

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 27 June 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Lancaster Gate	
<b>Subject of Report</b>	114 and 116 Westbourne Terrace Mews, London, W2 6QG,		
<b>Proposal</b>	Erection of infill extensions to rear courtyards at ground floor level to 114 and 116 Westbourne Terrace Mews to enlarge existing dwellinghouses.		
<b>Agent</b>	Fraher Architects Ltd		
<b>On behalf of</b>	Mr Sandcroft-Baker		
<b>Registered Number</b>	17/04031/FULL	<b>Date amended/ completed</b>	9 May 2017
<b>Date Application Received</b>	9 May 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Bayswater		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

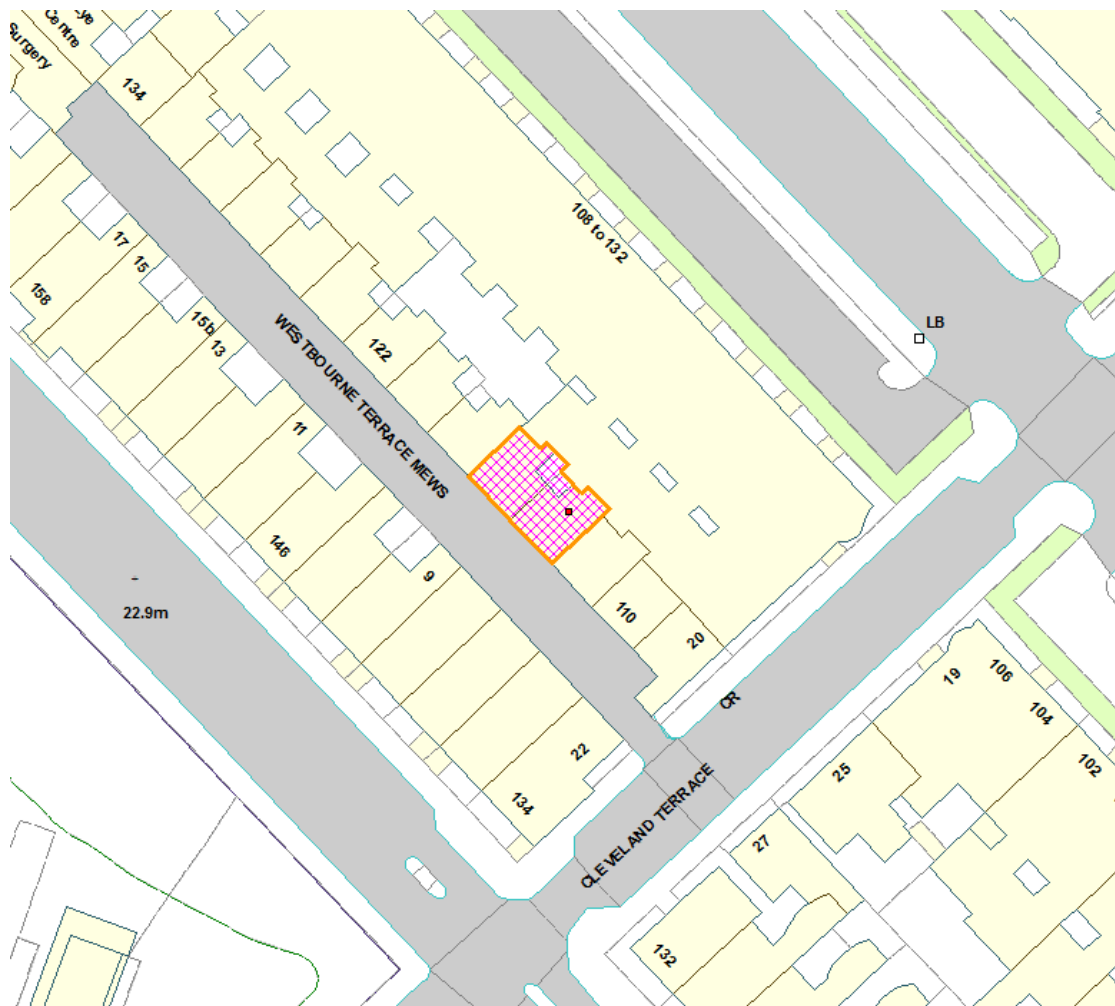
The proposed development involves the erection of infill extensions to the rear courtyards of Nos.114 and 116 Westbourne Terrace Mews to enlarge these existing dwellinghouses. Objections have been received from adjoining occupiers in Westbourne Terrace, primarily on grounds relating to the impact of the works upon the party wall between the application site and Nos.108-132 Westbourne Terrace.

The key issues in this case are:

- The impact on the appearance of the host building.
- The impact on the character and appearance of the Bayswater Conservation Area and the setting of the neighbouring listed buildings in Westbourne Terrace.
- The impact on the amenity of neighbouring residents.

Notwithstanding the objections raised, the proposed extensions comply with the relevant land use, design and amenity policies in the City Plan and UDP and therefore it is recommended that permission is granted subject to the conditions set out in the draft decision letter appended to this report.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS



Existing rear courtyards of Nos.114 & 116 Westbourne Terrace Mews.



Patio to rear of 116 Westbourne Terrace Mews



Patio to rear of 114 Westbourne Terrace Mews

## 5. CONSULTATIONS

### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

### ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 112.

Total No. of replies: 5.

No. of objections: 5.

No. in support: 0.

Five objections raised on all or some of the following grounds:

- No justification for further enlargement.
- Concerns the proposals will raise rear boundary wall.
- Concerns that rainwater drainage will cause damage to boundary wall.
- Plans not clear if extension utilises boundary wall for support purposes.
- Any additional windows proposed in upper levels would cause loss of amenity.

### PRESS ADVERTISEMENT/ SITE NOTICE:

Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

This application is a joint application relating to Nos. 114 and 116 Westbourne Terrace Mews. The properties are a pair of two storey unlisted mews properties located within the Bayswater Conservation Area, which back onto the high rear boundary wall of Westbourne Terrace which are statutory Grade II listed buildings.

### 6.2 Recent Relevant History

14 July 2015 – Permission granted for the erection of an extension at roof level to Nos.110 to 126 Westbourne Terrace Mews to form continuous second floor mansard roof extension to provide additional living accommodation for nine mews dwellinghouses (RN: 15/01694/FULL). This permission is currently being implemented on site across all nine mews houses.

## 7. THE PROPOSAL

The proposed development involves the erection of infill extensions over the open rear courtyards to both properties at Nos.114 and 116 at ground floor level.

The current application is a joint application following the withdrawal of the previous application at No.114 only following advice from officers that the infill extension would likely result in an increased sense of enclosure and loss of natural light to the rear ground floor living room window of No.114, due to the increased height of the boundary wall.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The principle of enlarging the existing dwellinghouses at Nos.114 and 116 is acceptable in land use terms and would accord with Policy H3 in the UDP, which supports the creation of additional residential floorspace.

Objections have been raised on grounds that as the application properties already benefit from permission in 2015 to be enlarged at roof level, further extension at rear ground floor level is unnecessary. However, the current application must be considered on its own merits and there is no land use policy basis on which to withhold permission as Policy H3 does not preclude the enlargement of residential properties that have previously been extended or are currently in the process of being extended. As such, objection raised on this ground cannot be supported.

### **8.2 Townscape and Design**

The proposed extensions would be constructed over the whole of the courtyards, utilising a new party wall between the two properties and a secondary wall set in front of the boundary with Westbourne Terrace to the rear for structural support. Accordingly the concerns expressed regarding the structural impact on the existing rear wall of properties in Westbourne Terrace have been addressed as there would be no structural impact on the existing wall. The proposed roof would be glazed.

Given the discreet location of the extensions, where they would not be seen in any views in public or private views except from the rear windows of Nos.114 and 116 Westbourne Terrace Mews themselves, due to the height of surrounding walls, the proposed extensions are acceptable in design terms and would not harm the appearance of the buildings, the character or appearance of the conservation area or the setting of the neighbouring listed buildings in Westbourne Terrace. The proposed extensions therefore accord with Policies DES1, DES5, DES9 and DES10 in the UDP and S25 and S28 in the City Plan.

### **8.3 Residential Amenity**

Neighbours in Westbourne Terrace have sought assurances that the works will not raise the height of the existing rear boundary wall of Westbourne Terrace, nor result in the insertion of any windows at upper levels to the rear. In this regard the proposed extensions are limited to a single storey with an independent supporting wall within the site curtilage, with the existing rear wall of properties in Westbourne Terrace remaining undisturbed. The height of the rear wall of properties in Westbourne Terrace is substantially higher than the height of the proposed extensions and it will not be raised in height.

No additional windows are proposed in the rear elevation of the application properties. Given the height of the surrounding walls the proposed glazed roofs would not cause any overlooking or significant light spill to neighbouring properties.

In this context, the proposed extensions would not cause any significant impact on the amenity of neighbouring occupiers and would therefore accord with Policy ENV13 in the UDP and S29 in the City Plan.

A condition is recommended to ensure both extensions are constructed simultaneously, in order to avoid the extensions unduly impacting the amenity of the respective neighbours at Nos.114 and 116 Westbourne Terrace Mews. This is because should only one extension be constructed, the height of the extension and its proximity to ground floor habitable room windows to the rear of the other property would cause a loss of light and increase in enclosure.

#### **8.4 Transportation/Parking**

No highways considerations are relevant for this development.

#### **8.5 Economic Considerations**

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

#### **8.6 Access**

Existing access to these two private dwellinghouses would not be altered by the proposed development.

#### **8.7 Other UDP/Westminster Policy Considerations**

Whilst the total loss of existing external amenity space would not normally be supported and would normally be contrary to Policy ENV15 in the UDP, in this case the amenity value of the courtyards to be built over are of very limited value, both as amenity spaces and as spaces that support wildlife. This is due to their small size, limited access to daylight and sunlight, predominantly hard landscaped condition and as a result of the height of adjoining walls. In this context the loss of the external amenity spaces are acceptable given the particular circumstances in this case.

#### **8.8 London Plan**

This application does not raise any 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.

The development would create less than 100m<sup>2</sup> of new floorspace and therefore it is not liable to pay either the Westminster or the Mayor's Community Infrastructure Levy (CIL).

### **8.11 Environmental Impact Assessment (EIA)**

The proposed development is of insufficient scale to require the provision of an Environmental Impact Assessment.

### **8.12 Other Issues**

Concern has been expressed by neighbours in Westbourne Terrace regarding how rainwater will be drained and whether the extensions will utilise the existing rear wall of the buildings in Westbourne Terrace for structural purposes.

The proposed section shows a rainwater drainage gully within the curtilage of the site and the applicant's planning agent has confirmed that rainwater will be disposed of within the curtilage of the site. As such, the extensions would not cause damage to the neighbouring rear walls of properties in Westbourne Terrace and therefore objections on rainwater drainage grounds cannot be supported.

## **9. BACKGROUND PAPERS**

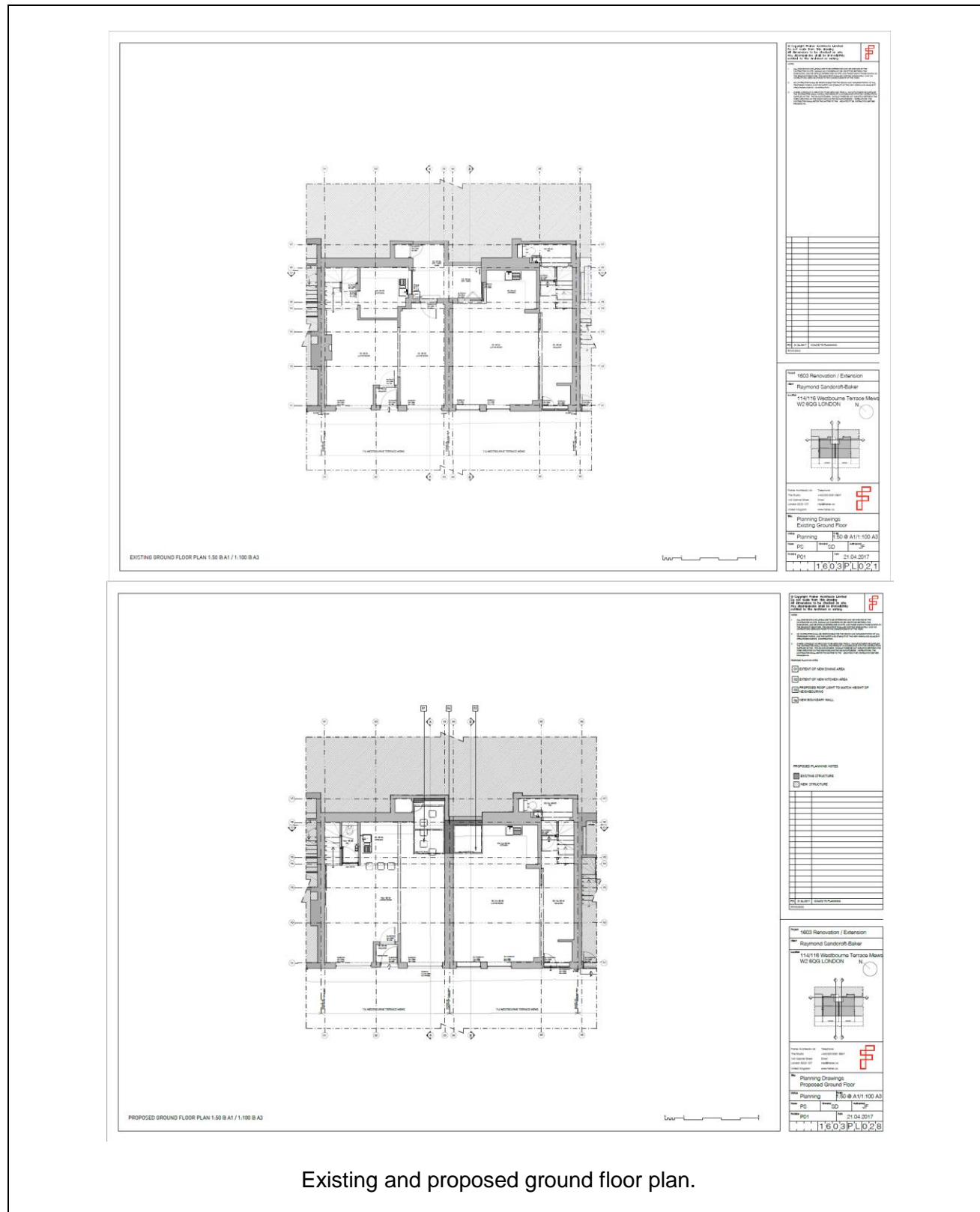
1. Application form.
2. Letter from the occupier of 118A Westbourne Terrace dated 4 June 2017.
3. Letter from the occupier of 120A Westbourne Terrace dated 4 June 2017.
4. Letter from the occupier of 108A Westbourne Terrace dated 5 June 2017.
5. Letter from the occupier of 114A Westbourne Terrace dated 6 June 2017.
6. Letter from the occupier of 116A Westbourne Terrace dated 6 June 2017.

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

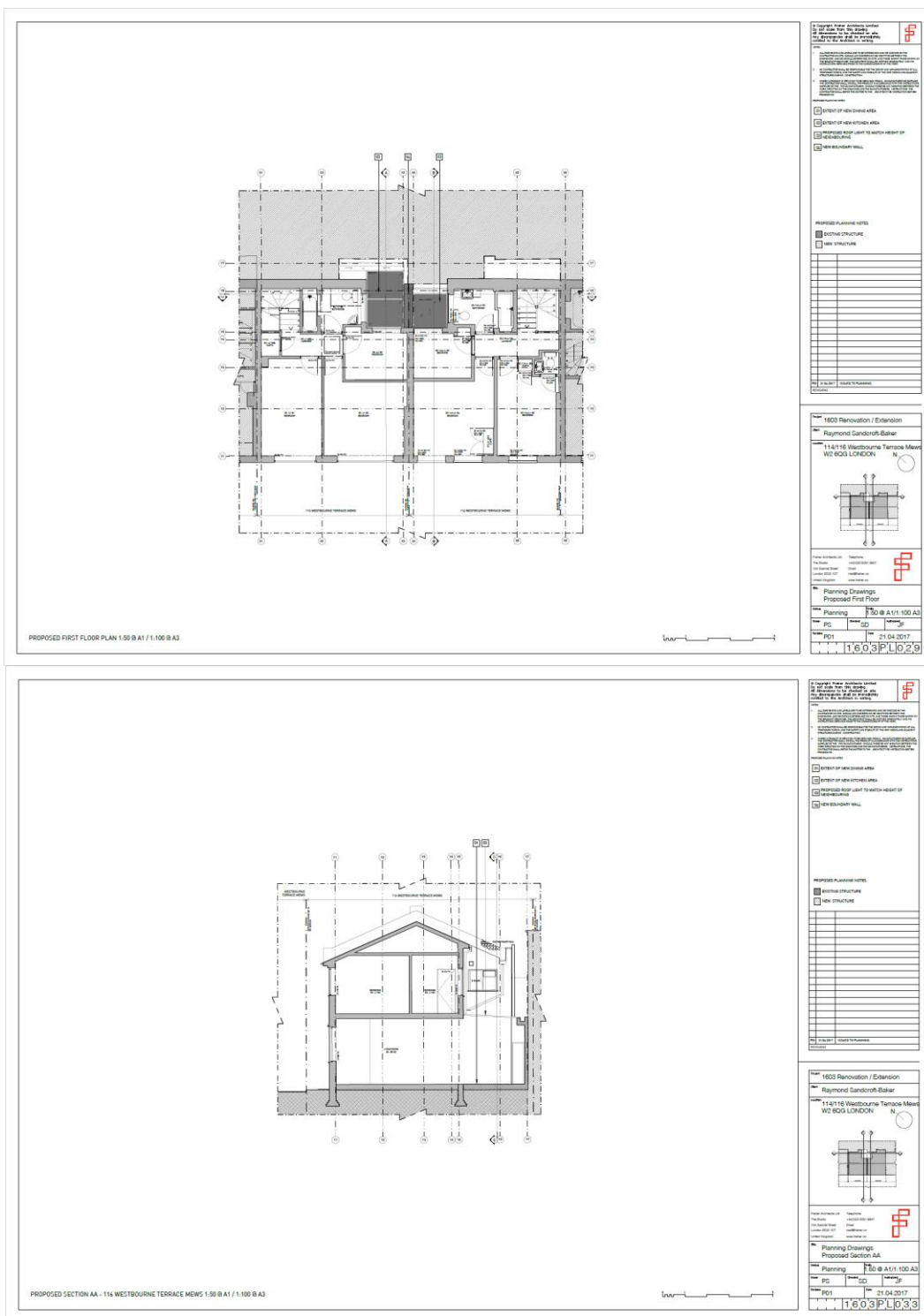
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT [ogibson@westminster.gov.uk](mailto:ogibson@westminster.gov.uk)



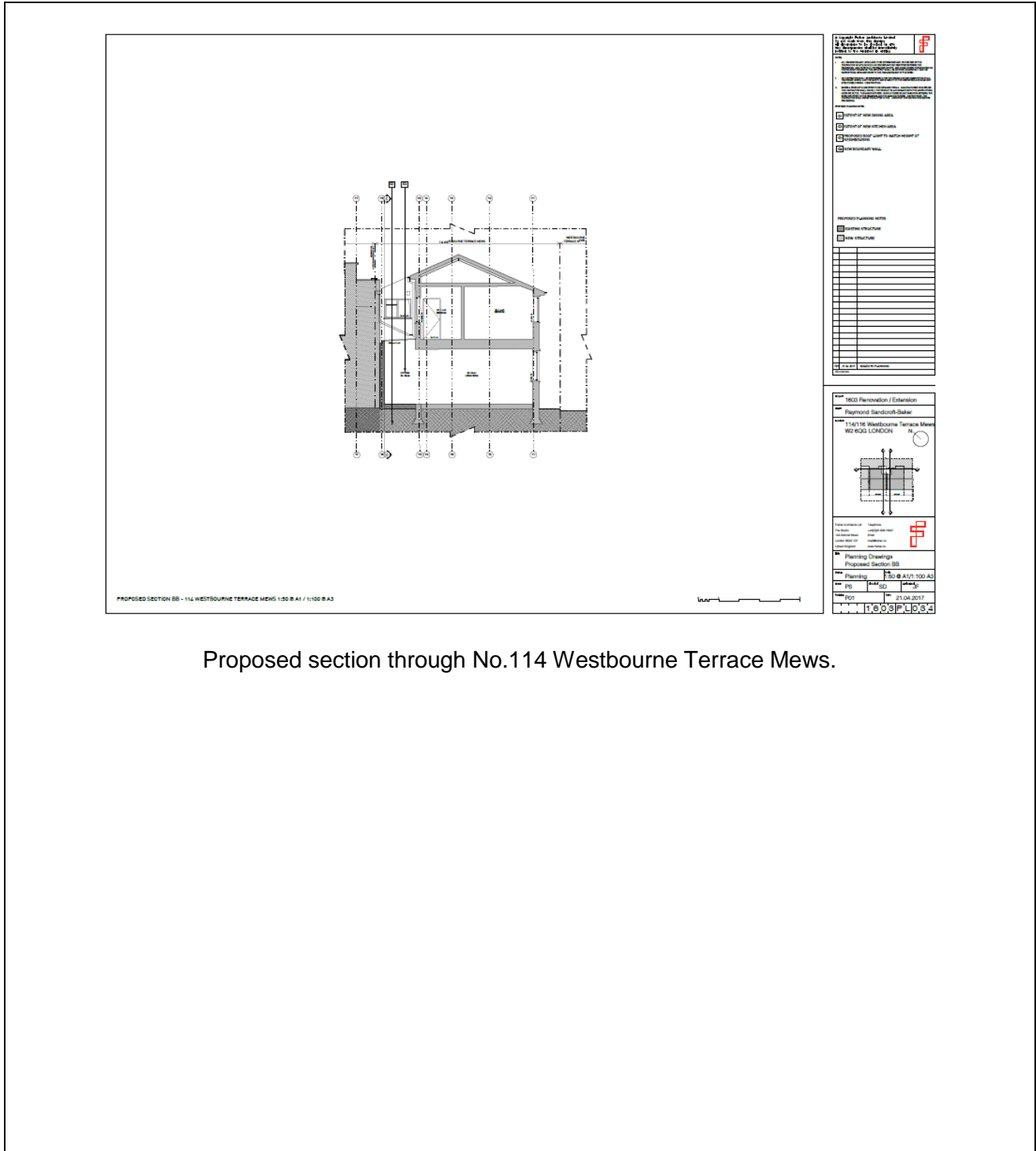
10. KEY DRAWINGS



Existing and proposed ground floor plan.



Proposed first floor plan and proposed section through No.116 Westbourne Terrace Mews.



Proposed section through No.114 Westbourne Terrace Mews.

**DRAFT DECISION LETTER**

**Address:** 114 and 116 Westbourne Terrace Mews, London, W2 6QG,

**Proposal:** Erection of infill extensions to rear courtyards at ground floor level to 114 and 116 Westbourne Terrace Mews to enlarge existing dwellinghouses.

**Reference:** 17/04031/FULL

**Plan Nos:** 1603 PL 020/P01, 1603 PL 021/P01, 1603 PL 022/P01, 1603 PL 023/P01, 1603 PL 024/P01, 1603 PL 025/P01, 1603 PL 026/P01, 1603 PL 027/P01, 1603 PL 028/P01, 1603 PL 029/P01, 1603 PL 030/P01, 1603 PL 031/P01, 1603 PL 032/P01, 1603 PL 033/P01, 1603 PL 034/P01, Design and Access Statement May 2017.

**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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 The single storey extensions hereby approved at Nos.114 and 116 Westbourne Terrace Mews must be completed in their entirety in a single phase of building work. Neither extension shall be occupied until the external envelope of both extensions has been completed in accordance with the drawings hereby approved.

Reason:

To protect the 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, 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.