of escape
- * Extension unchanged and still objectionable in terms of its design and impact on character of Conservation Area, as well as other external alterations.
- * No tree protection plan and trees in adjoining gardens remain at risk.

Amenity

- * Extension unchanged and would still impact upon the amenity of adjoining neighbours in terms of daylight/sunlight and sense of enclosure with no testing in accordance with the Building Research Establishment undertaken.
- * Artificial light disturbance (suggested automated blinds).
- * Noise/acoustic disturbance.
- * Proposed trellis on fence likely to cause diminution of natural light upon neighbours.

Other

- * Ambiguities with regards to; treatment of boundary with No. 23 St Petersburg Mews and 35 Bark Place, encroachment of neighbours land (No. 33 Bark Place).
- * Insufficient time to respond to additional consultation, comparing original and revised documents time consuming through website.
- * Dining room extension makes no allowance for water runoff.
- * Other omissions and inaccuracies highlighted (see background papers
- * Depiction of high level planting on boundary with No. 35 in revised drawing 100-D-41-REV (Exterior Perspective) unacceptable, with respect to water penetration on boundary and relationship with boundary as shown in this render unclear.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is an unlisted 3 storey building including lower ground floor mid-terrace building located within the Bayswater Conservation Area. The rear of the property adjoins the rear boundary of No 23 St Petersburg Mews, a two storey mews property with a small area of hardstanding to its rear. There are no listed buildings within the vicinity of the site.

6.2 Recent Relevant History

15/04966/FULL

Excavation of basement extension beneath rear garden incorporating 2no. rooflights, single storey rear infill extension, landscaping to front and rear gardens, including cycle storey in front garden, and 3no. rooflights.

Decision: Withdrawn following advice from Officers in relation to the scale of basement and impact of proposed ground floor rear extension upon neighbouring residential amenity.

7. THE PROPOSAL

Permission if sought for the excavation of a single storey basement; erection of rear infill extension at ground floor level with rear garden trellis; alterations to windows, doors and garden stairs; installation of roof light; and associated works.

Revisions were made during the course of the application comprising the following;

- Reduction to basement floor area beneath rear garden.
- Removal of; large basement light well, external basement steps and front walk on grill.
- Incorporation of soft landscaping to garden perimeter.
- Alterations to steps and landing leading into garden with incorporation of raised planters on boundary with No. 35 Bark Place.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The basement area would provide ancillary living space in connection with the existing dwellinghouse with natural light afforded to the space through the inclusion of a lightwell to front and rear. In landuse terms the enlargement of the existing house by way of a basement and single storey rear extension accords with Policy H3 of the UDP and policies S14 and S15 of the City Plan.

8.2 Townscape and Design

Single Storey rear extension and associated alterations

In considering the detailed design, the proposals have been assessed against UDP Policies DES 1 and DES 5. DES 1 seeks to ensure the highest quality in the form and quality of development in order to preserve or enhance the townscape of Westminster. UDP policy DES 5 specifically seeks to ensure the highest quality of design in alterations and extensions. Specifically it states that permission will generally be granted for an alteration or extension where it is confined to the rear of the existing building, where it does not visually dominate, if it is in scale with the existing building and its immediate surroundings, if its design and use of materials reflects those found on the existing building.

Presently the rear of the building has a cluttered appearance as a result of a lower ground floor extension that wraps around and beyond the original closet wing, accommodating a terrace on the roof with associated railings. The existing lower ground floor elevation contains full width French Doors leading onto an existing sunken patio area.

The proposed 'lean to' extension is situated within the side return between the host properties closet wing and the timber fence boundary with No. 33 Bark Place. It has a glazed roof and glazed rear façade. The lower ground floor wrap around element, that the extension is situated above, will be pulled back in line with the closet wing, resulting in a consolidated rear façade across ground and lower ground level with a predominantly lightweight glazed appearance serving the additions and the closet wing retaining its brick façade.

The lower ground floor leads onto a small sunken courtyard which serves as a glazed rooflight for the proposed basement below. This element was introduced during the course of the application following advice from Officers that the originally proposed large open courtyard would not adhere with the basement policy requirements. Access to the garden is facilitated by a new set of steps leading from the ground floor opening in the closet wing down to garden level, revised during the course of the application to incorporate raised planters adjacent to the boundary with No. 35 Bark Place.

As a result of the choice of materials, namely the brick party wall and a lightweight glazed rear façade, and the consolidation of the rear building line, the proposed extension and alterations are considered to sit comfortably against the existing building and will ensure the interpretation original plan form is maintained. Similarly the uncluttered lightweight appearance of the fenestration proposed will not detract from the existing timber sash windows at upper levels. As a result the alterations are considered to preserve and enhance the character of the building and Bayswater Conservation Area.

Basement

The proposed basement is located beneath the existing dwellinghouse, extending marginally beneath the front and rear garden also to facilitate lightwells. It has been considered in relation to the Basement Supplementary Planning Document (SPD), adopted October 2014, and the Basement Revision to the City Plan, Policy CM28.1. Objections were received from neighbouring residents to the proposals originally submitted on grounds of the basements scale, large open lightwell at the rear and lack of vertical soil depth above the basement where it extends into the garden. These aspects were also identified by Officers and relayed to the architect to provide the opportunity to amend the drawings. Revised drawings were submitted and letters circulated to neighbours, as well as a site notice and local press advertisement. The proposals in their revised form are considered to address the basement policy requirements as follows;

The basement would be a single storey only. Representations refer to a double storey basement however it is located beneath an existing lower ground level so is not a 2 storey basement.

The floor area in its reduced form would occupy less than 50% of the garden land beyond the footprint of the original building. Representations refer to the inaccuracy of the diagrammatic plan 100-D-60 with regards to incorrect depiction of the closet wing as part of the original building envelope (pre 1948 building). Historic OS plans however confirm this part of the curtilage as historically containing a closet wing, consistent with the terrace in general, hence it is correct to interpret this part of the plot as 'original building' for the purposes of the policy. The application is nevertheless considered on its merits.

In terms of the external manifestation of the basement, in its revised form the large open rear light well has been omitted and replaced with a walkable glazed rooflight at lower ground level, and the grille at the front replaced with paving incorporating a single strip rooflight. These externalities of the basement are considered to be less imposing than originally proposed and, given their lower ground location, more discreet pursuant to the advice of the policy and basement SPD.

Neighbours have again objected to the lack of vertical soil depth and lack margin of undeveloped land where the basement extends into the front and rear garden, also pointing out the lack of greening and sustainable urban drainage. However the areas in question accommodate a single rooflight to the front and rear serving the basement so are not practical locations for the provision of soil depth. The absence of a margin of undeveloped garden land adjoining the proposed rear lightwell is regrettable, however given the large extent of remaining undeveloped front and rear garden land, capable of supporting permeable hard and soft landscaping and sustainable drainage as indicated on the revised drawings, it is not considered permission could be withheld on these grounds.

As such the proposed basement in its revised form is considered to comply with the requirements of the basement policy and supplementary guidance with respect to scale, location and design.

8.3 Residential Amenity

Policy ENV 13 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 Westminster's City Plan aims to protect the amenity of residents from the effects of development.

In terms of the basement proposals, given its subterranean nature it will not add bulk or mass to the building such that would be appreciable from adjoining properties. The proposed timber trellis on the boundary, which was incorporated into the development description and publicised following requests by neighbours, is minor and not considered to result in a significant impact on the amenities of neighbouring properties.

In terms of the rear extension, objections from occupiers of No. 33 Bark Place and from other neighbours have been received on grounds its impact upon the ground floor habitable window of No. 33 Bark Place, with respect to losses in natural light and increased sense of enclosure. Concerns have also been raised in relation to; the external landing providing access to external steps into the garden, timber slatted trellis shown on the boundaries, artificial light, and noise disturbances. These will be addressed in turn.

The extension would be located in the side return, with a depth no greater than the original closet wing rear elevation. The reconstructed party wall would add a further 350mm to the height of the existing timber fence whilst the glazed roof slopes away from the boundary with No. 33 Bark Place. Such an increase in height on the boundary with sloping glazed roof positioned adjacent to it, in conjunction with the depth as described, is not considered to have an impact with respect to sunlight and enclosure that could sustain a reason for refusal. Similarly an application of the Building Research Establishment Guidance 45 degrees rule would indicate no losses of daylight to the neighbours window as a result of this extension.

In terms of the external staircase landing, it replaces an existing terrace at ground level with associated railings as described in the design section. Whilst being marginally deeper, it covers a smaller area confined to the top of the small flight of steps only. In addition revised details include raised planters on the boundary with No. 35. It is not considered therefore that a greater material impact would arise from its installation that could warrant withholding planning permission.

Neighbours have expressed concerns regarding the trellis shown on the original renders on the side and rear boundary, which was not shown in the actual proposed drawings. This discrepancy was addressed in revised plans that were consulted on, showing trellises to the side boundaries only and not at the rear (100-D-31-REV-A). It is not considered these trellises would result in loss of natural light or unacceptable increase in enclosure as set out in objections.

Other concerns raised relate to light disturbances from proposed extensive glazing, however this is not considered to be surmountable to causing material harm such that could sustain a reason for refusal, particularly given that glazed side extensions/conservatories are a common feature to the rear of residential buildings.

Concerns have also been raised in relation to increased noise as a result of the new basement lightwells. Given that the lightwells are located within the garden, which could

be enjoyed by existing residents, it is not considered that they will result in a significant increase in noise disturbance over and above what could occur from the existing garden levels as to justify refusal.

As such, the proposed development is not considered to result in material harm upon the amenity of adjoining occupiers pursuant to the objectives of Policy ENV 13 of the UDP and Policy S29 of Westminster's City Plan: Strategic Policies.

8.4 Transportation/Parking

The proposed enlargements would not alter the use of the property from a single dwelling and therefore the impact upon the local highways and parking impact would be negligible. The building would remain capable to providing dedicated secure cycle parking and refuse and recycling.

8.5 Arboricultural matters

The City Councils Tree Officer raised concerns in relation to the feasibility of the tree planting within the proposed basement courtyard in the original scheme, however this aspect has been omitted and replaced with a walk on rooflight to the basement as discussed above.

The tree Officer has also commented that the tree in the front garden of the application site protected by tree preservation order and young trees in the neighbouring front gardens are not likely to be at risk from the proposed development.

With regards to trees in neighbouring gardens, the Tree Officer has considered the applicants statement with regards to their root systems and crowns being contained within the neighbouring curtilages. It is acknowledged that there are no trail pit investigations or crown sizes submitted with the application to demonstrate this. However given the small size of the trees, the tree officer considers these to be reasonable assumptions and therefore unlikely to be affected by the proposed basement.

The Tree Officer has queried the compliance with the basement policy by virtue of the footprint of basement. The basement has however been reduced in scale following advice from Officers as discussed above and in its revised form is considered to meet the policy.

8.6 Economic Considerations

No economic considerations are applicable for a development of this size

8.7 Other UDP/Westminster Policy Considerations

Updates to City Plan

The Basement Revision and Mixed Use Revision to the City Plan were submitted to the Secretary of State in December 2015 and were adopted in July 2016, with subsequent revisions to the City Plan adopted November 2016. They are material planning considerations that full weight will be attached to in the determination of planning application.

The implications of the revisions to the City Plan for the development subject of this report are outlined elsewhere in the report

Basement structural issues

With regards to basement structural impact, objections have been received from adjoining occupiers in relation to potential risk of subsidence and movement as a result of basement works. To address this and the requirements of the basement SPD and policy, the applicant has provided a structural engineer's report and supporting geotechnical survey explaining the likely methodology of excavation. Any report by a member of the relevant professional institution carries a duty of care which should be sufficient to demonstrate that the matter has been properly considered at this early stage.

The level of analysis and detail submitted with the application is substantial and has been prepared by a suitably qualified Structural Engineer. Building Control officers have reviewed the submitted details and raised no concerns. Whilst this satisfies the policy for the purposes of determining this planning application, detailed matters of engineering techniques, and whether these secure the structural integrity of the development and neighbouring buildings during the course of construction, are controlled through other statutory codes and regulations as cited above. To go further would be to act beyond the bounds of planning control. Accordingly should permission be granted, the Construction Methodology will not be approved, nor will conditions be imposed requiring the works to be carried out in accordance with it.

As such it is considered that the construction methodology and appendices have provided sufficient consideration of structural issues at this stage and this is as far as this matter can reasonably be taken as part of the consideration of the planning application.

Construction impact

Concerns from adjoining occupiers have been expressed regarding construction related disturbances. Policy CM28.1 of the City Plan requires the applicant to supply a signed pro-forma setting out an obligation on behalf of the applicant to undertake the works in accordance with the Council's Code of Construction Practice. This is a provision of the adopted basement policy revision to provide the Council with greater monitoring powers for the construction period and details of construction practices; with the aim of reducing construction related impacts on the locality. Notwithstanding the above, a Construction Management Plan (CMP) has been provided detailing vehicular arrangements during construction and scheduling of deliveries and collections and working practice. The CMP is a useful indicator of consideration of construction related impacts. A condition will be attached to this planning permission requiring that; prior to the commencement of development, the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice.

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. In addition the proposed development is not liable under the Community and Infrastructure Levy Act given that the works are extensions to an existing dwellinghouse.

8.11 Other Issues

Procedural matters

Objections have identified that the applicant had not served the appropriate notices and signed the relevant parts of the application forms with respect to ownership certificates. In addition criticisms of the site notice were identified with respect to it being obscured from view by unrelated signage. The Council undertook additional consultation, including letters to residents and updated site and press notices, on the basis of an updated certificate being received including a signed declaration from the applicant confirming that appropriate notices had been served under certificate B. Further representations confirm this notice was subsequently received. This is as far as the Council can take such matters under the framework of a planning application.

Discrepancies in plans

A number of irregularities were identified by a neighbour with respect to the drawings as originally submitted and revisions that were subsequently provided. These principally relate to; absence of daylight & sunlight report, no tree protection plan, alterations to mansard fenestration shown on elevations absent from development description, lack of clarity with regard to any proposed alterations to rear wall boundary wall with No. 23 St Peterburgh Mews and missing pre application correspondence.

It is acknowledged that there have been some discrepancies with the submission as identified however these have been addressed over the course of the application as follows;

- An assessment of daylight and sunlight employing the services of a specialist consultant have not been undertaken, however Officers have been able to undertake an assessment with the findings set out in this report.
- Roof alterations are not subject to this application despite being shown on the proposed drawings. The agent has provided written confirmation of this and will be further advised in an informative.
- There are no alterations to the rear wall with 23 St Peterburgh Mews as clarified in revised drawing 100-D-31-REV-A (Long Section).
- Details of pre application discussions prior to the submission of the application are not required to be submitted.

It is not considered therefore that the matters raised are sustainable grounds to withhold planning permission.

Means of Escape

The City Councils Environmental Health and Building Control Officers have identified the means of escape from the basement as an issue. This has also been highlighted by a neighbour. This however is a building control matter to be addressed through the buildings regulations and is not sustainable grounds to withhold planning permission.

9. BACKGROUND PAPERS

Initial consultation

1. Application form
2. Memo from Arboricultural Manager, dated 01/12/2017.
3. Memo from Highways Planning Manager, dated 15/11/2017.
4. Memo from Environmental Health, dated 04/11/2016.
5. Letter from occupier of 64 Porchester Terrace, London W2 3TP, dated 14/11/2016. 21/11/2016.
6. Letter from daughter of occupier of 33 Bark Place (E. Salter), London, dated 21/11/2016, 22/11/2016, 23/11/2016, 30/11/2016.
7. Letter from occupier of 33 Bark Place (G. Salter), London, dated 30/11/2016.
8. Letter from Right of Light Consulting, Rayleigh, Essex (on behalf of G. Salter, 33 Bark Place), dated 18/11/2016.
9. Letter from occupier of 19 St Petersburg mews, London, dated 07/11/2016.
10. Letter from occupier of 23 St Petersburg Mews, London, dated 22/11/2016.
11. Letter from occupier of 38 Bark Place & 31 St Petersburg Mews, London, dated 29/11/2016.
12. Letter from occupier of 25 Caroline Place, dated 17/11/2016, 22/11/2016.
13. Letter from occupier of St. Helen's Gardens, London, dated 21/11/2017.
14. Letter from occupier of 35 Bark Place, London, dated 21/11/2016.
15. Letter from occupier of 36 Bark Place, London, dated 15/11/2016
16. Letter from occupier of 10A Chepstow Road, London, 22/11/16
17. Letter from occupier of 4 Caroline Place, London, dated 14/11/2016, 22/11/2016.

Following further consultation 30/11/2016

18. Letter from South East Bayswater Association, dated 15/01/2017.
19. Letter from Bayswater Residents Association, dated 11/12/2017.
20. Memo from Highways Planning Manager, dated 19/12/2017
21. Memo from Building Control, dated 18/01/2017.
22. Letter from occupier of 64 Porchester Terrace, London W2 3TP, dated 14/12/2016.
23. Letter from daughter of occupier of 33 Bark Place (E. Salter), London, dated 08/01/2017.
24. Letter from occupier of 33 Bark Place (G. Salter), London, dated 15/01/2017
25. Letter from occupier of 19 St Petersburg mews, London, dated 02/12/2016.
26. Letter from occupier of 23 St Petersburg Mews, London, dated 18/12/2016.
27. Letter from occupier of 38 Bark Place & 31 St Petersburg Mews, London, dated 14/01/2017.

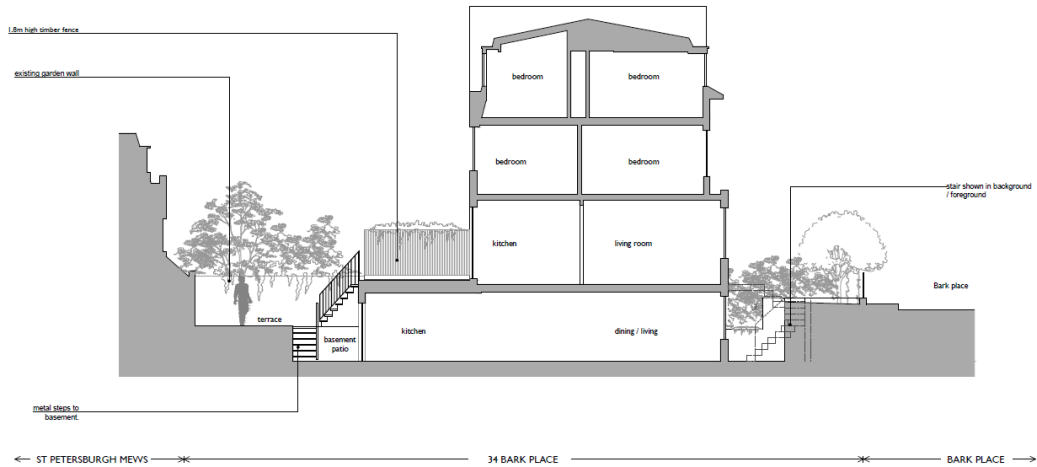
28. Letter from occupier of 25 Caroline Place, dated 16/12/2016.
29. Letter from occupier of 4 Caroline Place, London, dated 16/12/2016
30. Letter from occupier of 2 St Petersburg Mews, London, dated 21/12/2016

(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: RUPERT HANDLEY BY EMAIL [AL. rhandley@westminster.gov.uk](mailto:rhandley@westminster.gov.uk)

10. KEY DRAWINGS

Existing and Proposed Sections

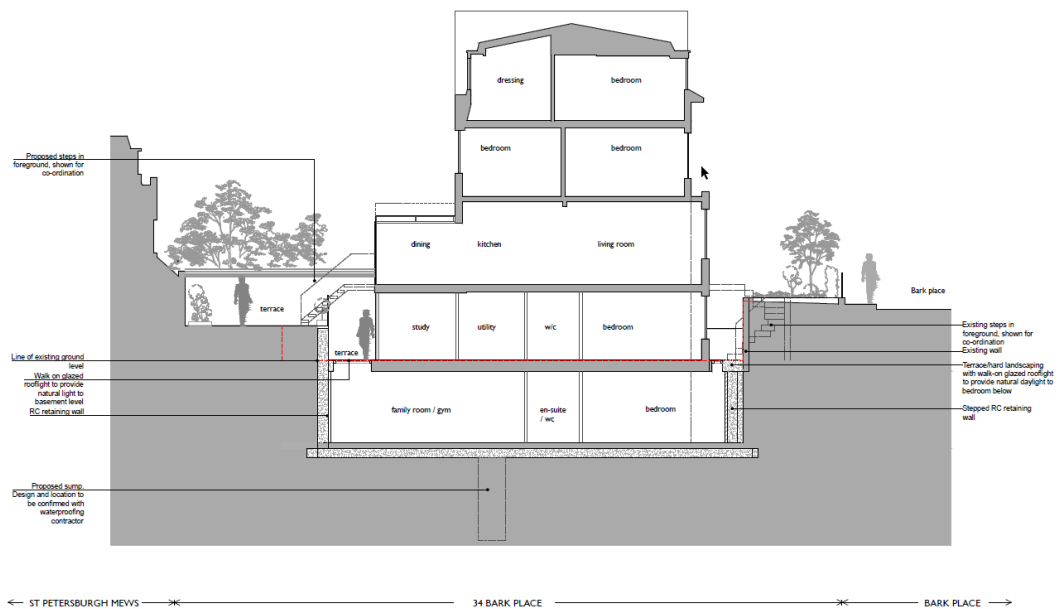


01 EXISTING LONG SECTION



Status: PLANNING	Drawing: Existing Long Section	Project: Bark Place
Scale: 1:100 @ A3	Dwg No: 100-D-30	Address: 34 Bark Place, London, W2 4AT
NOTE: This drawing is to be scaled for planning purposes only	Date: 02.09.2016	Client: Mr A. Svenningsen and Mrs V. Davison

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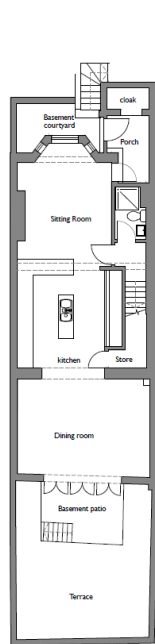
01 PROPOSED LONG SECTION A-A



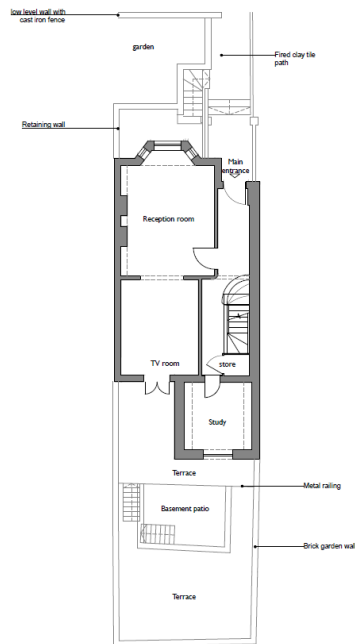
Status: PLANNING	Drawing: Proposed Long Section	Project: Bark Place
Scale: 1:100 @ A3	Dwg No: 100-D-31-REV-A	Address: 34 Bark Place, London, W2 4AT
NOTE: This drawing is to be scaled for planning purposes only	Date: 28.11.2016	Client: Mr A. Svenningsen and Mrs V. Davison

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Existing & Proposed floor plans



01 EXISTING LOWER GROUND FLOOR PLAN



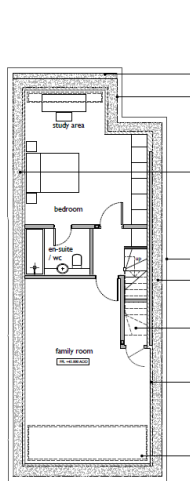
02 EXISTING GROUND FLOOR PLAN



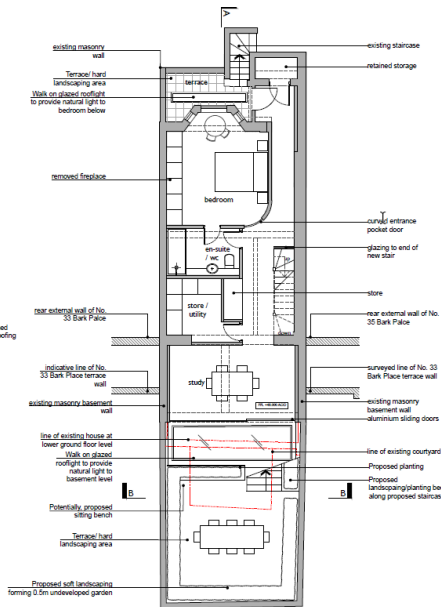
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Status: PLANNING	Drawing: Existing Plans	Project: Bark Place
Scale: 1:100 @ A3	Dwg No: 100-D-01	Address: 34 Bark Place, London, W2 4AT
NOTE: This drawing is to be scaled for planning purposes only	Date: 02.09.2016	Client: Mr A. Svenningsen and Mrs V. Davison

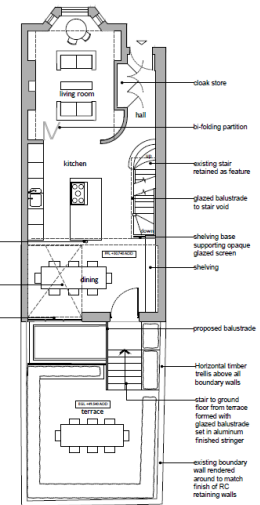
OB ARCHITECTURE
 The Dispensary
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01 PROPOSED BASEMENT FLOOR PLAN



02 PROPOSED LOWER GROUND FLOOR PLAN



03 PROPOSED GROUND FLOOR PLAN



0 5 m

Status: PLANNING	Drawing: Proposed Plans	Project: Bark Place
Scale: 1:100 @ A3	Dwg No: 100-D-11-REV-A	Address: 34 Bark Place, London, W2 4AT
NOTE: This drawing is to be scaled for planning purposes only	Date: 28.11.2016	Client: Mr A. Svenningsen and Mrs V. Davison

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DRAFT DECISION LETTER

Address: 34 Bark Place, London, W2 4AT

Proposal: Excavation of basement; erection of rear infill extension at ground floor level with rear garden trellis; alterations to windows, doors and garden stairs; installation of roof light; and associated works.

Reference: 16/09096/FULL

Plan Nos: 100-D-00, 100-D-01, 100-D-02, 100-D-03, 100-D-04, 100 D-10 REV A, 100 D-11 REV A, 100 D-12, 100 D-20 REV A, 100 D-30, 100 D-31 REV A, 100 D-32 REV A, 100 D-41 REV A, 100 D-50 REV A, 100 D-60, Design and Access statement, Tree Protection Plan

For information purposes only
Subterranean Structural Statement dated 22/08/2016

Case Officer: Samuel Gerstein

Direct Tel. No. 020 7641 4273

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 Bayswater 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 You must apply to us for approval of detailed drawings of a hard and soft landscaping scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the landscaping and planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within five years of planting them, you must replace them with trees of a similar size and species. (C30CB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of the area, and to improve its contribution to biodiversity and the local environment. This is as set out in S38 of Westminster's City Plan (November 2016) and ENV 16, ENV 17 and DES 1 (A) of our Unitary Development Plan that we adopted in January 2007. (R30BC)

- 5 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 6 Prior to the commencement of any demolition or construction on site the applicant shall provide evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. (C11CA)

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)

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 To meet condition 5 the minimum protection we normally expect is plywood boarding at least 1.2 metres high. The boarding should go around the tree at a distance from the trunk which will keep machinery away from the branches. If this is not possible there should be at least two metres between the trunk of the tree and the boarding. (I33AA)
- 3 Please read the following.
 - * British Standard BS: 5837 (2005) and later revisions - Recommendations for trees in relation to construction
 - * National Joint Utilities Group guide NJUG 10 - Guidelines for the planning, installation and maintenance of utility services in proximity to trees (1995)
 - * Arboricultural Practice Note APN 1 - Driveways close to trees (1996), and the products available to provide hard surfaces close to trees. (I92AA)
- 4 With reference to condition 6 please refer to the Council's Code of Construction Practice at (<https://www.westminster.gov.uk/code-construction-practice>). You will be required to enter into the relevant Code appropriate to this scale of development and to pay the relevant fees prior to starting work. The Code does require the submission of a full Site Environmental Management Plan or Construction Management Plan as appropriate 40 days prior to commencement of works (including demolition). You are urged therefore to give this your early attention.
- 5 You are advised that, irrespective of the alterations shown to the fenestration on the rear roof plane, this permission relates to alterations to the ground and lower ground floor only consistent with the development description. Alterations to the roof are likely to require a separate planning permission.

Item No.

11

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.