



City of Westminster

Committee Agenda

Title:

Planning Applications Sub-Committee (2)

Meeting Date:

Tuesday 21st August, 2018

Time:

6.30 pm

Venue:

Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR

Members:

Councillors:

Robert Rigby (Chairman)
Louise Hyams
Guthrie McKie
James Spencer



Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Tristan Fieldsend, Committee and Governance Officer.

**Tel: 020 7641 2341; email: tfieldsend@westminster.gov.uk
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Director of Law in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To note any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by members and officers of the existence and nature of any personal or prejudicial interests in matters on this agenda.

3. MINUTES

To sign the minutes of the last meeting as a correct record of proceedings.

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

- | | |
|--|-------------------------|
| 1. 40 VILLIERS STREET, LONDON, WC2N 6NJ | (Pages 5 - 16) |
| 2. 180 STRAND, LONDON, WC2R 1EA | (Pages 17 - 34) |
| 3. ALDINE HOUSE, 33 WELBECK STREET, LONDON, W1G 8EX | (Pages 35 - 50) |
| 4. GROSVENOR LODGE, 94 GROSVENOR ROAD, LONDON, SW1V 3LF | (Pages 51 - 72) |
| 5. 89 CHARLWOOD STREET, LONDON, SW1V 4PB | (Pages 73 - 98) |
| 6. 14 MONTAGU STREET, LONDON, W1H 7EX | (Pages 99 - 108) |

Stuart Love
Chief Executive
13 August 2018

Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 21st August 2018
 PROVISIONAL SCHEDULE OF APPLICATIONS TO BE CONSIDERED

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 21st August 2018
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
1.	RN(s) : 18/03424/FULL St James's	40 Villiers Street London WC2N 6NJ	Facade replacement with retention of existing structural frame, replacement of office entrance, creation of a terrace and dry storage room and installation of plant at seventh floor roof level, in connection with continued use as office (Class B1) at first to sixth floor levels and retail (Class A1) at ground floor level.	
2.	RN(s) : 18/03409/FULL St James's	180 Strand London WC2R 1EA	Erection of double storey rooftop extension to both the west wing (Surrey Street facade) and the east wing (Arundel Street facade) and terrace to provide office/studio floorspace (Class B1) and associated external alterations.	
3.	RN(s) : 18/02325/FULL Marylebone High Street	Aldine House 33 Welbeck Street London W1G 8EX	Erection of single storey mansard roof extension at 5th floor level to provide additional office accommodation (Class B1) and incorporation of existing plant enclosure.	
4.	RN(s) : 17/10669/FULL Tachbrook	Grosvenor Lodge 94 Grosvenor Road London SW1V 3LF	Erection of two-bedroom residential roof top unit on top of existing residential building.	

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 21st August 2018
 PROVISIONAL SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
5.	RN(s) : 17/07551/ADFU LL 17/03875/FULL Warwick	89 Charlwood Street London SW1V 4PB	Application 1: Details of a scheme for the control of noise, odours and ventilation and the colouring of the grille unit pursuant to conditions 1 and 2 of the permission granted following an appeal against an enforcement notice dated 20 June 2017 (Ref APP/X590/C/16/3159525). Application 2: Installation of an air re-circulation system, relocation of existing air condenser units and associated external alterations to rear.	
	Recommendation Application 1: Refuse details - amenity impact. Application 2: Grant conditional permission.			
Item No	References	Site Address	Proposal	Resolution
6.	RN(s) : 18/04764/FULL 18/04765/LBC Bryanston And Dorset Square	14 Montagu Street London W1H 7EX	Alterations including the installation of glazed opaque balustrades in connection with the provision of a roof terrace at rear first floor level.	
	Recommendation 1. Refuse permission - design. 2. Refuse listed building consent - design.			

Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	40 Villiers Street, London, WC2N 6NJ		
Proposal	Facade replacement with retention of existing structural frame, replacement of office entrance, creation of a terrace and dry storage room and installation of plant at seventh floor roof level, in connection with continued use as office (Class B1) at first to sixth floor levels and retail (Class A1) at ground floor level.		
Agent	Mr Peter Bovill, Montagu Evans LLP		
On behalf of	IRAF Gordon SARL		
Registered Number	18/03424/FULL	Date amended/ completed	1 May 2018
Date Application Received	26 April 2018		
Historic Building Grade	Unlisted		
Conservation Area	Trafalgar Square		

1. RECOMMENDATION

Refuse permission –design and impact on adjoining heritage assets.

2. SUMMARY

No. 40 Villiers Street comprises ground and six upper floors, with retail (Class A1) uses at ground floor level and offices on the upper floors.

An application has been submitted seeking planning permission for the replacement of the façade and the creation of a terrace, storage room and installation of plant at seventh floor roof level, in connection with continued use as office (Class B1) at first to sixth floor levels and retail (Class A1) at ground floor level.

The key issues for consideration are:

* The detailed design and impact of the proposals on the appearance of the building and on local townscape and heritage assets, including the character and appearance of the Trafalgar Square Conservation Area.

* The impact of the proposals on the amenity of neighbouring residents.

The proposals are considered to be of poor design and cause harm to adjoining heritage assets (while bringing no public benefits) and as such would conflict with National and local policies in relation to design and conservation, as set out in the National Planning Policy Framework (2018), Westminster's City Plan November 2016 (City Plan) and the Unitary Development Plan (UDP). The application is therefore recommended for refusal.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

COUNCILLOR TIM MITCHELL:

Requests that the application is presented to committee.

NETWORK RAIL:

Any response to be reported verbally.

LONDON UNDERGROUND:

Request condition to secure detailed method statements in relation to tall plant and scaffolding and location of existing London Underground Structures and tunnels.

WESTMINSTER SOCIETY:

No objection.

NORTHBANK BID:

Supports planning application in terms of proposals improving a tired and uninviting street frontage and thereby complimenting ongoing improvement works to the public realm. (However, suggestions made by the Northbank BID to upgrade entrance area of raised footway from Hungerford Bridge to Charing Cross forecourt and for the flat roof of the building to incorporate greening such as a sedum roof are not proposed by the current planning application).

ENVIRONMENTAL HEALTH:

No objection, subject to conditions.

CLEANSING MANAGER:

Revised details of waste storage should be secured by condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted - 53

Total No. of replies - 1

One objection received from operator of a ground floor retail unit within the application property on the grounds of the duration of the construction works and disruption to trade.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application building is unlisted. It is located within the Trafalgar Square Conservation Area and adjacent to the Savoy Conservation Area and Victoria Embankment Gardens, which is a Grade II Registered Park and Garden. The site is also within the Core Central Activities Zone and in the Lundenwic and Strand Area of Special Archaeological Priority.

6.2 Recent Relevant History

There is no recent relevant planning history.

7. THE PROPOSAL

Planning permission is sought for the replacement of the façade whilst retaining the existing structural frame and the creation of a terrace and dry storage room and installation of plant at seventh floor roof level, in connection with continued use as office (Class B1) at first to sixth floor levels and retail (Class A1) at ground floor level.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application proposes a new plant room to be incorporated behind the existing at main roof/seventh floor level along with an external roof terrace, which is considered acceptable in land use policy terms.

8.2 Townscape and Design

The main design/ townscape issues raised are the detailed design of proposals and the impact on the local townscape, including the River Thames frontage, the impact on the character and appearance of the Trafalgar Square Conservation Area, on the setting of the Savoy Conservation Area and on the setting of Victoria Embankment Gardens, which is a Grade II Registered Park and Garden.

In considering the above, national policy as set out in the NPPF stresses the importance of high quality design, including the conservation and enhancement of the historic environment. Further, the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on decision makers to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Local policies set out in the City Plan and Unitary Development Plan also seek the highest standards of sustainable design and architectural quality, including the use of high quality durable materials, appropriate to the building and its setting. Of particular relevance are saved policies within the Unitary Development Plan, especially DES 1 (Principles of Urban Design and Conservation), DES 5 (Alterations and Extensions), DES 9 (Conservation Areas), DES 12 (Parks, Gardens and Squares) RIV 1 (Design), and RIV 2 (Views) as well as City Plan policies S25 (Heritage), S28 (Design) and S37 (Blue Ribbon Network) .

Hempson's House is unlisted but is located within a designated conservation area. It dates from 1958 by Seymour Harris and occupies a prominent corner site at the entrance to Villiers Street, immediately adjacent to Sir Terry Farrell's landmark Charing Cross Station. It is visible from the river frontage, from Hungerford Bridge and from within Victoria Embankment Gardens. As such, this is a prominent and important site.

The existing building is not of significant architectural quality but is simply detailed and has a low-key appearance, which is appropriate within its context. It was originally

constructed using high quality materials, being clad in marble and with steel Crittal windows. Two later, fully glazed storeys were added in the 1990s and these relate poorly to the architecture and detail of the original building.

The proposals would remove all marble cladding and the steel Crittal windows to the original part of the building, stripping it back to its concrete frame from first to fourth floors. Clear glass floor to ceiling height curtain wall glazing would be introduced across most of the façade, with floor plates hidden by a thin section of coloured glass panels - the supporting documentation notes these will be 'white back-painted glass'. Areas of new metal cladding, noted as being 'spray painted to Portland stone colour' would replace the Carrara marble to the sides of the full height glazing at first to fourth floor.

At fifth and sixth floors, the existing full height glass windows and existing silver metal cladding would be retained unaltered, with sections of new metal cladding clipped over the existing to hide fixings in locations where the brise-soleil is being removed.

The result would be a highly glazed façade, which would appear more prominent and assertive in views from the Embankment Gardens and river and is not typical of other buildings in the conservation area, which, while of varied character, generally use a more traditional palette of materials. The floor to ceiling height glazing would also allow un-obstructed views into the office interiors from the street, river and Gardens (the latter, particularly in winter). Further, while limited information has been provided in relation to exact choice of materials, externally, there is an incoherent mix of retained metal cladding and new spray painted metal cladding, of slightly different colours.

The applicants have pointed to the poor quality of the existing building as justification for their proposals, noting that the existing building is identified within the Trafalgar Square Conservation Area Audit as a 'negative' and therefore detracting from the character and appearance of the conservation area.

As set out above, it is accepted that the existing building is of limited architectural quality and has a tired appearance and as such does not contribute positively to the character and appearance of the conservation area. However, the designations within this audit were last reviewed over 15 years ago and officers are of the view that the building, while not making a positive contribution, has a relatively unassuming character therefore is considered to have a neutral rather than negative impact on the conservation area, although the later extensions (retained as part of these proposals) do detract.

Further, regardless of whether the building is considered neutral or negative, officers consider that the proposals would worsen the existing situation and would devalue any architectural merit the existing building has. As such, the proposals would fail in the statutory duty to preserve or enhance the character and appearance of the conservation area and would lead to (less than substantial) harm to the conservation area.

At paragraph 196, the NPPF notes that *where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

In this context, it is noted that the applicants presented the proposals to the Northbank BID. The BID subsequently wrote a letter of support noting that the proposals could bring benefits in cleaning up the raised footway from the Hungerford Bridge, incorporating a sedum roof and incorporating building mounted lighting. However, these elements do not form part of the current application. The roof incorporates a terrace but no sedum roof, and no building mounted lighting or works within the raised footway are proposed as part of this application. There are therefore no public benefits to outweigh the less than substantial harm caused by these proposals.

Works are also proposed at roof level, with a small, set-back extension to the existing roof top plant area and terrace. These works will have limited visual impact and are acceptable in design terms. The existing shopfronts at ground floor level are retained.

However, overall as proposed, works would introduce materials and detail of poor quality and not typical of other buildings in the conservation area, and would cause harm in views from the river and Victoria Embankment Gardens and as such would fail to preserve the character and appearance of the conservation area and setting of adjoining conservation areas.

8.3 Residential Amenity

Policy ENV13 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 the City Plan aims to protect the amenity of residents from any unacceptable effects of development.

Given the relationship of the site with the adjoining commercial buildings and as the proposals will replace existing facades it is not considered that the proposals would give rise to significant amenity issues for neighbouring residents in terms of sense of enclosure, outlook or privacy sufficient to merit a refusal of the application on these grounds.

8.4 Transportation/Parking

No changes are proposed to the servicing/loading arrangements, which will remain as existing arrangements with servicing taking place on street.

8.5 Economic Considerations

If the development were considered acceptable, any economic benefits would be welcomed.

8.6 Access

Access to the office building remains unchanged through a single entrance door with ramp access retained. Inclusive access is provided from the ground to upper office accommodation via the lift core.

8.7 Other UDP/Westminster Policy Considerations

None.

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

The proposals are of insufficient scale to generate a requirement for any planning obligations.

8.11 Environmental Impact Assessment

The proposals are of an insufficient scale to require an environmental impact assessment.

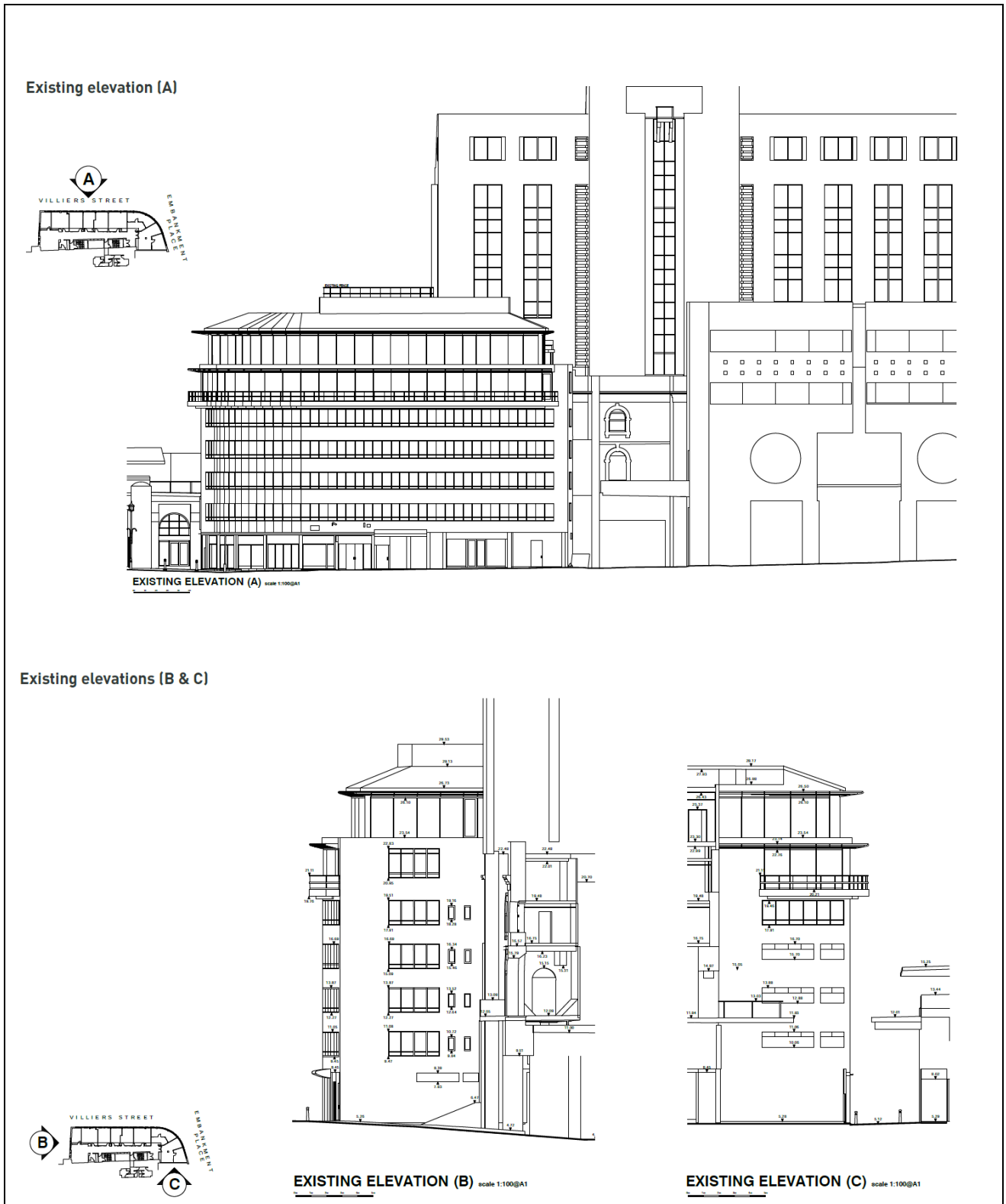
8.12 Other Issues

One objection has been raised on the grounds of disruption to an existing business and the potential length of construction works. These are not matters on which it would be reasonable to refuse a planning application.

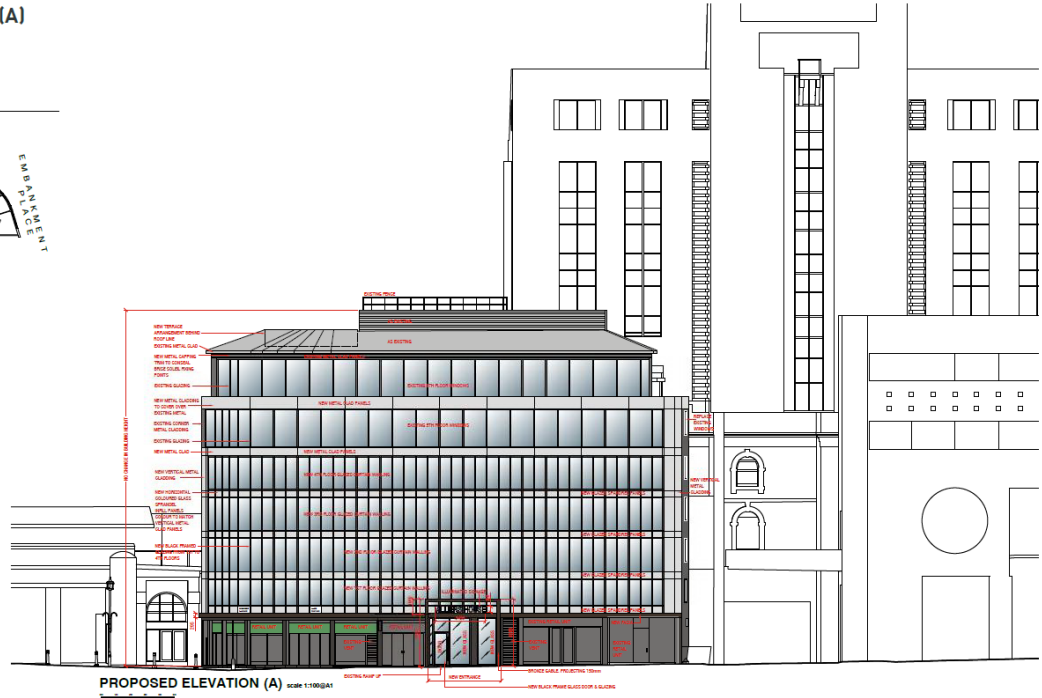
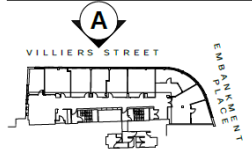
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

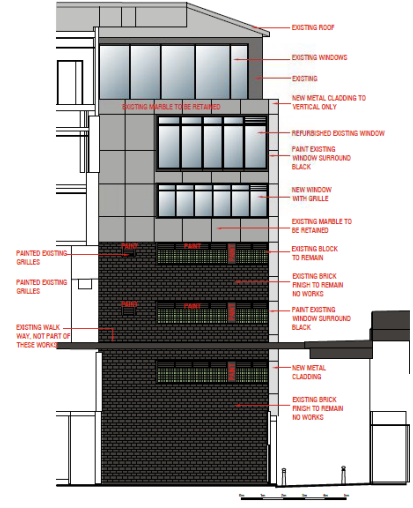
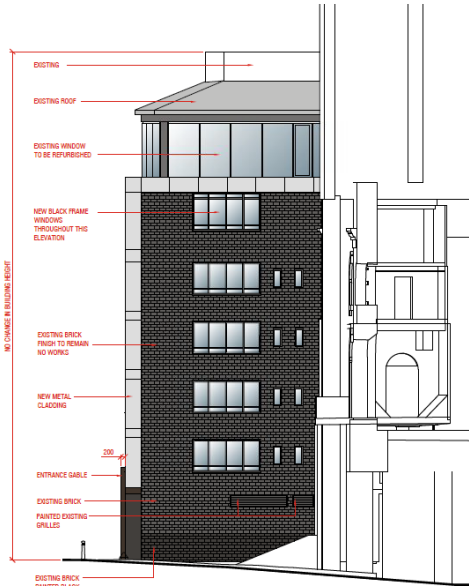
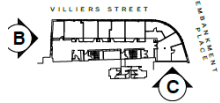
9. KEY DRAWINGS



Proposed elevation (A)



Proposed elevations (B & C)



DRAFT DECISION LETTER

Address: 40 Villiers Street, London, WC2N 6NJ,

Proposal: Facade replacement with retention of existing structural frame, replacement of office entrance, creation of a terrace and dry storage room and installation of plant at seventh floor roof level, in connection with continued use as office (Class B1) at first to sixth floor levels and retail (Class A1) at ground floor level.

Plan Nos: ML2651-G-103; ML2651-G-104; ML2651-1-100; ML2651-1-899; ML2651-2-100; ML2651-2-899; ML2651-3-100; ML2651-3-899; ML2651-4-100; ML2651-4-899; ML2651-5-100-A; ML2651-5-899; ML2651-6-100; ML2651-6-899; ML2651-7-899; ML2651-G-110; ML2651-G-605-A; ML2651-G-606; ML2651-G-610; ML2651-G-7-160; ML2651-G-7-161; ML2651-G-7-162; ML2651-G-7-860; ML2651-G-7-861; ML2651-G-7-862; ML2651-G-899; ML2651-G-905; ML2651-G-906; ML2651-G-910; ML2651-G-SK2; ML2651-R-105-A; ML2651-R-108; ML2651-R-901; Planning Compliance Review Report 17444.PCR.01 dated 18 April 2018, prepared by KP Acoustics Ltd.

Case Officer: Sebastian Knox

Direct Tel. No. 020 7641 4208

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 1 Because of the detailed design, materials and extent of glazing, the proposed re-cladding would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Trafalgar Square Conservation Area. It would also cause harm to the setting of the adjacent Savoy Conservation Area and Victoria Embankment Gardens, and to views from the River. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES9, DES12 and DES 1 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. It is also contrary to the advice set out in the National Planning Policy Framework Section 16, paragraphs 193 and 196. (X16AD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Agenda Item 2

Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	180 Strand, London, WC2R 1EA,		
Proposal	Erection of double storey rooftop extension to both the west wing (Surrey Street facade) and the east wing (Arundel Street facade) and terrace to provide office/studio floorspace (Class B1) and associated external alterations.		
Agent	Gerald Eve LLP		
On behalf of	The Store		
Registered Number	18/03409/FULL	Date amended/ completed	26 April 2018
Date Application Received	26 April 2018		
Historic Building Grade	Unlisted		
Conservation Area	Strand		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

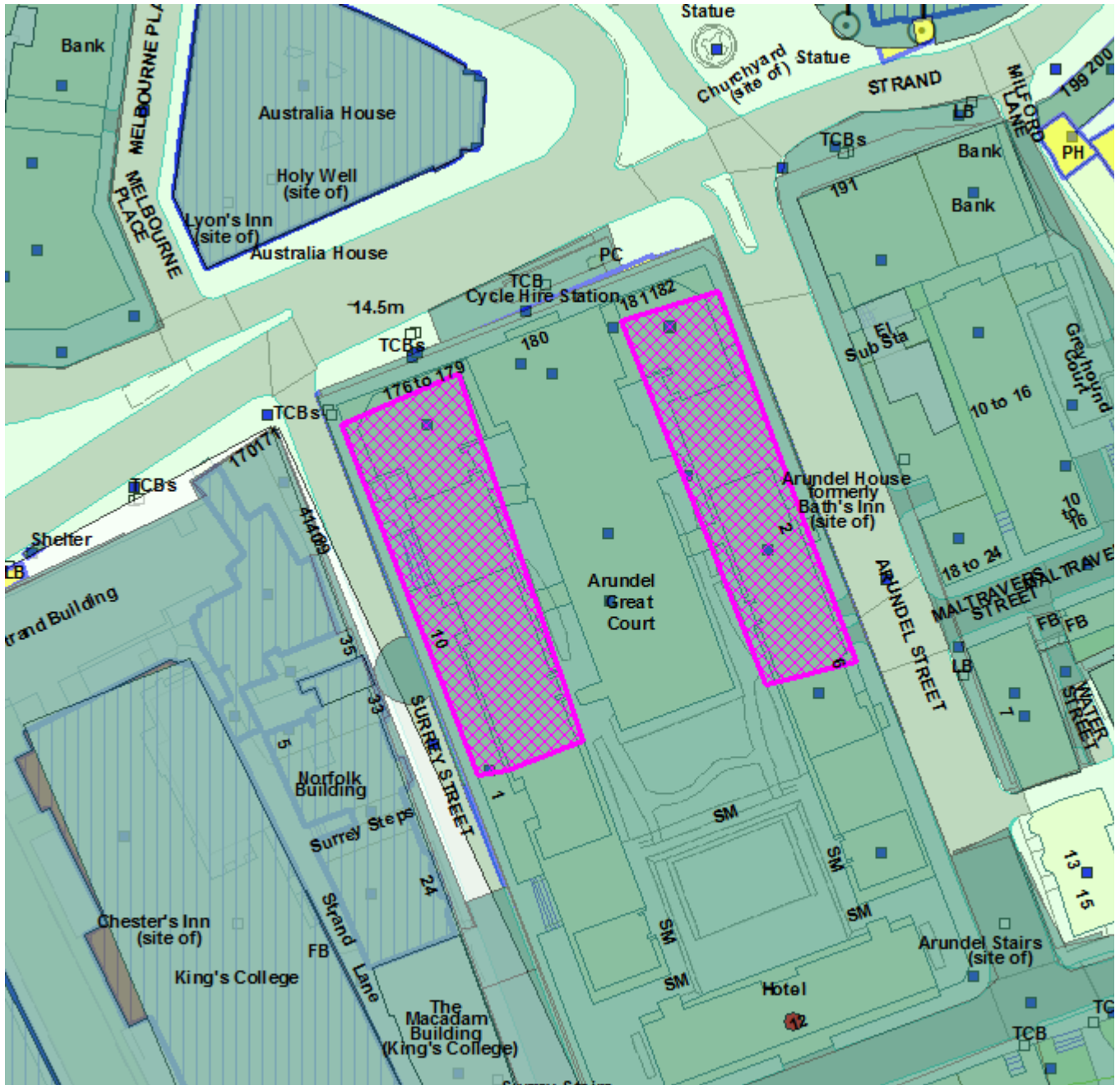
180 Strand forms part of Arundel Great Court. In 2009 planning permission was granted on appeal for the redevelopment of the site to provide two buildings: an office building on the north site and residential and hotel building on the South site. Works on the south site have begun. The existing building remains in place on the northern part of the site. It is now intended to retain this part of the building. Planning permission is sought for a double storey rooftop extension with terrace to the west (Surrey Street facade) and east (Arundel Street facade) wings to provide additional office floorspace (Class B1).

The key issues for consideration are:

- The impact of the proposed works on the character and appearance of the existing building and the Strand Conservation Area.
- The land use implications of the proposal;
- The impact of the proposal on the amenity of surrounding residents.

The proposal is considered acceptable in design, conservation, landuse and amenity terms in accordance with Westminster's City Plan and Unitary Development Plan (UDP) policies.

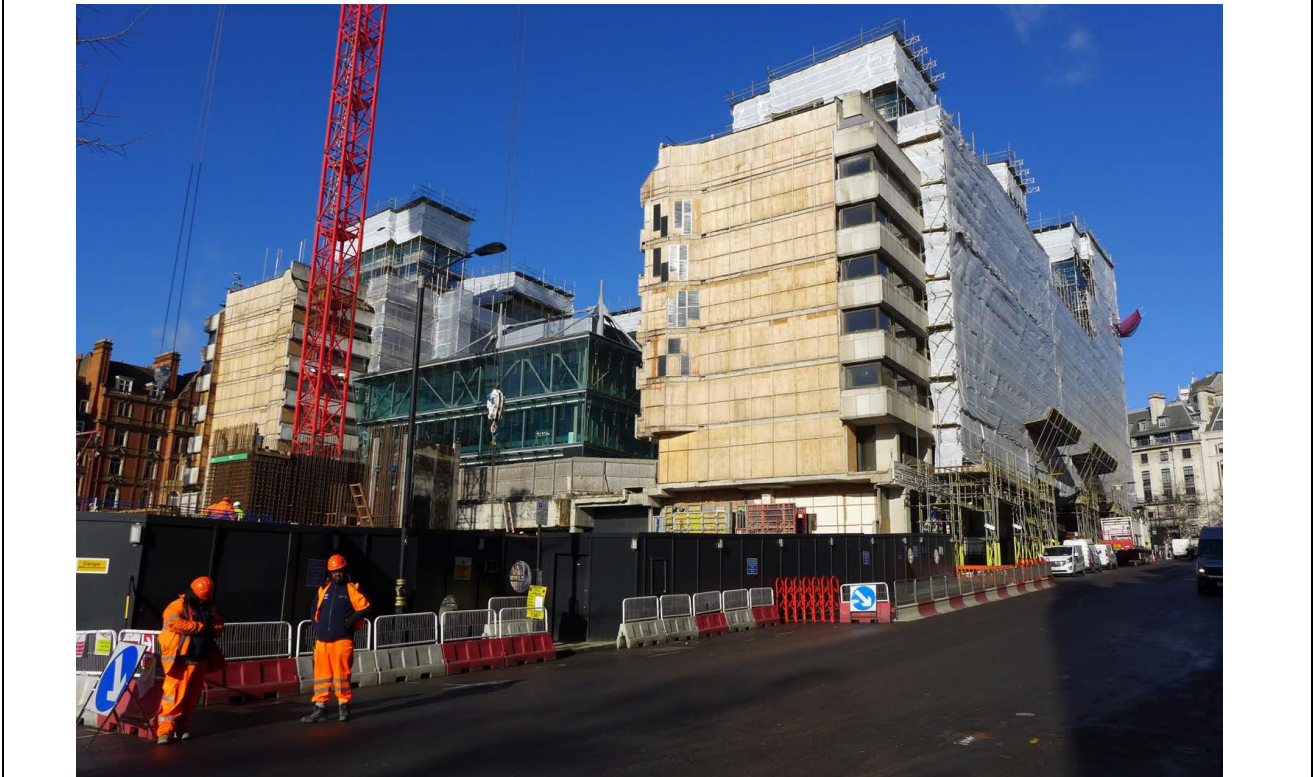
3. LOCATION PLAN



4. PHOTOGRAPHS



Strand/Arundel Street



5. CONSULTATIONS

WESTMINSTER SOCIETY

No objection.

HIGHWAYS PLANNING MANAGER

Unlikely to have a significant impact on on-street car parking in the area. Off-street servicing is retained. No cycle parking spaces are proposed. A minimum of 9 cycle parking spaces should be secured by condition.

CLEANSING MANAGER

Details of waste and recycling storage should be secured by condition.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 202

Total No. of replies: 18

No. of objections: 18

No. in support: 0

18 letters of objection have been received from residents in the newly occupied residential development at 190 Strand on the following grounds:

Design

- The building will be too high.
- Its appearance will not match the surrounding rooftops.
- It will block the view of the Grade II listed Somerset House and is visually not suitable with surrounding buildings.

Amenity

- Loss of sunlight and daylight to residents opposite in 190 Strand.
- Loss of privacy.
- Loss of views.

Highways

- Increase in traffic.

Other

- Noise, disturbance and pollution during construction work.
- Loss of value to flats opposite.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

180 Strand is part of Arundel Great Court which formed a whole street block with frontages to Strand, Arundel Street, Temple Place and Surrey Street. In 2009 planning permission was granted on appeal for the redevelopment of the site to provide two buildings: an office building on the north site and residential and hotel building on the South site, with a new road (Howard Place) running in between. Works on the south site have begun, this part of the building has been demolished and construction work is underway. The existing building remains in place on the northern part of the site. The building is in office use (class B1) with retail units at ground floor level fronting Strand.

6.2 Recent Relevant History

Planning permission was refused in March 2009 (on design grounds - height, bulk and design to both the north and south buildings), but was subsequently granted on appeal on 12 November 2009 (APP/X5990/A/09/2101893) for:

Demolition of all existing buildings (fronting Strand, Arundel Street, Temple Place and Surrey Street) and redevelopment to provide new buildings of two basements, lower ground, ground and nine upper floors to northern part of site (fronting Strand), and two basements, ground and part 10/part 14/part 12 upper floors to southern part of site (fronting Temple Place) to provide offices (Class B1); 151 residential dwellings (Class C3); 98-bed hotel and 18 serviced suites (Class C1); and/or retail, financial and professional services, restaurant, café, bar, and hot food take away uses (Class A1/A2/A3/A4/A5) at ground floor level; car parking for 107 cars; servicing area; and new access, public courtyard, landscaping, engineering and other associated works.

Planning permission was granted for the variation of Condition 91 of planning permission dated 12 November 2009 (APP/X5990/A/09/2101893) for amendments to the vehicle access arrangements from Arundel Street; to the internal cores at ground level; to the internal servicing and car parking layout at basement levels and creation of an additional third basement level was granted on 28 March 2012.

There have been a series of temporary permissions for events by the British Fashion Council and temporary gallery space for the Hayward Gallery in various parts of the existing building.

In January 2018, permission was granted for the erection of a single storey roof level extension (to the Strand frontage) including a swimming pool, together with alterations at ground floor level and recladding of rear façade

190 Strand – (adjacent residential building on the opposite side of Arundel Street)
On 15 March 2012, permission was granted for the “demolition of all existing buildings (fronting Strand, Arundel Street, Maltravers Street and Milford Lane) and redevelopment to provide one new building comprising basement levels, ground and part 7/ part 8/ part 9 storeys and one new building comprising basement levels, ground and 8 storeys to provide 206 residential dwellings (Class C3), two retail units (Class A1) fronting Strand,

one restaurant (Class A3) fronting Arundel Street, a leisure centre, a business centre, car parking for 200 cars, servicing area, new access, public courtyard, landscaping, highways alterations and other associated works.”

6.2 THE PROPOSAL

The planning permission allowed on appeal in 2009 has been implemented, with construction work on the south site underway. The office scheme on the north site can therefore be implemented, however, it is now proposed to retain the existing building.

Planning permission is sought for extensions to the existing building on the retained north site, with a double storey rooftop extension to both the west (Surrey Street facade) and east wing (Arundel Street facade) with terrace, to provide office/studio floorspace (Class B1) and associated external alterations including a single storey pergola structure.

7. DETAILED CONSIDERATIONS

7.1 Land Use

Policy S1 of the City Plan relates to mixed uses in the CAZ. It encourages development which promotes Westminster’s World City functions, manages its heritage and environment and supports its living, working and visiting population. Within the CAZ, a mix of uses consistent with supporting its vitality, function and character will be promoted.

The policy requires an element of residential floorspace to be provided on developments where additional B1 office floorspace is over 30% of existing building floorspace. Policy S18 encourages commercial development within the core CAZ.

The building will remain in office use. The existing building has been refurbished and has been successful in attracting businesses in the creative industries. It is proposed to create a creative/media/tech hub for small to medium enterprises which is welcomed. The rooftop extensions will provide 814sqm (GIA) of additional office/studio space (class B1) (approximately 44,856sqm existing /45,670sqm proposed GIA) which is less than 30% of the existing buildings floorspace and will not trigger the requirement to provide any residential (Class C3) floor space under Policy S1.

7.2 Townscape and Design

180 Strand was designed by the noted architect Sir Frederick Gibberd in 1971-76. It is considered to be a neutral building in terms of its contribution to the character and appearance of the Strand Conservation Area. The design is typical of the Brutalist style of architecture prevalent for large civic buildings at this time, but its detail and materiality, particularly the use of Portland stone as the main cladding material, give it a softer “edge” than many of the concrete Brutalist buildings of the period.

In 2009, permission was granted for the demolition of the building and its replacement by a much larger building. The current proposal is considerably lower than that approved scheme (which has been commenced) and any consideration of the height and bulk of the current proposal must be considered with regard to the 2009 approved scheme. Nevertheless, the set back nature of the proposed extensions and the presence of much larger buildings in the immediate vicinity mean that there is no negative impact on established views.

The proposal is to add two 2- storey roof top extensions to the Surrey Street and Arundel Street wings, the main façade to Strand already having been granted consent for a single storey extension. The proposed extensions are set back 4.25m from the building edge aligning with the face of the set back south core. This reduces the visual impact of the extensions on street level views and maintains the visual significance of the two Portland-stone clad circulation cores. These are perhaps the most significant elements of Gibberd's design and break up the otherwise dominating horizontality of the facades. The extensions are heavily glazed with bronze coloured frames, corten eaves and corten pergola. Roof top plant enclosures are set back from the eaves edge and, again, clad in corten panels. The result is that the key design elements of Gibberd's design are retained and sympathetic roof extensions maintain the integrity of the original design. Due to the set back nature of the extensions, there will be very little visual impact on street level views.

In summary, it is considered that the extensions do not harm the architectural integrity of the host building and nor do they adversely affect the character and appearance of the conservation area.

7.3 Residential Amenity (Sunlight and Daylight/Sense of Enclosure/Privacy)

Policy S29 of the City Plan and ENV 13 of the UDP aim to protect the amenity of residents from the effects of development. Policy ENV13 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. The City Council generally has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011).

Sunlight and Daylight

Objections have been received from residents within the new residential development opposite at 190 Strand on the grounds that the proposal will result in a loss of sunlight and daylight to their properties.

The proposed extensions are set back approximately 4.25m from the street facades and are set between and below the height of the three existing vertical cores at roof level. The extensions sit well within the massing envelope that was allowed on appeal in 2009 for the office redevelopment for the north site which can be implemented in perpetuity. The current proposals will therefore have a materially lesser impact on daylight and sunlight than the appeal scheme.

Whilst the objectors concerns in relation to loss of daylight are well understood, it is important to note that the building they live in at 190 Strand was granted permission for it's construction in 2012, some 3 years after the original permission for the redevelopment of the application site. The permission at the application site was already in place therefore when the flats at 190 Strand were purchased and occupied. When the residential scheme at 190 Strand was considered, the permitted scheme at 180 Strand was taken into account and the daylighting levels in 190 Strand were considered acceptable.

Privacy

Continuous balconies are proposed less than 2m in width at seventh floor level, set back approximately 2.5m from the front building line and some 22m from the residential windows in 190 Strand opposite. The applicant states that access will be restricted on the flat roof area at the southern end of the east/Arundel Street wing for maintenance purposes only to prevent any overlooking to 190 Strand. It is recommended that this be secured by condition.

Objectors are also concerned over the potential noise and nuisance caused by construction and its associated traffic. We cannot reasonably refuse permission on this basis, although the standard hours of construction condition is recommended.

The application is therefore considered acceptable in amenity terms in accordance with policies C29, C32, of the City Plan and ENV13, ENV6 and ENV7 of the UDP.

7.4 Transportation/Parking

The Highways Planning Manager raises no objection to the application. Servicing and deliveries will take place in the existing off street loading bay, accessed via the ramp off Arundel Street. No cycle parking spaces are proposed. It is recommended that this be secured by condition.

7.5 Economic Considerations

Any economic benefits generated are welcomed.

7.6 Access

The seventh floor will be accessed from the central lift core. A wheelchair lift is proposed next to the central lift core to provide step free access up to the new eighth floor.

7.7 Other UDP/Westminster Policy Considerations

None relevant

7.8 London Plan

This application raises no strategic issues.

7.9 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.

7.10 Planning Obligations

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

The estimated CIL payment is: £252,206.25

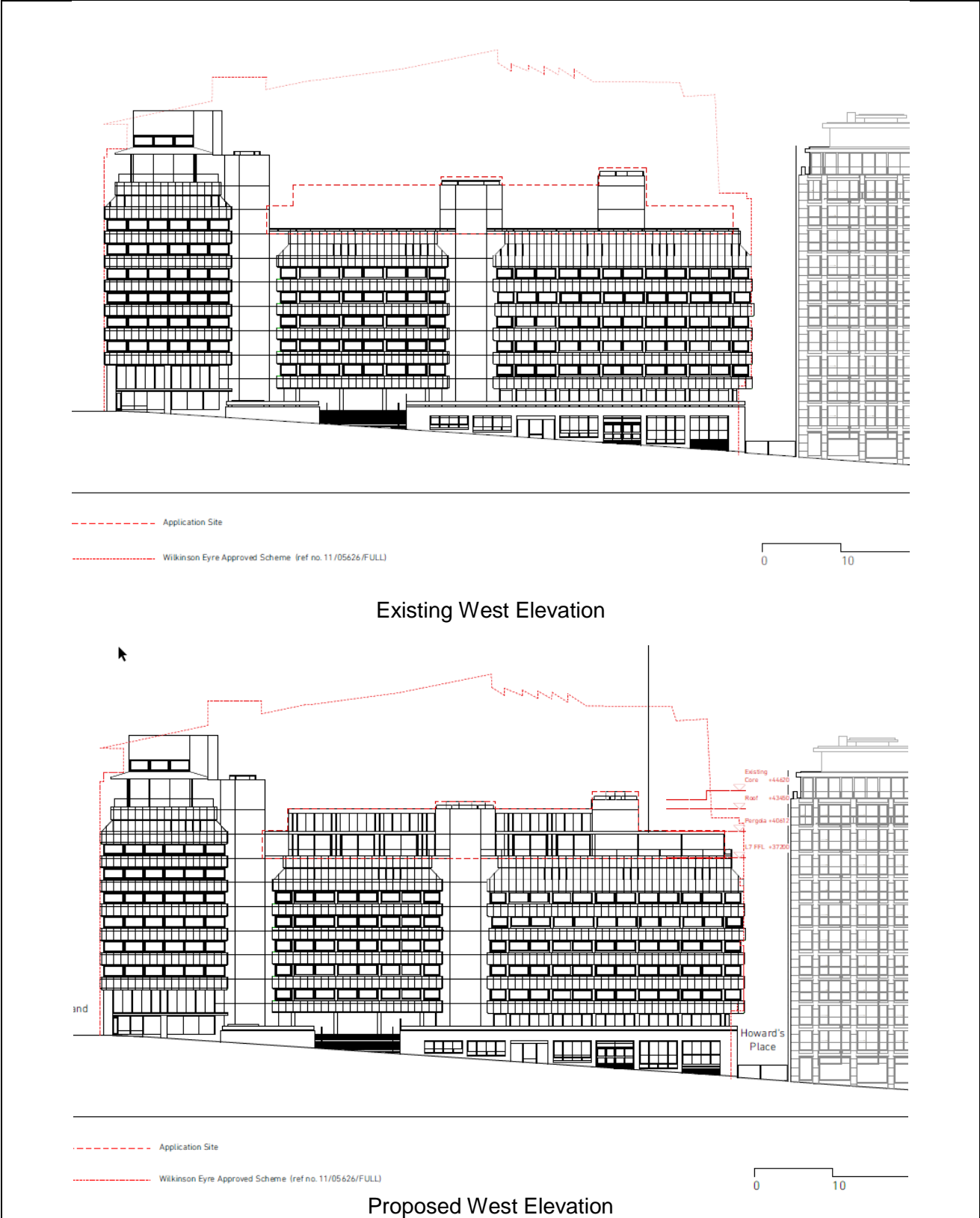
7.11 Environmental Impact Assessment

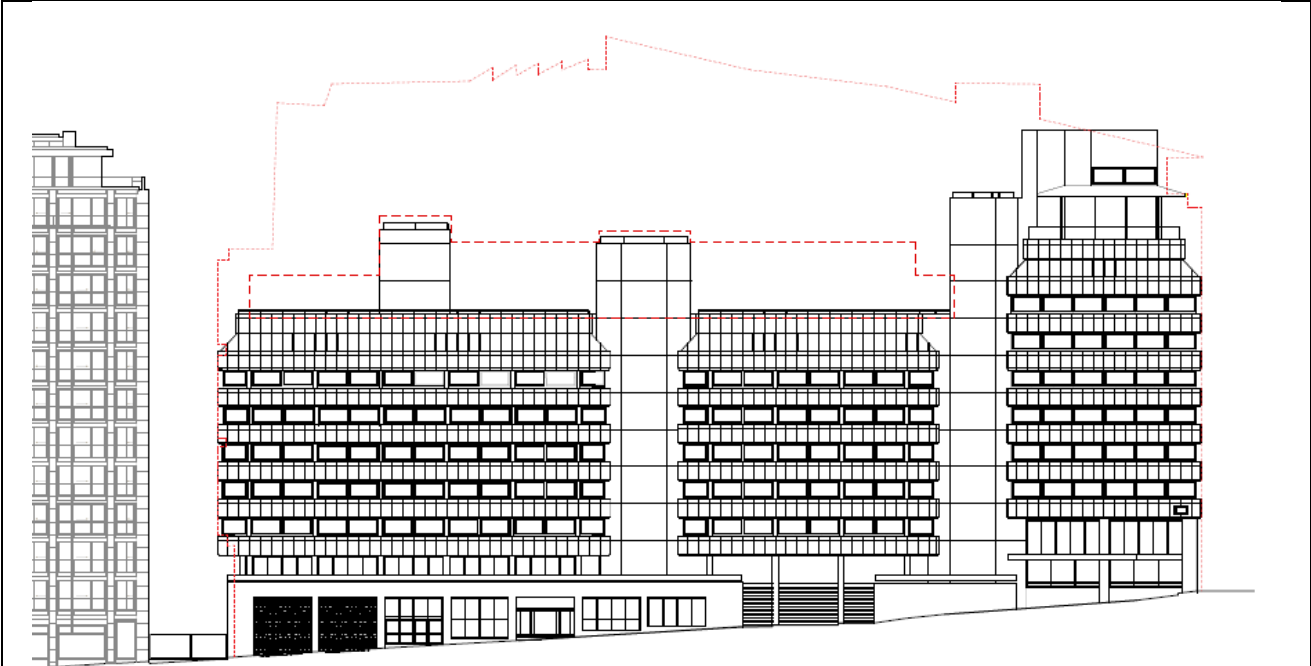
The proposal is not of a scale to require an Environmental Impact Assessment.

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

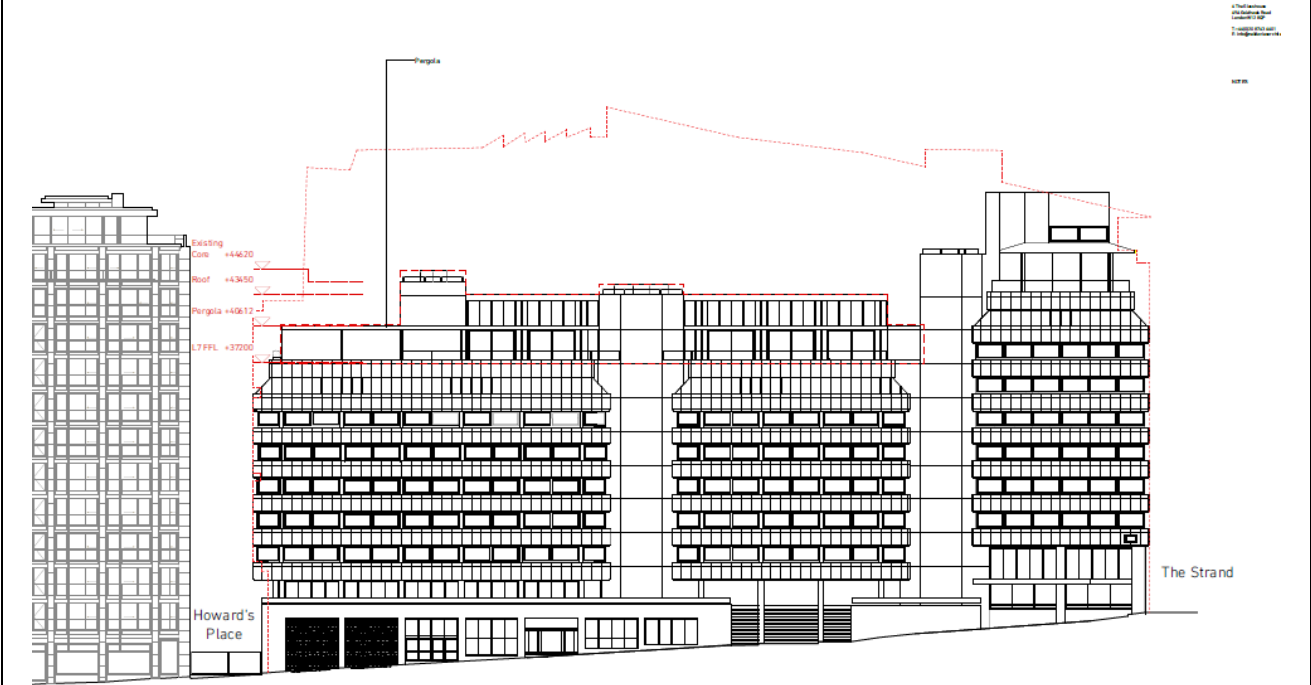
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk
--

8 KEY DRAWINGS

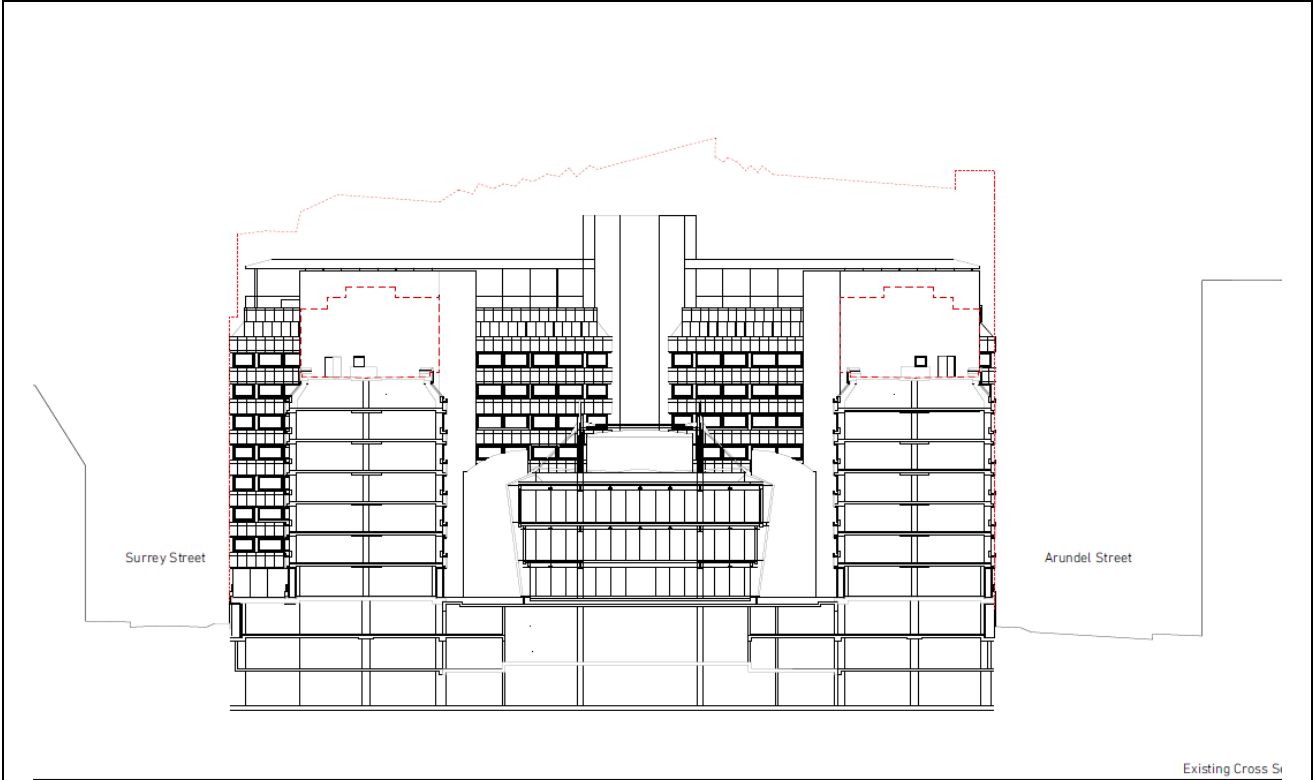




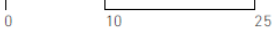
Existing East Elevation



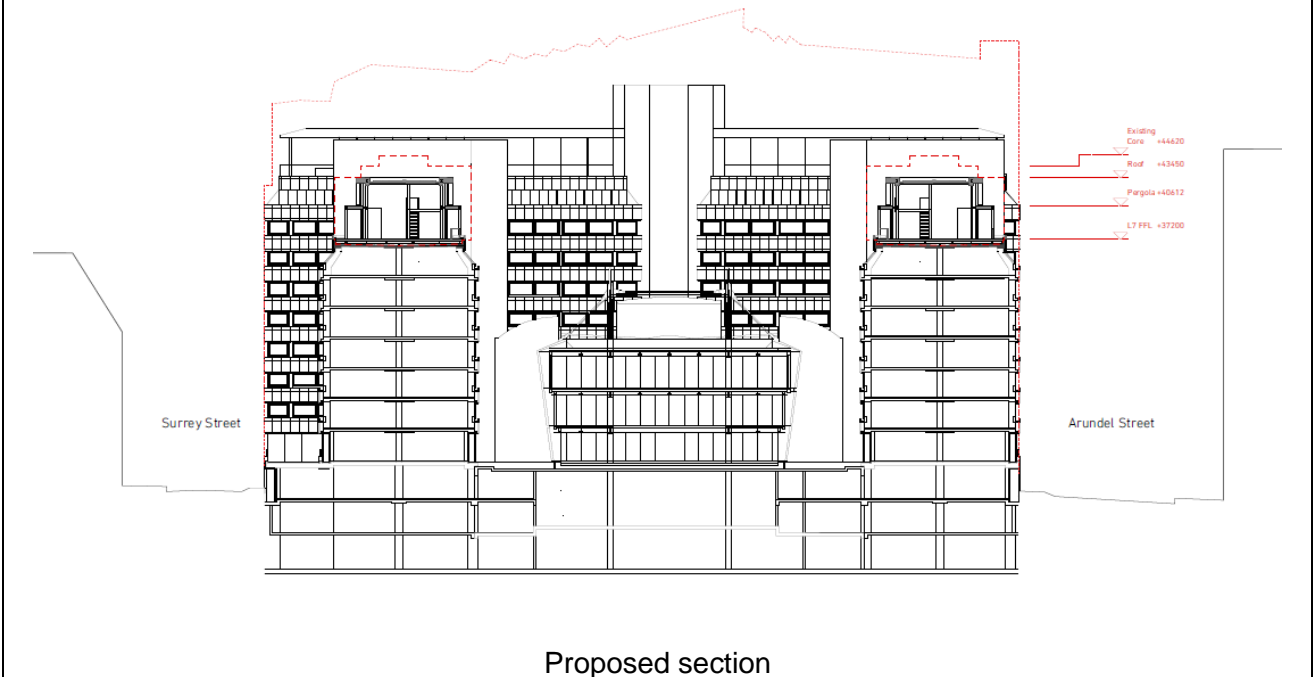
Proposed East Elevation

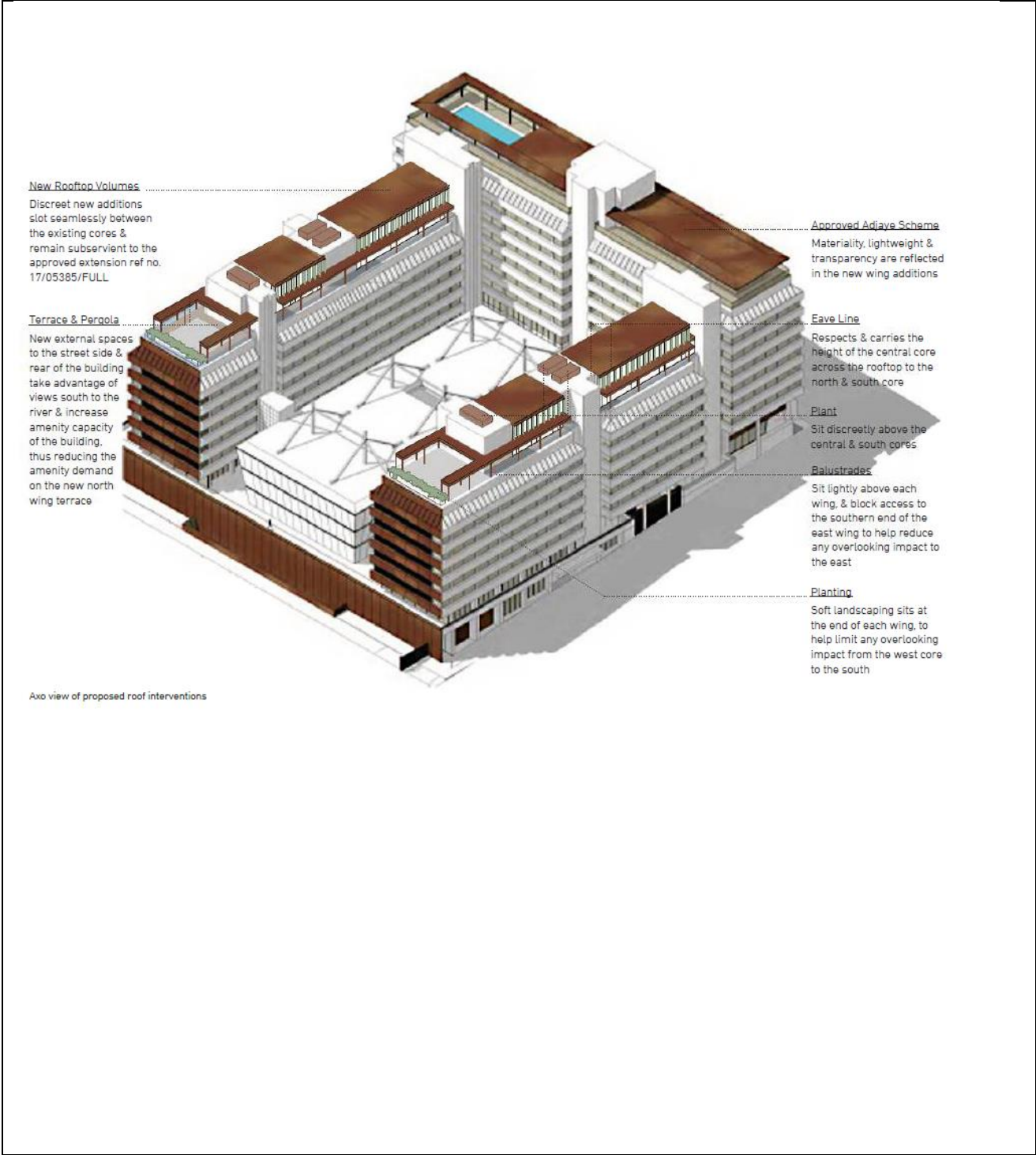


- - - Application Site
- - - Wilkinson Eyre Approved Scheme (ref no. 11/05626/FULL)



Existing section





New Rooftop Volumes
 Discreet new additions slot seamlessly between the existing cores & remain subservient to the approved extension ref no. 17/05385/FULL

Terrace & Pergola
 New external spaces to the street side & rear of the building take advantage of views south to the river & increase amenity capacity of the building, thus reducing the amenity demand on the new north wing terrace

Approved Adjaye Scheme
 Materiality, lightweight & transparency are reflected in the new wing additions

Eave Line
 Respects & carries the height of the central core across the rooftop to the north & south core

Plant
 Sit discreetly above the central & south cores

Balustrades
 Sit lightly above each wing, & block access to the southern end of the east wing to help reduce any overlooking impact to the east

Planting
 Soft landscaping sits at the end of each wing, to help limit any overlooking impact from the west core to the south

Axo view of proposed roof interventions

DRAFT DECISION LETTER

Address: 180 Strand, London, WC2R 1EA,

Proposal: Erection of double storey rooftop extension to both the west wing (Surrey Street facade) and the east wing (Arundel Street facade) to provide office/studio (Class B1) floorspace and associated external alterations.

Reference: 18/03409/FULL

Plan Nos: 117/002/D,003/B, 004/B, 005/C, 006/C, 007/C, 010/D, 011/B, 015/D, 016/D, 017/D, 020/E, 021/E, 030/E, 031/E, 032/E, 034/E, 035/E; Planning statement dated April 2018; Design and Access Statement dated April 2018.

Case Officer: Julia Asghar

Direct Tel. No. 020 7641 2518

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)

Item No.
2

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 You must apply to us for approval of of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

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 Strand 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 put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

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)

- 6 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 Strand 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)

- 7 You must only use the area at the southern end of the east wing at seventh floor level for maintenance purposes or to escape in an emergency in accordance with drawing number 0115/D.

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)

8 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the approved details, and clearly mark it and make it available at all times to everyone using the building. You must not use the waste store for any other purpose. (C14CD)

Reason:
To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

9 You must apply to us for approval of details of secure cycle storage for the office use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:
To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

10 No goods, including fuel, delivered or collected by vehicles arriving at or departing from the building shall be accepted or despatched if unloaded or loaded on the public highway. You may accept or despatch such goods only if they are unloaded or loaded within the curtilage of the building. (C23BA)

Reason:
To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

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.

Item No.
2

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Agenda Item 3

Item No.
3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Marylebone High Street	
Subject of Report	Aldine House, 33 Welbeck Street, London, W1G 8EX,		
Proposal	Erection of single storey mansard roof extension at 5 th floor level to provide additional office accommodation (Class B1) and incorporation of existing plant enclosure.		
Agent	Savills		
On behalf of	The Trustees of the Grosvenor of London Self-Administered Pension Scheme.		
Registered Number	18/02325/FULL	Date amended/ completed	22 March 2018
Date Application Received	21 March 2018		
Historic Building Grade	Unlisted		
Conservation Area	Harley Street		

1. RECOMMENDATION

Grant conditional planning permission

2. SUMMARY

The application property is an office building (Class B1) on the north eastern side of Welbeck Street. The site lies within the Central Activities Zone but outside the Core CAZ and is within the Harley Street Conservation Area.

Permission is sought for the erection of a 5th floor mansard roof extension to provide additional office floorspace (Class B1). The proposal includes the incorporation of existing plant enclosure into the roof extension.

The key issues for consideration are:

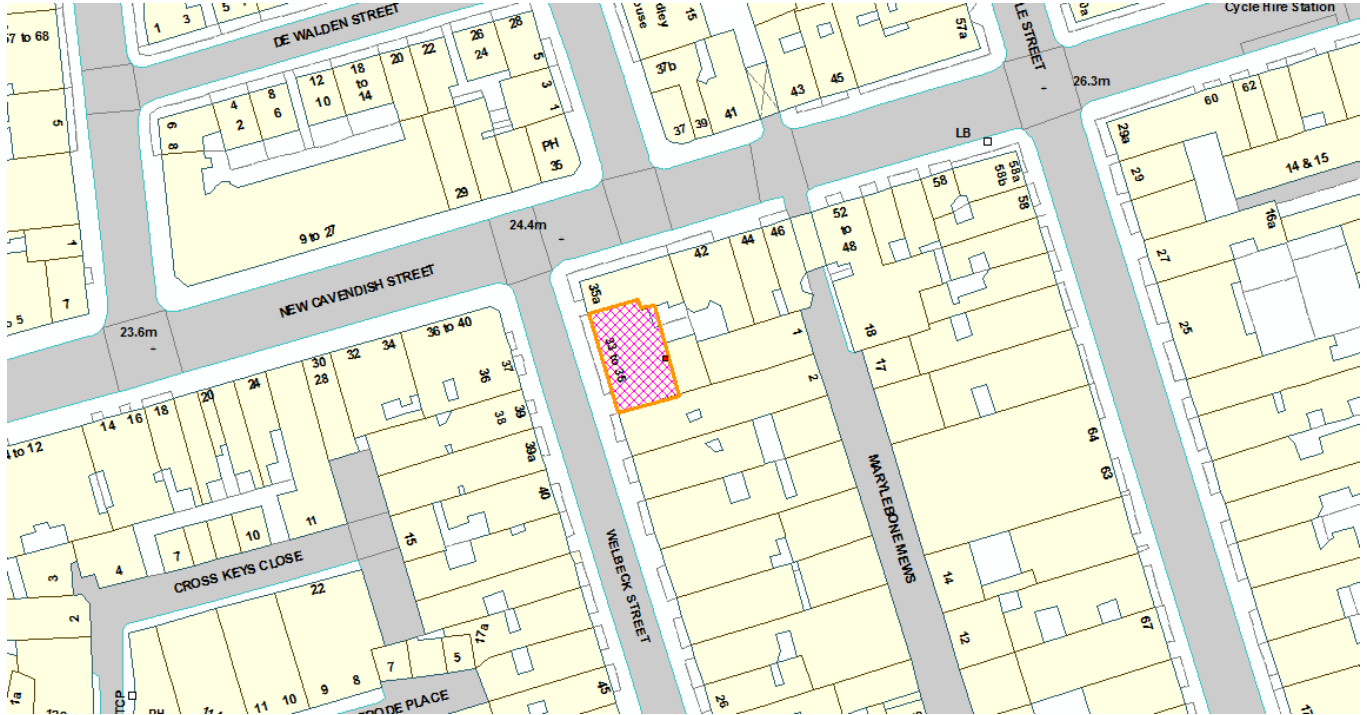
- The impact in land use terms
- The impact on the appearance of the building and the character and appearance of the Harley Street Conservation Area.
- The impact on residential amenity.

The City Council's land use policies direct new office developments to the opportunity areas, the Core CAZ, the Named Streets and the North Westminster Economic Development Area. The site is not within one of these designated areas, however the application site lies within the wider CAZ and would result in a small increase in floorspace to an existing office building which is considered acceptable in land use terms.

In design terms the erection of a single storey mansard is considered an appropriate addition to the building and would not adversely impact on the wider Conservation Area. The additional height and bulk is considered acceptable in amenity terms.

The application accords with adopted policies in the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan), accordingly the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Existing front facade



Proposed front facade



Existing roof



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

No objection, comment that if Officers are minded to approve the application a further reduction of the visual impact of the proposed mansard from the street could be considered.

ENVIRONMENTAL HEALTH

No objection, subject to appropriate conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. consulted - 45

No. objections - 0

SITE AND PRESS:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Aldine House 33- 35 Welbeck Street is an unlisted mid 20th Century building situated within the Harley Street Conservation Area. The property comprises basement, ground and four upper floors in office use (Class B1). The building is located immediately north of a grade II listed terrace at nos. 28 - 32 Welbeck Street. The site lies outside the Core CAZ but within the wider CAZ.

6.2 Recent Relevant History

On 28 April 2016 permission was granted for the installation of acoustically enclosed plant enclosures at roof level (RN 16/01698/FULL).

7. THE PROPOSAL

Permission is sought for a 5th floor mansard roof extension, which would result in the provision of an additional 74 m² of office floorspace (Class B1) to an existing office building. The mansard is to be constructed in traditional materials with front and rear dormer windows which align with the window arrangement on the lower floors. The mansard is set in 750mm from the front elevation.

8. DETAILED CONSIDERATIONS

8.1 Land Use

City Plan policy S20 directs new office development to Paddington, Victoria and Tottenham Court Road Opportunity Areas, the Core Central Activities, the Named Streets and the North Westminster Economic Development Area. The site is not within an area designated for new office development. The proposal would not however result

in the new office use on the site. The existing building is in use as offices. The proposed roof extension would result in 74 m² of additional office floorspace. The application would result in a modest increase in floorspace and would not significantly intensify the existing lawful offices. As such the proposal would not be harmful to the character and function of the area.

8.2 Townscape and Design

The existing building comprises basement, ground and four upper floors, the top floor is set back slightly behind a parapet with a roof enclosure above, which was extended frontwards in 2016. The site lies within the Harley Street Conservation Area. The Harley Street Conservation Area Audit, which was adopted by the City Council in 2008, identifies the building as an unlisted building of merit which makes a positive contribution to the character and appearance of this part of the conservation area. The audit also identifies the building as being unsuitable for a roof extension.

Immediately to the south nos 28-32 Welbeck Street are a group of Georgian townhouses. The flat roof of the application property sits behind a brick parapet, matching the height of the adjacent listed group of buildings. The proposed single storey roof extension, will result in an increase in height which will break this continuous roofline. Policy DES 6 of the UDP aims to ensure the highest standards of design in alterations and extensions. Permission may be refused 'where any additional floors, installations or enclosures would adversely affect either the architectural character or unity of a building or group of buildings'.

In this case, the corner building at no. 35a immediately to the north of the site is a storey higher than the application premises, acting as a 'book end' and terminating the group to its east on New Cavendish Street, the roofscape of which is varied. The proposal will exceed the height of this adjacent building, and require an increase in height to the party wall, but when viewed from the north the additional storey will relate sensitively to the more varied roofscape of New Cavendish Street.

It is also noted that whilst the existing 20th century building forms part of the adjacent grade II listed roofscape to the south, and relates sensitively to the group, visually it is different in terms of architectural style and character. As such, it is considered acceptable for the roofscape of the building to relate more closely to the taller group of Victorian buildings to the north through the addition of a roof storey.

The proposed mansard roof extension is set back 750mm from the front, and would have minimal visual impact from street level in long views from the south and will not appear unduly prominent in relation to the grade II listed terrace. Overall, it is considered that the proposed roof extension will preserve the character and appearance of this part of the conservation area and the setting of the adjacent listed buildings.

Residential Amenity

Policy S29 of the City Plan relates to health, safety and wellbeing and states that the Council will resist proposals that would result in an unacceptable material loss of amenity. Policy ENV13 of the UDP aims to safeguard residents' amenities, and states

that the City Council will resist proposals which result in a material loss of daylight/sunlight, increase in the sense of enclosure to windows or loss of privacy or cause unacceptable overshadowing to neighbouring buildings or open spaces.

Daylight and Sunlight

The application includes a daylight and sunlight report which assesses windows at No 35a, 36-37 and No 39 Welbeck Street and No 42 New Cavendish Street, the closest residential windows to the application premises. With regards daylight the report shows that in many cases there would be no change in the vertical sky component. Where there are losses these losses will be very minimal. The maximum loss is 4%, which is well below 20% in which the Building Research Establishment (BRE) guidelines refer to as being potentially noticeable.

With regards to sunlight No's 36-37 and 39 Welbeck Street do not have windows which face within 90 degrees of due south and their windows do not need to be assessed for sunlight losses. No's 35a Welbeck Street and 42 New Cavendish Street do have windows that require a sunlight assessment. The assessment shows that in all cases losses in both summer and winter annual probable sunlight hours would be very minor and there are no breaches in BRE guidelines.

Overlooking / loss of privacy

The proposed 5th floor roof extension includes dormer windows to both the front and rear. The windows align with windows on the lower floors of the building and would not materially increase any overlooking to any neighbouring properties.

The application is considered acceptable in amenity terms and in compliance with policies S29 of the City Plan and ENV13 of the UDP.

8.3 Transportation/Parking

Cycle parking

The London Plan requires the provision of 1 cycle space per 90sqm of office (B1) accommodation. This application proposes the increase in floorspace of 74sqm, falling short of the requirement for the provision of additional cycle parking.

8.4 Economic Considerations

No economic considerations are applicable for a development of this size

8.5 Access

Not applicable

8.6 Other UDP/Westminster Policy Considerations

The additional office floorspace would utilize existing refuse storage space at basement level.

8.7 London Plan

Item No.
3

This application raises no strategic issues.

8.8 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.

8.9 Planning Obligations

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

The proposal is not CIL liable.

8.10 Environmental Impact Assessment

The scheme is of insufficient scale to require an Environmental Impact Assessment.

8.11 Other Issues

None

(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: MIKE WALTON BY EMAIL AT mwalton@westminster.gov.uk

9. KEY DRAWINGS

Proposed front elevation



London 16 Lambton Place, Notting Hill
 London W11 2SA T +44 (0)20 7229 9125
 Oxford Chandos Yard 63 Beckett Road
 Long Oxford OX1 1BB T +44 (0)1844 203930
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 without liability for any errors or omissions. All dimensions to be checked on site.

No.	Description	Date	No.	Description	Date	No.	Description	Date
D	Final Issue	06.03.17	G	Ridge Height Amended	04.07.17			
A	Front pitch updated	20.03.17	H	Dimension Added	12.05.16			
B	Comments updated	26.03.17	I	Mansard roof height shown to No.35	14.06.16			
C	Height updated	22.03.17	K	Existing chimney shown	21.06.16			
D	Chimney updated	23.03.17	L	Existing chimney shown	26.06.16			
E	Minor Update	27.03.17						
F	Minor Update	07.04.17						

Project No.
 1624
 Proposed Front Elevation
 Drawing No.
 DW
 Scale
 1:100 @ A3
 Plot No.
 PL
 Sheet No.
 220
 Date
 L

Proposed rear elevation



0 @1:100 5 m



London 16 Lampton Place, Haringey, London N11 2BH T +44 (0)20 7229 9125
 Oxford Charles Yard, 83 Brewer Road, Long Crendon, HP10 9BE T +44 (0)1494 203910
 W www.wolffarchitects.co.uk E info@wolffarchitects.co.uk

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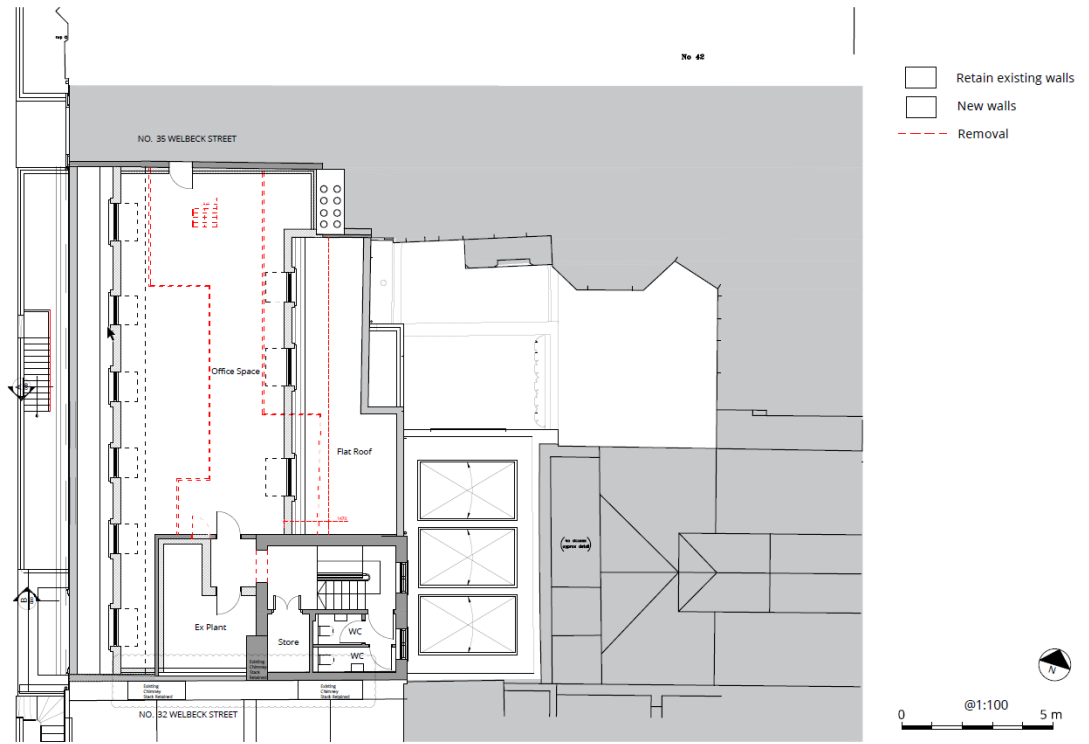
No.	Description	Date	No.	Description	Date	No.	Description	Date
A	First Issue	04.03.17	G	Ridge Height Amended	04.07.17			
B	Front porch updated	20.03.17	H	Existing chimney stack shown on drawing	15.06.18			
C	Dimensions updated	20.03.17	I	Existing chimney stacks shown on drawing	25.06.18			
D	Height updated	20.03.17	K	Existing chimney stacks shown on drawing	28.06.18			
E	Chimney update							
F	Minor Update							
F	Minor Update							

Project Title
 Welbeck Street, 33, London, W1.

Drawing Title
 Proposed Rear Elevation

Client: LB
 Designer: DW
 Scale: 1:100
 Plot Size: A3
 Plot No: 1624
 Plot: PL
 Draw No: 221
 Rev: K

Proposed fifth floor plan



London 16 Lambton Place Notting Hill
 London W11 2LH T +44 (0)20 7229 3125
 Oxford Chandos Yard 83 Beakwater Road
 Long Crendon HP18 9BE T +44 (0)1494 233910
 W www.wolffarchitects.co.uk E info@wolffarchitects.co.uk

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No.	Description	Date	No.	Description	Date
D	Final issue	06.08.17	G	Updated as per Daylight Sunlight analysis	23.11.17
A	Surveys Combined	16.03.17	H	Existing chimney stack shown on drawing	15.06.18
B	Front pitch updated	20.03.17	J	Existing chimney stacks shown on drawing	27.06.18
C	Doormen updated	20.03.17	K	Existing chimney stacks shown on drawing	28.06.18
D	Height updated	22.03.17			
E	Minor Update	22.03.17			
F	Minor Update	07.04.17			

Project Title
Welbeck Street, 33, London, W1.

Drawing Title
Proposed Fifth Floor Plan

Drawn by	Checked by	Title	Project No.	Sheet No.	Total
LB	DW	1:100 @ A3	1624	PL	210 / K

DRAFT DECISION LETTER

Address: Aldine House, 33 Welbeck Street, London, W1G 8EX,

Proposal: Erection of single storey mansard roof extension to provide additional Class B1 office accommodation and incorporation of existing plant enclosure.

Reference: 18/02325/FULL

Plan Nos: 210 REV G, 211 REV B, 220 REV G, 221 REV G, 230 REV J

Case Officer: Shaun Retzback

Direct Tel. No. 020 7641 6027

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)

Item No.
3

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 Harley Street 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 the following parts of the development: , , 1. Dormers (1:5 and 1:20), , 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 drawings. (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 Harley Street 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 put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

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 Harley Street 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)

- 6 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

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 Harley Street 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)

- 7 The roof extension hereby approved shall be clad in a natural blue/ grey slate.

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 Harley Street Conservation Area. This is as set out in S25 and S28 of

Item No.
3

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)

- 8 The existing chimney stack adjacent to 32 Welbeck Street shall be carefully protected and retained in situ during construction works.

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 Harley Street 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)

- 9 The overall height from the top of the existing front parapet to the top of mansard roof shall not exceed 2695mm, in accordance with the section drawings hereby approved.

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 Harley Street 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)

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.

Agenda Item 4

Item No.

4

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Tachbrook	
Subject of Report	Grosvenor Lodge, 94 Grosvenor Road, London, SW1V 3LF,		
Proposal	Erection of two-bedroom residential roof top unit on top of existing residential building.		
Agent	BLDA Architects		
On behalf of	Mr Duncan Salveson		
Registered Number	17/10669/FULL	Date amended/ completed	4 December 2017
Date Application Received	1 December 2017		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Gant conditional permission

2. SUMMARY

94 Grosvenor Road also known as Grosvenor Lodge is an unlisted block of flats which lies within the Pimlico Conservation Area. It is located adjacent to Churchill Gardens and Dolphin Square Conservation Area on the corner of Claverton Street. Planning permission is sought for a roof extension which would create an additional 2 bedroom residential unit.

The key issues in this case are:

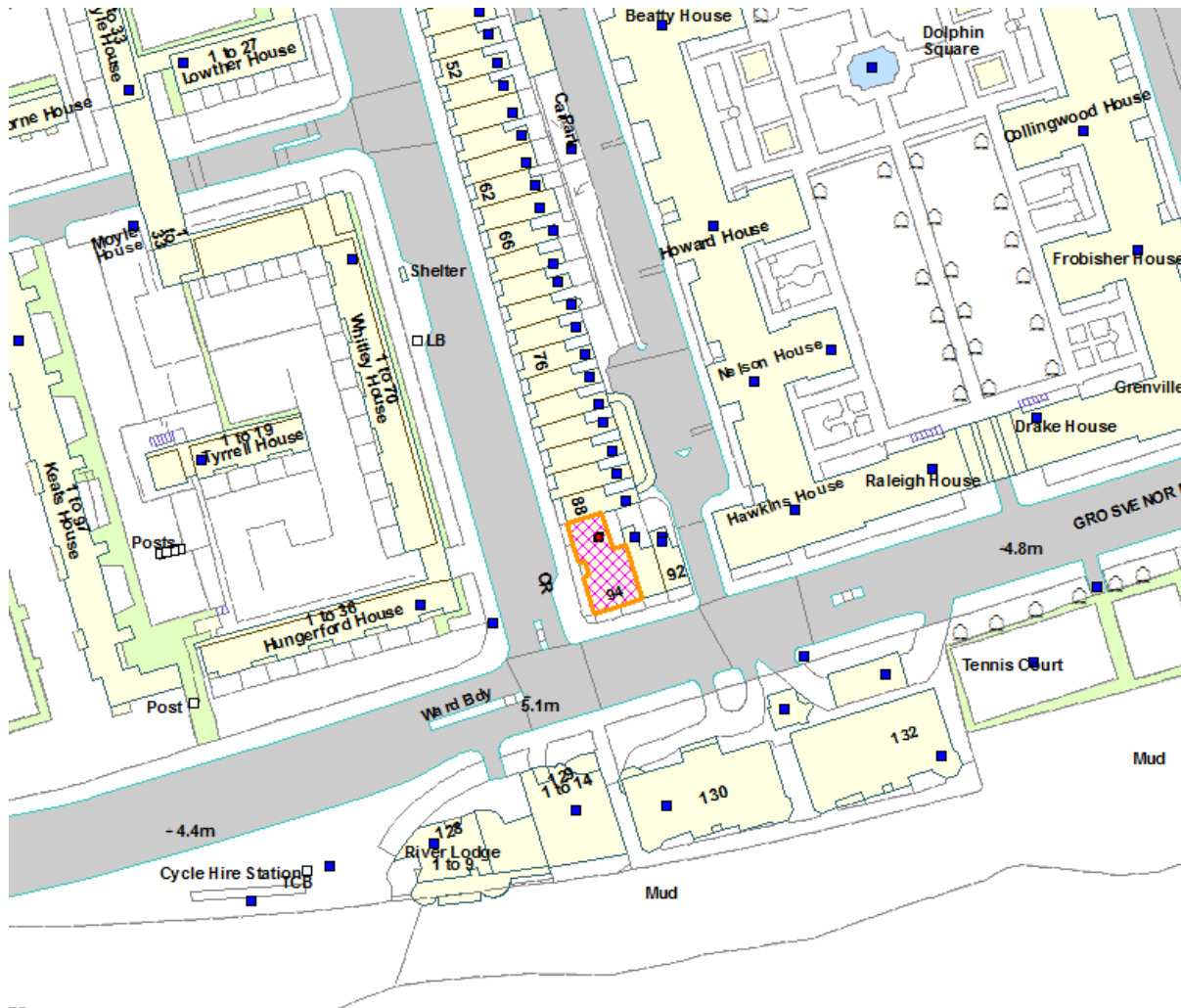
- * The impact of the proposals upon the character and appearance of the Pimlico Conservation Area and;
- * The impact of the proposals upon the amenity of neighbouring residents.

5 Objections have been received raising design and amenity issues as well as other non planning matters. The principle of the residential unit is considered acceptable, in land use terms and given the mixed context of the locality, the low height and significant setback of the roof extension, the proposals would not cause harm to the character and appearance of the Pimlico Conservation Area subject to appropriate conditions. Furthermore, it is not considered that the proposal would adversely affect the amenity of neighbouring residential properties by reason of loss of sunlight and

daylight and sense of enclosure.

Therefore, the application is considered to comply with the relevant UDP and City plan policies and 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



5. CONSULTATIONS

WESTMINSTER SOCIETY:

Any response to be reported verbally.

CHURCHILL GARDENS NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER:

The Local Plan requires 1 cycle parking space per 1 bed residential dwelling and 2 for all others. No cycle parking spaces are proposed. Therefore, a suitable condition should be imposed to secure cycle parking spaces if planning permission is granted.

CLEANSING OFFICER:

Whilst the drawings submitted are not in line with the council recycling and waste storage requirements, the matter can be dealt with by a condition if planning permission is granted.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 54

Total No. of replies: 5

No. of objections: 5

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5 letters of representation have been received raising the following concerns:

Amenity:

Raising the height of the building would reduce the daylight to the rear rooms of No. 93 Grosvenor Road;

Loss of sunlight to the rear garden of No. 93 Grosvenor Road;

Increase in noise and disturbance and;

Position of the refuse and recycling area would produce unpleasant smells to the residents of No. 93

Design:

The style depicted in the drawings would be a negative feature and would not comply with the Conservation Area Audit;

The photographs taken of the street scene not a true reflection of the impact on the terrace as a whole;

The additional floor would be unsympathetic to the character and appearance of the adjoining properties, which although are not listed are buildings of merit (as defined by the Pimlico Conservation Area Audit);

The proposed white render and glass structure would contrast strongly against the darker background within the immediate locality and would become a prominent feature on the corner site and;

Introduction of gravel surface of the roof surrounding the roof terrace at the side and rear would give rise to flying stones and would be dangerous to vehicles, cyclists and pedestrians

Other:

The front elevation shown in the Design and Access Statement shows the neighbouring property No. 88 as having a roof extension but this roof extension does not exist;

The applicant has a lease on the airspace above flat 17 (part of the roof) and the application is to build on the whole of the roof including that above flat 18 and it should exclude the plant room;

The emergency exit at the top of the communal stairs would be blocked up and no alternative provision has been made;

Whether engineering calculations have been carried out to assess the impact of the new structure on the existing building and flats;

No details have been provided about the new pipes and services;

Noise disturbance during construction and;

Assumption that the tank room is large enough to accommodate the additional requirements from the new flat

6. BACKGROUND INFORMATION

6.1 The Application Site

94 Grosvenor Road also known as Grosvenor Lodge is an unlisted block of flats which lies within the Pimlico Conservation Area. It is located adjacent to Churchill Gardens and Dolphin Square Conservation Area on the corner of Claverton Street. It adjoins original stucco townhouses at 28-88 Claverton Street (and maintains a consistent parapet line with them) and also adjoins two townhouses at 92-93 Grosvenor Road to the east and is slightly taller than these.

6.2 Recent Relevant History

17/05518/FULL

Additional residential roof top unit on top of existing residential building. Application was withdrawn on 22 June 2017

7. THE PROPOSAL

Planning permission is sought for a roof extension which would extend along the western side of the roof and across the front facing Grosvenor Road forming an 'L'

shape and built around the existing plant room. The roof extension would be set back from the front and sides of the existing roof and would accommodate a two bedroom flat with a terrace overlooking Grosvenor Road.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The creation of new residential floorspace is considered acceptable in land use terms, and complies with both Policy H3 of the UDP and S14 of the City Plan which seeks to increase the residential floorspace within Westminster. UDP Policy H3 seeks to maximise the amount of land or buildings in housing use on sites outside the CAZ.

The proposed two bedroom flat has an internal floor area of 80.5sqm. It has been designed to meet the national space standards and the Mayor's dwelling space standards set out in the London Plan and benefits from a private amenity space in the form of a terrace.

8.2 Townscape and Design

The application site is on a prominent corner visible from the riverside and in a number of long views and any further upwards extension in this corner location will be highly visible from many locations. However, the backdrop to the building in views would be the significantly taller brick facades of Dolphin Square. The majority of properties on Claverton Street already have mansard roof extensions, there are also structures on the roof of 92 Grosvenor Road and there is already a prominent plant room on the roof of the application site. As such, given the taller/ extended buildings in the vicinity, the lack of consistent roofline in this location, and the impact of the plant room on the roofscape of the existing building, the principle of a sensitively designed roof extension on this building is considered acceptable.

In terms of detailed design, the existing building is of a simple modern design in brick with flat roof and has a horizontal emphasis to its fenestration. The proposed roof extension has been kept low in height and would be set back, at least 1.7m from the front parapet. The taller section adjacent to the plant room is significantly set back from Grosvenor Road side behind a terrace which would minimise the visibility of this part of the roof from street level.

Saved UDP policy DES9 requires new developments to harmonise with the existing building and in this case the architectural treatment of the roof should respond to the materials, rhythm of fenestration and architectural detail of the floors below. The extension would be a mixture of white render and glazing and further revisions have introduced brick detailing and incorporated improvements to the window detail to reflect fenestration to the floor below.

While objectors have pointed to the materials of the extension as inappropriate, and the predominance of slate roofs to adjoining properties, the extent of glazing and render has been reduced from that originally proposed at the pre-application stage and are in keeping with the date and style of the application building itself and, as such, are considered

acceptable in this context. It is recommended conditions are attached to any permission requiring the submission of samples of the proposed materials.

Overall, given the mixed context, the modest height and significant setback of the roof extensions, the proposals are considered acceptable, and would not cause harm to the character and appearance of the conservation area and would bring some benefits in allowing creation of an additional residential unit. This is supported by the revised NPPF paragraph 118 which notes opportunities to create new residential accommodation and use airspace above existing residential buildings should be supported. Therefore, on balance, the proposal is acceptable and would be in compliance with policy, in particular taking into account national guidance within the NPPF and Westminster's policies as set out in the City Plan S25 and S28 and in the Unitary Development Plan DES 6 and DES 9.

8.3 Residential Amenity

Policy ENV13 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 the City Plan aims to protect the amenity of residents from the effects of development. Objections have been received concerning the potential impact of the extension on daylight, sunlight, overshadowing and overlooking of neighbouring properties.

Sunlight, daylight and overshadowing

The additional bulk and height of the extension is set well away from properties immediately opposite (Whitley House/Hungerford House within the Churchill Gardens Estate, and part of Dolphin Square some distance to the rear) and would maintain a similar relationship to those properties on Claverton Street that already have mansard extensions. The extension would be visible from the adjacent 93 Grosvenor Road, but at an oblique angle. The applicants have carried out a shadow path assessment in relation to the potential overshadowing of the garden at No. 93. There would be no material impact in terms of any increased overshadowing to the garden as a result of the extension. In other respects, there is not considered to be any unacceptable impact on the daylight or sunlight available to other properties facing the site.

Sense of Enclosure

With the roof extension in place, the building will be of a similar height to those properties on Claverton Street that have mansards. The proposed roof extension is of a modest scale and would be set back from the front parapet and the sides of the existing roof. It is not considered a sense of enclosure would result in harm to the adjoining properties 28-88 Claverton Street and 92-93 Grosvenor Road. The extension is set well away from properties facing the front and rear of the application site.

Privacy

Due to the siting of the roof extension and the distance to other residential windows in flats opposite and to the rear, there is not considered to be an unacceptable degree of

overlooking. Furthermore, the master bedroom window located on the north-east side would be a suitable distance away not to result in direct overlooking of the rear gardens of Nos.92 and 93 Grosvenor Road. The proposed terrace would be concealed by the parapet wall and chimney. Therefore, the proposal would comply with policy ENV13 of the UDP.

Noise

It is not considered that an additional flat on top of what is already a residential building, adjacent to other residential buildings, would have any undue impact on the levels of noise experienced by existing residents. In terms of floor/ceiling noise insulation, the proposed flat will have to comply with building regulations. The drawings show a small terrace to the new flat, which is considered a reasonable proposition in a residential area and as discussed above, will not cause any undue overlooking to neighbouring buildings.

8.4 Transportation/Parking

TRANS23 relates to off-street parking to be provided for residential development. In this case one car parking space would need to be provided for the proposed unit.

No off-street parking has been provided but it is acknowledged that the site has a high level of public transport accessibility, households with 1 or more car in the Tachbrook Road Ward is 35% (2011 Census figures). This is lower than the borough average but given the accessibility to public transport is considered comparatively high.

However, on the basis of the Council's data on on-street car parking and car ownership levels in the area, any additional on-street parking generated by the proposal can be absorbed into the surrounding street network. Therefore, any on-street parking would not prejudice highway safety and the resultant development would comply with TRANS23.

Policy TRANS10 requires cycle spaces to be provided for all developments requiring planning permission. No cycle parking has been indicated and two cycle parking spaces would be required. It is considered that an appropriate condition can be imposed to secure cycle parking spaces. Therefore, the proposal would be acceptable.

8.5 Economic Considerations

Any economic benefits generated are welcomed.

8.6 Other UDP/Westminster Policy Considerations

The proposed arrangements for the storage of waste and recyclable materials are generally considered acceptable and would be secured by condition.

8.7 London Plan

This application raises no strategic issues.

8.8 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.

8.9 Other Issues

Construction impact

Objections on the grounds of noise disruption during construction works do not in themselves form a sustainable reason to refuse permission. The Council's standard hours of building works condition is recommended to ensure that the development is carried out within the permitted guidelines and to help mitigate noise and disruption to the flats in the same block.

Flood Risk

The site lies within flood zone 3 'more vulnerable to flood' in the Environment Agency's flood risk map.

In this case, the proposal would need to comply with the Environment Agency's Standing Advice for Minor Extensions. The proposed flats would be located on the sixth floor above ground level and therefore there would be no change to the ground floor levels of the building or to the surface water run-off.

The occupiers would be required to register with the EA's Flood Warning Service as well as ensuring they have a copy of the Flood Management Plan on site. Consequently, the proposal would comply with Policy S30 of the Westminster City Plan.

Other

Some objections have raised the matter of property ownership and the 'right' of the applicant to build the extension. Officers are satisfied that the correct ownership certificate has been completed. The 'right' of one particular party to build an extension is not a planning matter.

The emergency exit at the top of the communal stairs, engineering calculations of the stability and weight impact on the existing building and details of the pipes and services is a separate matter, which would be dealt with under 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: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk.

9. KEY DRAWINGS

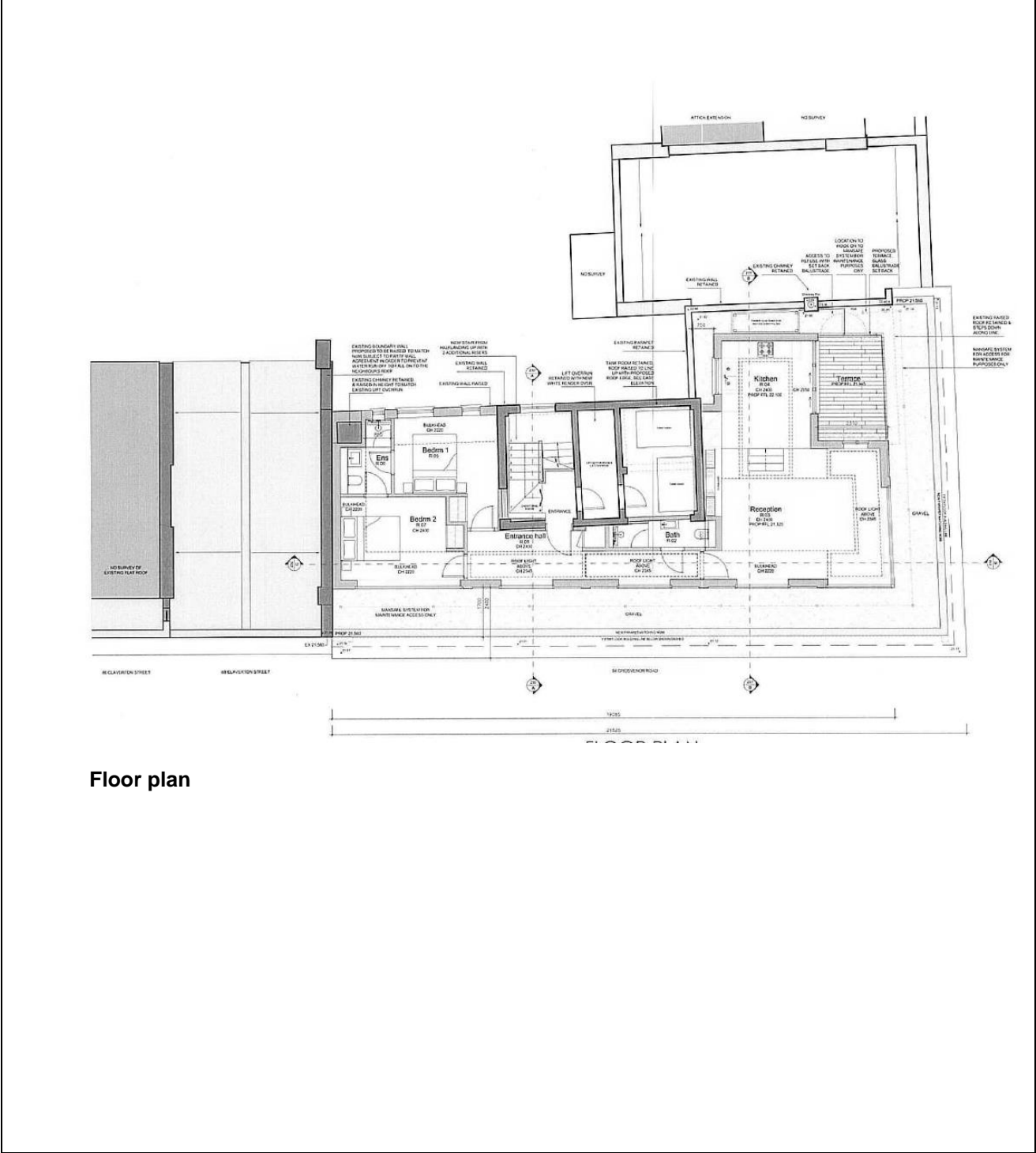


Proposed Perspective South East Elevation

Existing Perspective south east elevation



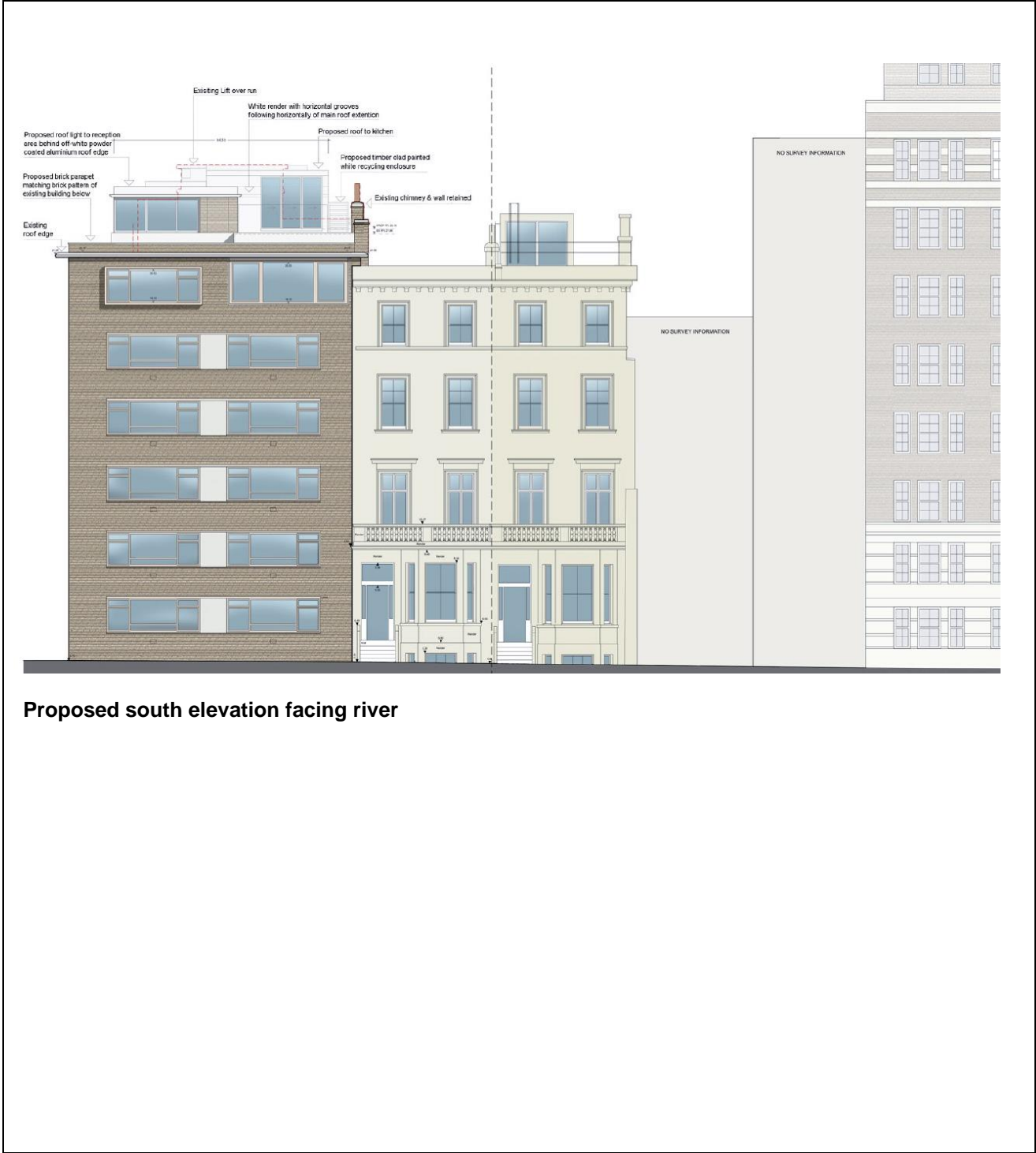
Proposed Perspective south east elevation



Floor plan



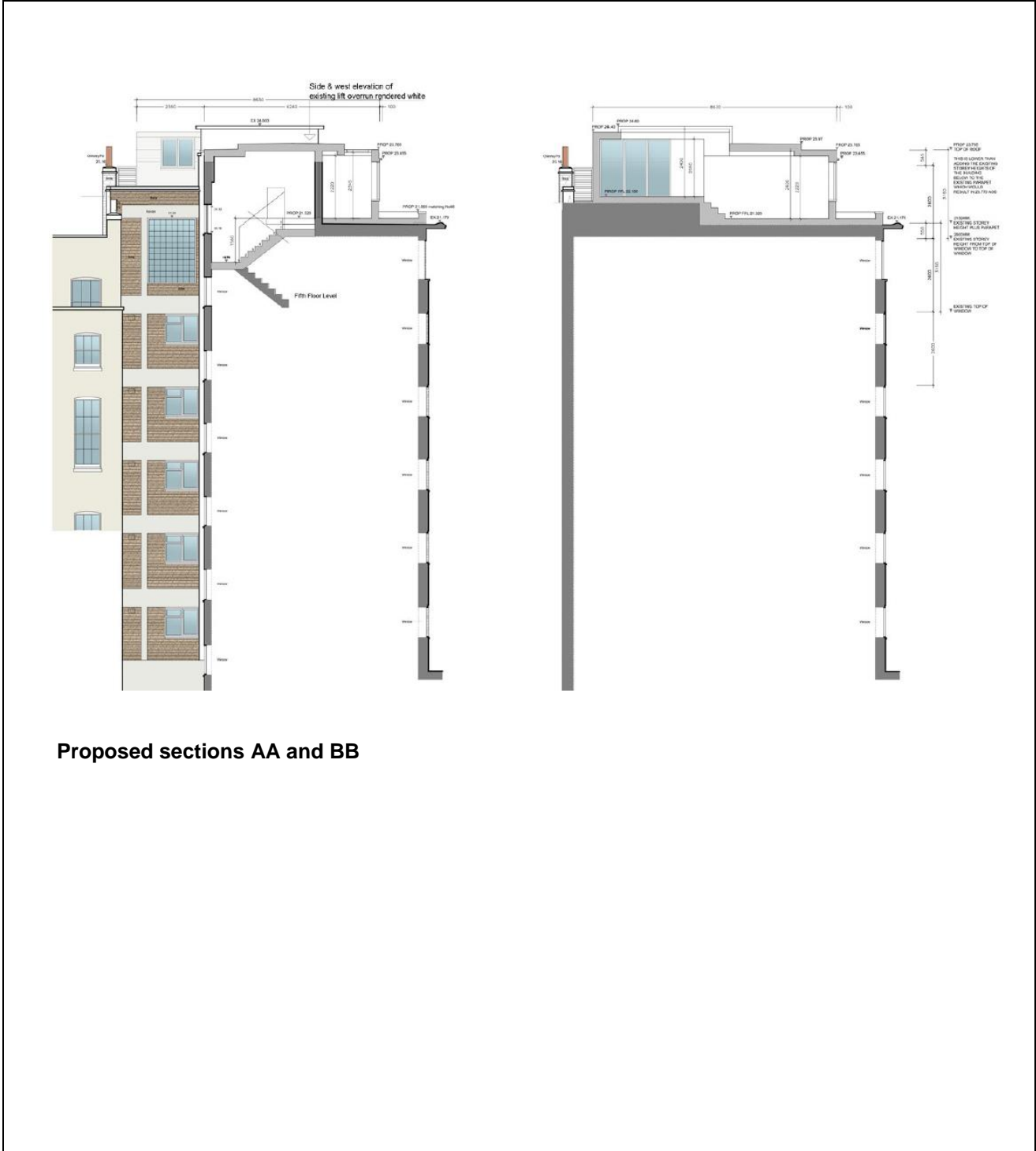
Proposed Penthouse west elevation



Proposed south elevation facing river



Proposed east elevation facing Dolphin Square



DRAFT DECISION LETTER

Address: Grosvenor Lodge, 94 Grosvenor Road, London, SW1V 3LF,

Proposal: Erection of residential roof top unit on top of existing residential building.

Reference: 17/10669/FULL

Plan Nos: 001, 010, 020, 021, 022, 025, 026, 027, 030, 050, 051 rev: A, 201, 210 rev: A, 211, 220 rev: A, 221 rev: A, 222 rev: A, 225 rev: A, 226 rev: A, 227 rev: A, 231 rev: A, 282, 250 rev: A and 251 rev: A

Design and Access Statement for information only

Case Officer: Nosheen Javed

Direct Tel. No. 020 7641 2858

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: between 08.00 and 18.00 Monday to Friday; between 08.00 and 13.00 on Saturday; and, not at all on Sundays, bank holidays and public holidays. You must carry out piling, excavation and demolition work only: between 08.00 and 18.00 Monday to Friday; and 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 Pimlico 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 New windows shall be formed in steel and maintained in that material

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 Pimlico 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 apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

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 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)

- 6 You must apply to us for approval of detailed drawings, elevations and sections of the following parts of the development - , (i) windows and doors , (ii) balustrade to terrace, (iii) party wall upstand with no. 86 Claverton Street, (iv) refuse store, , 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 Vincent Square 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)

- 7 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

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 Pimlico 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)

- 8 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

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 Pimlico 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)

- 9 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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 Pimlico 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)

10. You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the facility. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14CC)

11. You must apply to us for approval of details of secure cycle storage for the residential use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

12. You must carry out the development in accordance with the measures set out in the Flood Risk Assessment. Thereafter you must provide the occupiers of the building with a copy of the Flood Emergency Response Plan set out in the Flood Risk Assessment dated 20 July 2018.

Reason:

The site is located within Flood Zone 3 and to ensure that a safe means of evacuation in the event of a flood warning in accordance with policy S30 of Westminster's City Plan (November 2016).

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.

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Agenda Item 5

Item No.

5

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Warwick	
Subject of Report	89 Charlwood Street, London, SW1V 4PB		
Proposal	<u>Application 1:</u> Details of a scheme for the control of noise, odours and ventilation and the colouring of the grille unit pursuant to conditions 1 and 2 of the permission granted following an appeal against an enforcement notice dated 20 June 2017 (Ref APP/X590/C/16/3159525). <u>Application 2:</u> Installation of an air re-circulation system, relocation of existing air condenser units and associated external alterations to rear.		
Agent	<u>Application 1:</u> Ms Katie Scouler <u>Application 2:</u> Mrs Faye Wright		
On behalf of	Mr Ali Hamandi		
Registered Number	<u>Application 1:</u> 17/07551/ADFULL <u>Application 2:</u> 17/03875/FULL	Date amended/ completed	<u>Application 1:</u> 6 October 2017 <u>Application 2:</u> 4 May 2017
Date Application Received	<u>Application 1:</u> 6 October 2017 <u>Application 2:</u> 4 May 2017		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Application 1: Refuse details – amenity impact Application 2: Grant conditional permission

2. SUMMARY

89 Charlwood Street is an unlisted building located within the Pimlico Conservation Area. The lower ground and ground floor levels of the property are currently in use as a hot food takeaway (A5). The application site is located within a row of four commercial properties with residential properties above.
--

Investigations by the Council's Planning Enforcement team following complaints by nearby residents have resulted in the submission of series of applications for retrospective planning permission
--

between 2013 and 2015 in an attempt to regularise and/or amend the low level extraction that had been installed (RNs: 13/12649; 14/11727; 15/10954). These were all refused on design and amenity grounds. In August 2016, an enforcement notice was issued by the Council requiring the removal of the plant equipment and housing on the rear elevation at ground floor level and in the rear yard at lower ground floor level. The applicant subsequently appealed the notice and permission was granted by the Planning Inspectorate in June 2017 (RN: APP/X5990/C/16/3159525).

Application 1 provides details of a scheme for the control of noise, odours and ventilation and the colouring of the grille unit pursuant to conditions 1 and 2 of the permission granted by the Planning Inspectorate. Application 2 proposes an alternative solution to the current installation, and seeks permission for an air re-circulation system, the relocation of existing air condenser units and associated external alterations to the rear of the building.

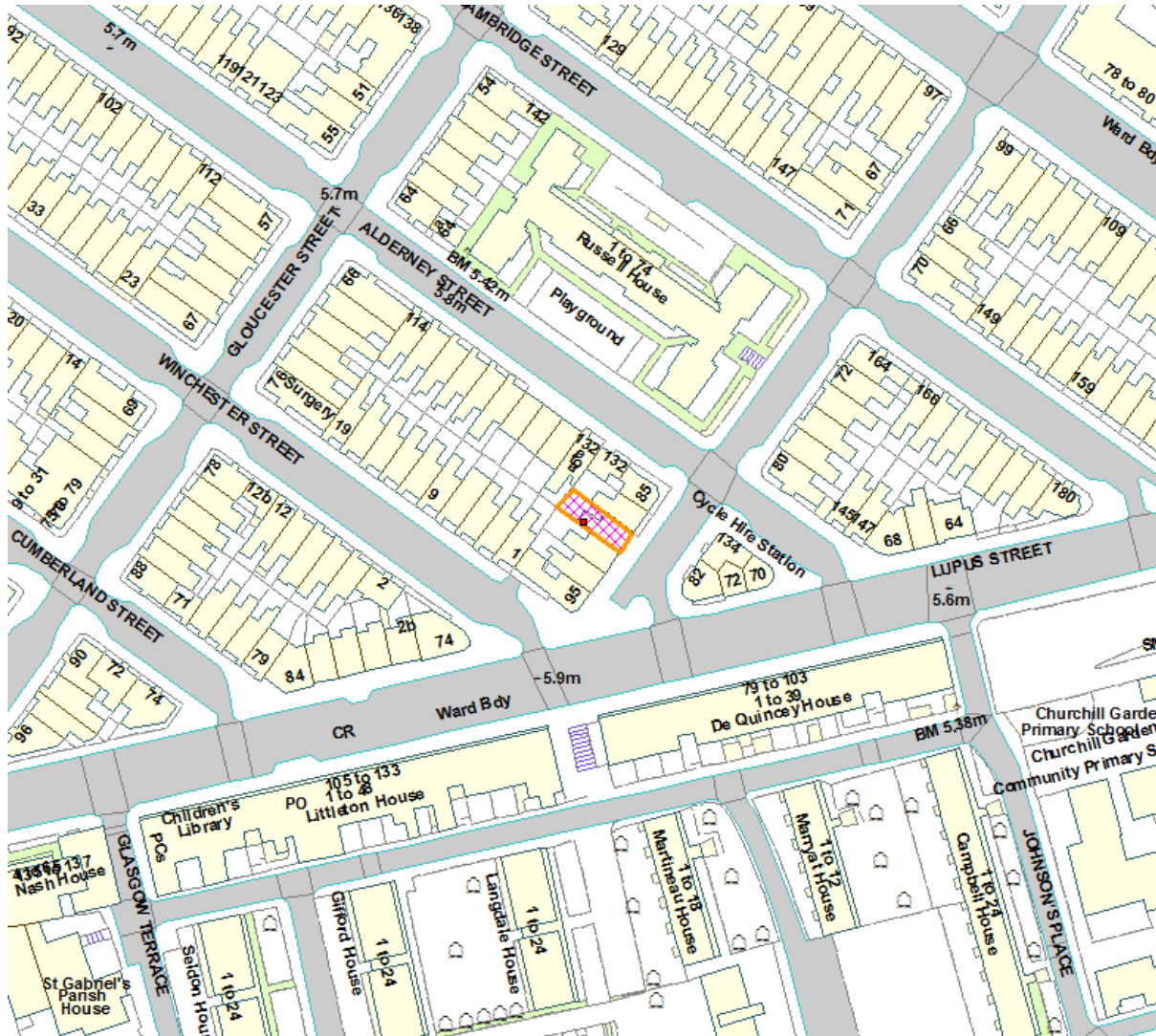
The key issues for both applications are:

- *The impact on the character and appearance of the building and the Pimlico Conservation Area; and
- *The impact on neighbouring resident's amenity.

Objections have been made by neighbouring residents to both applications, primarily on the grounds of amenity.

Each application has been assessed against the relevant policies as set out in the Unitary Development Plan (January 2007) and Westminster's City Plan (November 2016). Application 1 is considered to be unacceptable in amenity terms (odour) and is recommended for refusal. Application 2 is considered to be acceptable in both design and amenity terms and is recommended for approval, subject to conditions.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front Elevation



Rear Elevation



5. CONSULTATIONS

Application 1:

ENVIRONMENTAL HEALTH

- The consultant's report states the nearest residential property to be at the opposite side of the yard at basement level to the rear of 132 Alderney Street at a distance of 6m. In addition, a new residential extension has been constructed at first floor level at 89a Charlwood Street which has also been considered.
- The existing plant installed at the premises does not fully comply with the noise requirements of the Council.
- Calculations indicate that with the specified noise attenuation measures, distance attenuation and shielding the proposals should satisfy the Council's requirements in terms of noise and vibration.
- Although a maintenance regime has been put in place to reduce odour nuisance; residual odour was still noticed while standing in the rear yard at approx. 5m away from the duct discharge point on two site visits (November 2017, June 2018). The current maintenance regime cannot guarantee that future complaints will not take place and would not eliminate an abatement notice/ enforcement being served by the Council Officers due to any relevant nuisance issues from residual odour.
- The proposed installation of an air re-circulation system under application no. 17/03875/FULL is a suitable alternative system which can eliminate such potential issues and complaints from occurring in future.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 24
Total No. of replies: 2
No. of objections: 2
No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Objections have been received from the residents of 89A and 93A Charlwood Street on the following grounds:

AMENITY

- The noise survey report was conducted in artificial conditions and demonstrated noise levels in excess of WHO guidelines.
- The problems with odours and ventilation have not been addressed, residents experience odour nuisance everyday.
- The current plant machinery causes a lot of noise and vibration to adjoining buildings.
- Moving the machinery inside and creating an internal plant room in a timber joisted building is not acceptable. The machinery should be in a concrete building.

- The acoustic report only states the noise levels outside and at no stage were recordings made from inside neighbouring residential properties.
- The unit operates around 18 hours a day and the noise levels from day-to-day goings on are not acceptable.
- Industrial-scale extract machinery is not appropriate for this type of property located in a predominantly residential area, representing an increased risk to residents of the terrace in terms of vibration, fire and structural integrity.

LAND USE

- The applicant states that the shop is in a commercial area, however objectors contend that this is not true as the shops are now being turned into residential properties.

OTHER

- It is claimed that the applicant cut corners when they refitted the shop a few years ago, so residents are not confident that the works will be carried out correctly.
- Concern raised about how the removal of part of the closet wing would impact adjacent properties.
- The applicant is reported to have previously offered to sound proof the inner wall, between the site and 89A Charlwood Street, this was not carried out.
- Dominos and the current freeholder have no fire or smoke plan in place.

Application 2:

WESTMINSTER SOCIETY

- No objection.

ENVIRONMENTAL HEALTH

- No objection to the application on environmental noise or nuisance grounds, subject to conditions.
- The consultant's report states the nearest residential property to be at the opposite side of the yard at basement level to the rear of 132 Alderney Street at a distance of 6m. In addition, a new residential extension has been constructed at first floor level at 89a Charlwood Street which has also been considered.
- Calculations indicate that with the specified noise attenuation measures, distance attenuation and shielding the proposals should satisfy the Council's requirements in terms of noise and vibration.
- The installation of the RECO Air-Recirculation system, operated in accordance with the submitted management plan dated 8 March 2018 should satisfy the requirements of the Council in terms of odour control, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 24

Total No. of replies: 2

No. of objections: 2

No. in support: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Objections have been received from the residents of 89A and 93A Charlwood Street on the following grounds:

AMENITY

- Current noise levels from plant machinery are unbearable.
- Moving the machinery inside and creating an internal plant room in a timber joisted building is not acceptable. The machinery should be in a concrete building.
- The acoustic report only states the noise levels outside and at no stage were recordings made from inside neighbouring residential properties.
- The unit opens from eleven in the morning until midnight and the noise levels from day-to-day goings on are not acceptable.
- Industrial-scale extract machinery is not appropriate for this type of property located in a predominantly residential area, representing an increased risk to residents of the terrace in terms of fire and structural issues.
- The plant room uses space within the building that should be used for staff welfare. There is already a problem with staff loitering on the street outside the residential dwellings, making noise late at night, because they have no facility within the building.

LAND USE

- Charlwood Street is mainly residential and in the Pimlico Conservation Area, the business has outgrown its environment and is causing a significant blight to its neighbours.

OTHER

- It is claimed that the applicant cut corners when they refitted the shop a few years ago, so residents are not confident that the works will be carried out correctly.
- The ability of the machinery to function safely and effectively is based on a regular maintenance schedule, objectors have little confidence that this will take place.
- Concern raised about how the removal of part of the closet wing would impact adjacent properties.
- The applicant is reported to have offered to sound proof the inner wall, between the site and 89A Charlwood Street, this has not been carried out.

6. BACKGROUND INFORMATION

6.1 The Application Site

89 Charlwood Street is an unlisted building located within the Pimlico Conservation Area. The lower ground and ground floor levels of the property are currently in use as a hot food takeaway (A5). The application site is located within a row of four commercial properties with residential properties above.

6.2 Recent Relevant History

Investigations by the Council's Planning Enforcement Team following complaints by nearby residents resulted in an application for retrospective planning permission for the retention of a replacement extraction system and 2no.air condenser units to the rear elevation of the property, in June 2014 (RN: 13/12649). Permission was refused on design, amenity and lack of information grounds.

In March 2015 permission was refused for retrospective planning permission for the retention of existing extract duct and three condenser units, the erection of a two storey brick effect GRP clad enclosure, additional ducting, grilles and condenser unit to the rear of the property (RN: 14/11727). The proposals were refused on design and amenity grounds.

In April 2016 permission was refused for retrospective planning permission for the retention of replacement internal extract and supply air systems with external grille plus air conditioning and refrigeration condensers units with associated enclosures to the rear of the building (RN: 15/10954). The proposals were refused on design and amenity grounds.

In August 2016 an enforcement notice was issued by the Council requiring the removal of (a) the plant equipment housing on the rear elevation at ground floor level including the removal of plant and extract equipment with this housing, (b) removal of the air conditioning and refrigeration condenser units with associated enclosures and (c) the remedy of any damaged caused to the property by the installation or removal of the works (RN: 15/59568).

In May 2017, a Certificate of Lawfulness (existing) for the lower ground and ground floor rear infill extension was refused as insufficient information had been provided (17/02777/CLEUD).

The applicant appealed against the 2016 Enforcement notice and permission was granted by the Planning Inspectorate in June 2017 (RN: APP/X5990/C/16/3159525), subject to the conditions now being considered under Application 1.

7. THE PROPOSAL

Application 1:

The application seeks to provide details of a scheme for the control of noise, odours and ventilation and the colouring of the grille unit pursuant to conditions 1 and 2 of the permission granted following an appeal against an enforcement notice dated 20 June 2017 (Ref APP/X590/C/16/3159525).

Condition 1 states: "If within one month of the dates of this decision a scheme for the control of noise, odours and vibration caused by the operation of the installation has not been submitted in writing to the local planning authority for their written approval, or if the approved scheme has not been carried out as approved within three months of the local planning authority's written approval, the use of the installation shall cease until the approved scheme has been carried out as approved. The scheme carried out as

approved shall be retained and the installation shall be operated in accordance with the approved scheme.”

Condition 2 states: “If within one month of the date of this decision a scheme for the colouring of the grille unit has not been submitted in writing to the local planning authority for their written approval, or if the approved scheme has not been carried out as approved within three months of the local planning authority’s written approval, the grille unit shall be removed. The scheme carried out as approved shall be retained.

Application 2:

The proposals are for the installation of an air re-circulation system, the relocation of existing air condenser units from the rear yard to within the building at lower ground floor level and associated external alterations to the rear of the building. At lower-ground floor level the alterations include the installation of two new grilles. At ground floor level it is proposed to remove the existing acoustic louvre and surrounding timber panels and to finish this area of rear wall in brick work to match the existing lower ground and create a traditionally sized window opening with a louvred vent grill and obscure glazing fixed within it

8. DETAILED CONSIDERATIONS

8.1 Land Use

Whilst the premises does not have any formal planning history in reference to its existing use, the property has been in use as a hot food takeaway (Class A5) for many years. Neither applications propose a change of use or increase in floorspace.

8.2 Townscape and Design

Currently there is a two storey closet wing to the rear at ground and lower ground floor levels. There is also an existing two storey closet wing infill extension. The top storey of the infill is a plant equipment housing behind large grille set within timber panels (both the grille and timber panels are painted black). The lower storey is in brickwork. There are also existing external air conditioning and refrigerator condenser units with associated enclosures within the rear garden.

Application 1:

In the appeal decision it is stated that the appearance of the building and the prospect of it from other properties would be improved if it were coloured more sympathetically. The submitted scheme for the colouring of the grill unit involves the installation of a new external acoustic louvre coloured to match the existing brickwork (RAL1024, Ockergelb). It is considered that this colour would more closely match the brickwork of the surrounding buildings and that the details provided are acceptable in design terms.

Application 2:

The proposals involve moving the plant from the rear garden of the building to an internal location at lower ground floor level and retaining the top storey of the closet wing infill extension, but replacing the timber panels and grille with brickwork walling to match that at the lower ground floor. A ventilation grille would be fitted into the top half of a

traditionally sized window opening and an obscure glazed panel fitted into the bottom half. The adjoining properties along the terrace, nos. 87 and 91 Charwood Street, have single storey closet wing infill extensions at lower ground floor level and the second storey of the closet wing infill at no. 89 would be the only two-storey closet wing infill along the terrace.

However, given that the detailed design has been revised from earlier proposals to be more in keeping with the host building and the surrounding properties within the conservation area, and given that retention of the second storey was permitted by the Planning Inspectorate (APP/X5990/C/16/3159525), it is felt that this solution is acceptable in design terms. The changes proposed here would be much less visually obtrusive than the scheme allowed by the Planning Inspectorate and would have a positive impact on the visual amenity of the conservation area.

A condition is recommended to ensure that the proposed uPVC guttering, hopper and downpipe at the rear of the infill are removed and replaced with a traditional drainage detail behind the parapet and metal pipework. This is to ensure that they are appropriate to the main building and match those in this part of the conservation area.

Subject to conditions, the proposals are welcomed in design and conservation area terms and comply with the NPPF, policies S25 and S28 in Westminster's City Plan, DES 1, DES 5, DES 9 and our supplementary planning guidance 'Pimlico Conservation Area Audit' and 'Pimlico Design Guide'

8.3 Residential Amenity

Application 1:

Objectors state that the current noise levels from plant machinery are unbearable. The existing plant installed on the premises does not fully comply with the Council's standard noise requirements. In the appeal decision it is stated that the current installation appears to consist of conventional components that should be capable of being operated so as to comply with customary environmental standards. The proposals involve the introduction of additional measures including additional acoustic enclosures and anti-vibration mounts.

The applicant has submitted a plant noise assessment in support of the application dated 29 May 2018. Concern has been raised that noise levels have not been measured from inside neighbouring residential properties. However, this is not a technical requirement from the council in assessing plant noise and the Council's Environmental Health Team are satisfied that, subject to the specified additional attenuation measures, the proposed plant is likely to comply with the Council's standard noise and vibration conditions.

Objectors state that they still regularly experience odour nuisance. The applicant intends to retain the existing low level extract system and has provided a unilateral undertaking which states they will:

- a. Monitor the level of the odour neutralizing liquid on a three monthly basis;

- b. Keep the levels of the odour neutralizing liquid at an appropriate level to facilitate the proper functioning of the extract system;
- c. Carry out any maintenance and repair to the extract system as reasonably required to facilitate the proper functioning of the system; and
- d. Keep a log of the activities taken to comply with a-c above and make such log available to the Council on reasonable notice to do so.

The applicant has confirmed that the maintenance regime has already been put in place to reduce odour nuisance. However, residual odour was still noticed while standing in the rear yard at approx. 5m away from the duct discharge point on two site visits (November 2017 and June 2018). It is considered that the scheme for the control of odours is not sufficient to get rid of cooking smells from the hot food takeaway use and would continue to harm the amenity of neighbouring residential occupiers. Accordingly, the application is recommended for refusal on amenity grounds.

Application 2:

The application has been submitted as an alternative solution to deal with the odour/extraction requirements of the existing take away use. The proposals involve the installation of a RECO air recirculation system; the relocation of two existing air conditioning and refrigeration condensers to within the building at lower ground floor level in a new plant room; the installation of a mechanical ventilation system to the new plant room; the removal of two condenser boxes and the replacement of the acoustic louvre in the rear ground floor façade with two smaller louvres. Objectors are concerned that the current plant machinery causes a lot of noise and vibration to adjoining buildings and that moving plant machinery inside would cause further disturbance.

The applicant has submitted a plant noise assessment in support of the application dated 29 May 2018. Objectors have raised concern that noise levels have not been measured from inside neighbouring residential properties. This is not a specific requirement of the council in terms of noise assessment. Having assessed the data, the Council's Environmental Health Team are satisfied that, subject to the specified attenuation measures, the proposed plant is likely to comply with the Council's standard noise and vibration conditions.

The Council's Environmental Health Team advise that the installation of a RECO air recirculation system, operated in accordance with the submitted Operational Management Plan dated 8 March 2018, should satisfy the requirements of the Council in terms of odour control. Objectors have raised concern that the applicant may not maintain the system properly. It is recommended that the operational management plan is secured by condition to ensure that maintenance and servicing will be carried out.

Air recirculation systems as a means of dealing with odour control and extraction from commercial kitchens are not commonplace within Westminster. In this particular case, the appeal decision has accepted the principle of low level extraction in this location, subject to further details being submitted regarding odour, noise and vibration control. As discussed under application 1, these details are not acceptable to the council in respect of odour control and consequent impact on amenity. The alternative is then to consider an internal air recirculation system which does not vent kitchen odours externally. In these circumstances this type of system presents itself as a reasonable

solution to the current situation bought about by the Planning Inspectorate's acceptance of low level extraction on this site.

Objectors also raise concern about the hours of operation and the noise from the day-to-day operations of the unit. Given the application is for internal plant machinery some of which will serve refrigeration units that need to be kept on overnight, it would not reasonable to condition reduced hours of operation or controls on the general operation of the unit.

Accordingly, it is considered that the objections on amenity grounds cannot be sustained in relation to the air recirculation scheme. Subject to the recommended conditions the proposals are considered to comply with the NPPF, Policy S29 of Westminster's City Plan (2016) and ENV 5, 6, 7 and 13 of our Unitary Development Plan that we adopted in January 2007.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

No economic considerations are applicable.

8.6 Access

The applications would not result in any adverse access implications.

8.7 Other UDP/Westminster Policy Considerations

None.

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.

This development does not generate a Mayor CIL or WCC CIL payment.

8.11 Environmental Impact Assessment

Not required.

Item No.
5

8.12 Other Issues

Fire Risk and Structural Issues

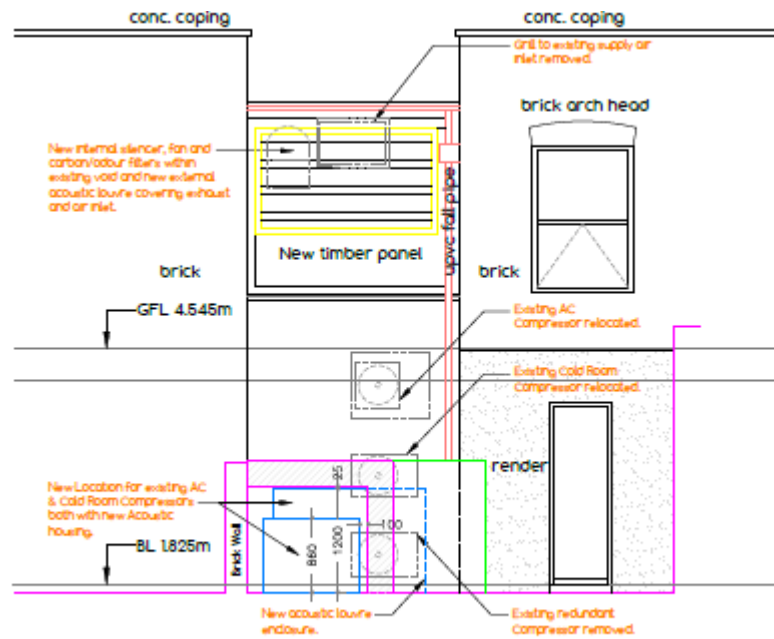
Objectors have raised concerns relating to increased risk of fire and structural issues. Whilst noted, these are matters to be considered under the building regulations.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: LOUISE FRANCIS BY EMAIL AT lfrancis@westminster.gov.uk
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9. KEY DRAWINGS

Application 1

Proposed Rear Elevation



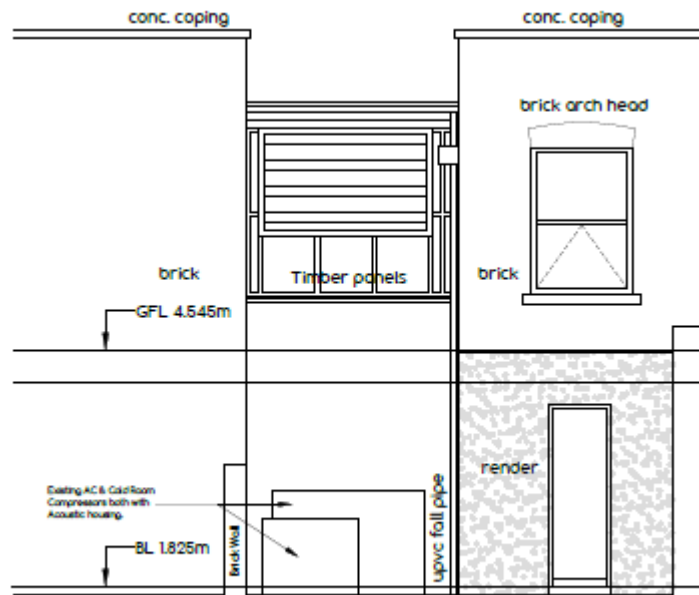
PROPOSED REAR ELEVATION
(Scale 1:50)



= Suggested Colour for external louvres
RAL 1024 Ockergelb to match
existing brickwork (TBC by Planning)

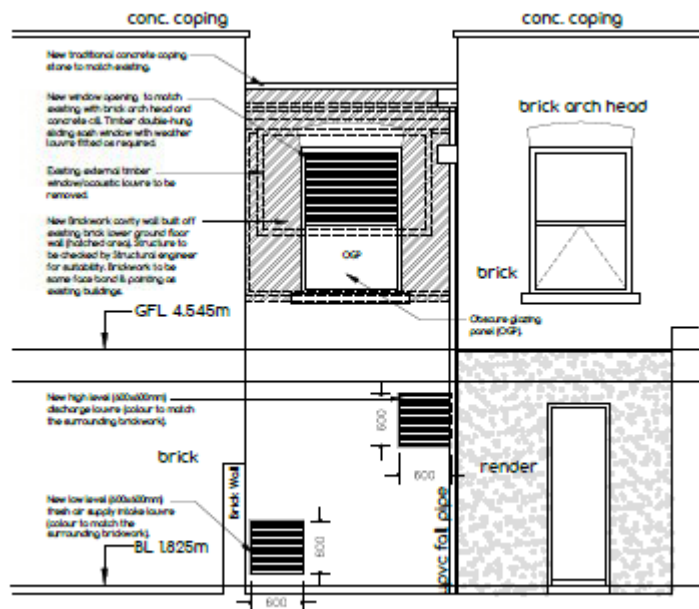
Application 2

Existing Rear Elevation



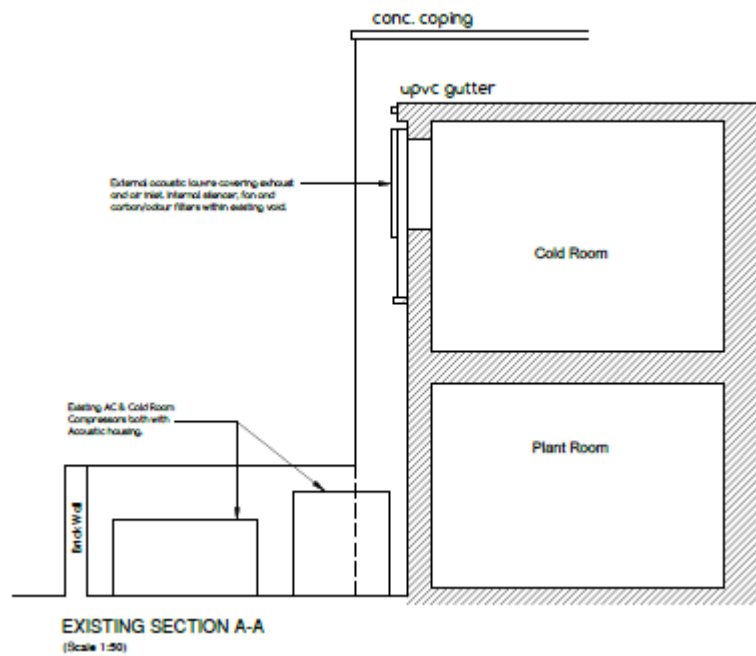
EXISTING REAR ELEVATION
(Scale 1:50)

Proposed Rear Elevation

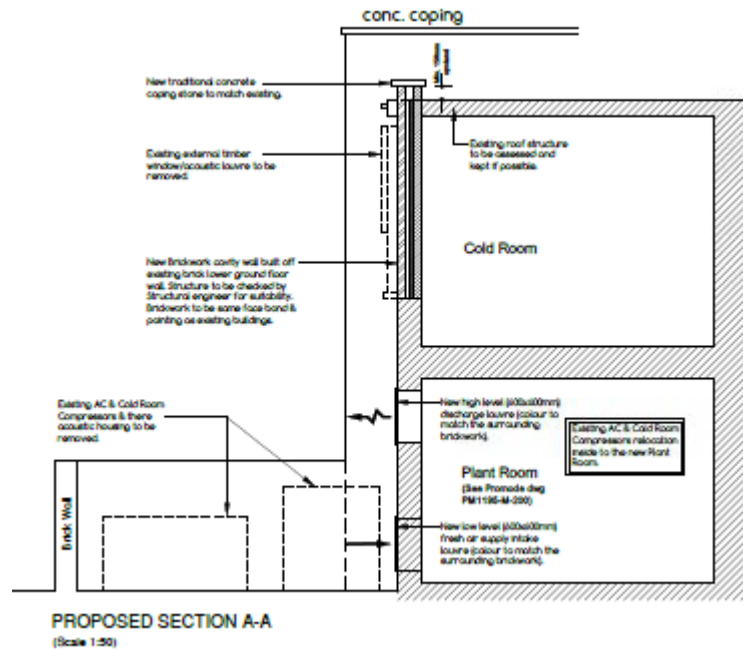


PROPOSED REAR ELEVATION
(Scale 1:50)

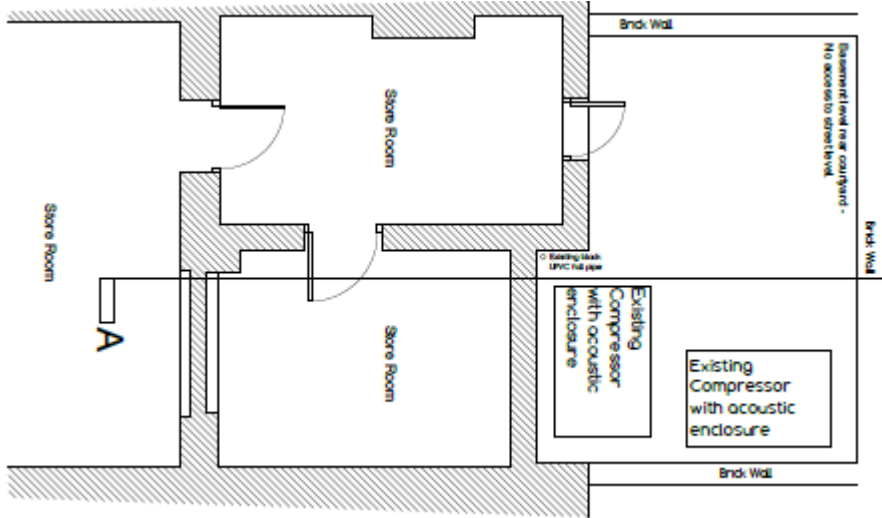
Existing Section A-A



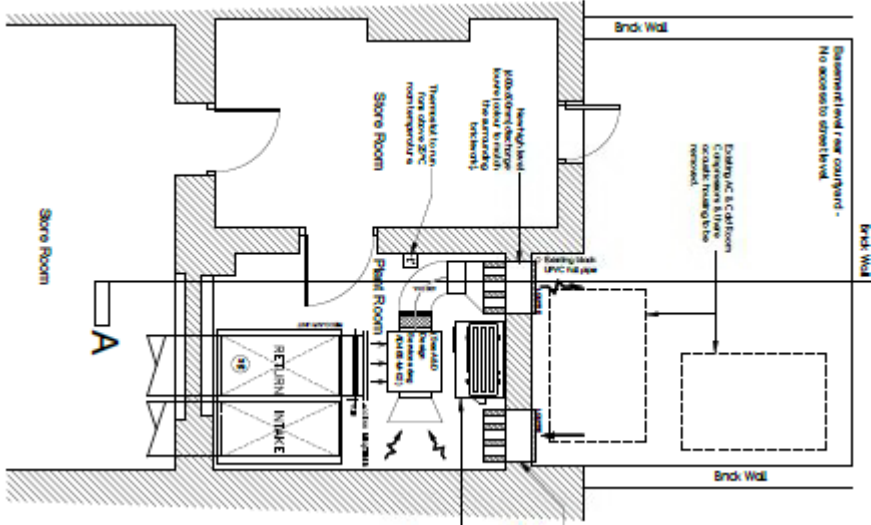
Proposed Section A-A



Existing Part Basement Plan



Proposed Part Basement Plan



DRAFT DECISION LETTER

- Address:** 89 Charlwood Street, London, SW1V 4PB
- Proposal:** Details of a scheme for the control of noise, odours and ventilation and the colouring of the grille unit pursuant to conditions 1 and 2 attached to the permission granted following an appeal against an enforcement notice dated 20 June 2017 (Ref APP/X590/C/16/3159525).
- Reference:** 17/07551/ADFULL
- Plan Nos:** 0017/13/03/P09; Plant Noise Assessment Rev. 1 dated 29 May 2018; E-mail dated 24 January 2018; Purified Air Brochure; Purified Air Report; Unilateral Undertaking dated 31 August 2017.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

Recommended Condition(s) and Reason(s)

- Reason:
- 1 The arrangements for ventilation and getting rid of cooking smells from the hot food takeaway use will harm the amenity of neighbouring residential occupiers. This does not meet policies S29 of Westminster's City Plan (2016) and ENV5 of our Unitary Development Plan that we adopted in January 2007.

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

- Address:** 89 Charlwood Street, London, SW1V 4PB
- Proposal:** Installation of an air re-circulation system, relocation of existing air condenser units and associated external alterations.
- Reference:** 17/03875/FULL
- Plan Nos:** 0017 13 09 BP; 0017/13/02/P08 Rev. A; Plant Noise Assessment Rev. 2 dated 29 May 2018; Operational Management Plan dated 8 March 2018; RA2-0S., , For Information Purposes.; Reco-Air Unit Description & Operation; Quotation 50k-0217-272 dated 20 February 2017; AD465-M-02 Rev. P; Reco-Air Acoustics; Design & Access Statement dated April 2017; Cover Letter dated 4 May 2017; Operational Management Plan dated 8 March 2018.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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 Pimlico 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 showing the following alteration(s) to the scheme:
- (a) removal of the uPVC guttering from the infill extension and a revised drainage detail to the inside of the parapet connecting to proposed hopper; and
 - (b) all new outside pipework in metal painted black.

You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings.

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 Pimlico 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 All new ventilation louvres to be in metal and maintained in that material.

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 Pimlico 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)

- 6 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary

plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.

(3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include: (a) A schedule of all plant and equipment that formed part of this application; (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment; (c) Manufacturer specifications of sound emissions in octave or third octave detail; (d) The location of most affected noise sensitive receptor location and the most affected window of it; (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location; (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures; (g) The lowest existing LA90, 15 mins measurement recorded under (f) above; (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition; (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan (November 2016), by contributing to reducing excessive ambient noise levels. Part (3) is included so that applicants may ask subsequently for a fixed maximum noise level to be approved in case ambient noise levels reduce at any time after implementation of the planning permission. (R46AB)

- 7 No vibration shall be transmitted to adjoining or other premises and structures through the building structure and fabric of this development as to cause a vibration dose value of greater than 0.4m/s (1.75) 16 hour day-time nor 0.26 m/s (1.75) 8 hour night-time as defined by BS 6472 (2008) in any part of a residential and other noise sensitive property.

Reason:

As set out in ENV6 (2) and (6) of our Unitary Development Plan that we adopted in January 2007, to ensure that the development is designed to prevent structural transmission of noise or vibration. (R48AA)

- 8 Following installation of the recirculation plant and equipment, you are required to submit a further report confirming previous details. The supplementary report must include:
- (a) A schedule of all plant and equipment installed.
 - (b) The air volume flow rates to extract & return air ductwork verified by a suitably qualified commissioning engineer & a report produced as documentation.
 - (c) Details of monitoring devices interlocked with the electric cooking equipment, such that cooking is only enabled when all parts of the system are operating.

Item No.
5

- (d) In the working environment the breakout noise not exceeding 60 dBA measured at 1 metre (free field) and the recirculated air achieving an ambient temperature of 25oC
- (e) Details of service / filter replacement and maintenance arrangements.

You must not begin operating the recirculation plant and equipment until we have approved what you have sent us, you must then maintain it in accordance with the approved report for as long as the system remains in place.

Reason:

To protect the environment of people in neighbouring properties as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6, ENV 7 and DES 5 of our Unitary Development Plan that we adopted in January 2007. (R14AC)

- 9 The recirculation plant and equipment must be operated in accordance with the Operational Management Plan dated 8 March 2018.

Reason:

To make sure that the use will not cause nuisance for people in the area. This is as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and TACE 9 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R05GB)

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 Conditions 6, 7 and 8 control noise from the approved machinery. It is very important that you meet the conditions and we may take legal action if you do not. You should make sure that the machinery is properly maintained and serviced regularly. (I82AA)
- 3 You are advised to permanently mark the plant/ machinery hereby approved with the details of this permission (date of grant, registered number). This will assist in future monitoring of the equipment by the City Council if and when complaints are received.

Item No.
5

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CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 21 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bryanston And Dorset Square	
Subject of Report	14 Montagu Street, London, W1H 7EX		
Proposal	Alterations including the installation of glazed opaque balustrades in connection with the provision of a roof terrace at rear first floor level.		
Agent	Brooks Architects Ltd		
On behalf of	Dr J and Dr S Smith		
Registered Number	18/04764/FULL & 18/04765/LBC	Date amended/ completed	11 June 2018
Date Application Received	7 June 2018		
Historic Building Grade	Grade II		
Conservation Area	Portman Estate		

1. RECOMMENDATION

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|---|
| <ul style="list-style-type: none"> i. Refuse permission. ii. Refuse listed building consent. iii. Agree reasons for refusing listed building consent as set out in informative 1 of the decision notice. |
|---|

2. SUMMARY

14 Montagu Street forms part of a short terrace of Grade II listed buildings, which date from c.1810-1820. It is located within the Portman Estate Conservation Area. To the rear of the main house is a later mews building dating to 1910. The building is in use as a single family dwelling house (Class C3).

Permission and listed building consent are sought for alterations in connection with the use of the roof of the mews building as a terrace. In order to gain access to the terrace, it is proposed to change a rear living room window to a pair of double doors and erect a cantilevered walkway. The terrace will be enclosed by obscured glazed balustrades 1700mm in height on the northern and southern party walls, with a lower glazed balustrades 1100mm high on the western mews elevation.

The key issues for consideration are;

- the impact on residential amenity
- the impact on the appearance of the Grade 2 listed building and the character and appearance of the Conservation Area.

UDP Policy ENV13 seeks to protect and improve the residential environment and to resist proposals which would result in a material loss of privacy to adjoining occupiers. Similarly, City Plan Policy S29 seeks to safeguard the amenity of existing residents.

An objection has been received from the occupant of 115 George Street a residential premises immediately to the north of site. The objection is made on the grounds that the proposed 1700mm opaque glass screen would result in a loss of daylight and sunlight to a living room. The living room is lit by glazed rooflights which sit adjacent to the application premises and windows on the western elevation facing across Montagu Mews South. The erection of a screen close to the boundary between the properties would have some impact on the daylight and sunlight to the closest rooflights. There would however be no impact on the windows facing across Montagu Mews South, and overall there would be no material impact to either daylight or sunlight to the living room.

The obscure glazed screens would ensure that use of the roof as a terrace would not result in a loss overlooking and a loss of privacy to any of the surrounding properties.

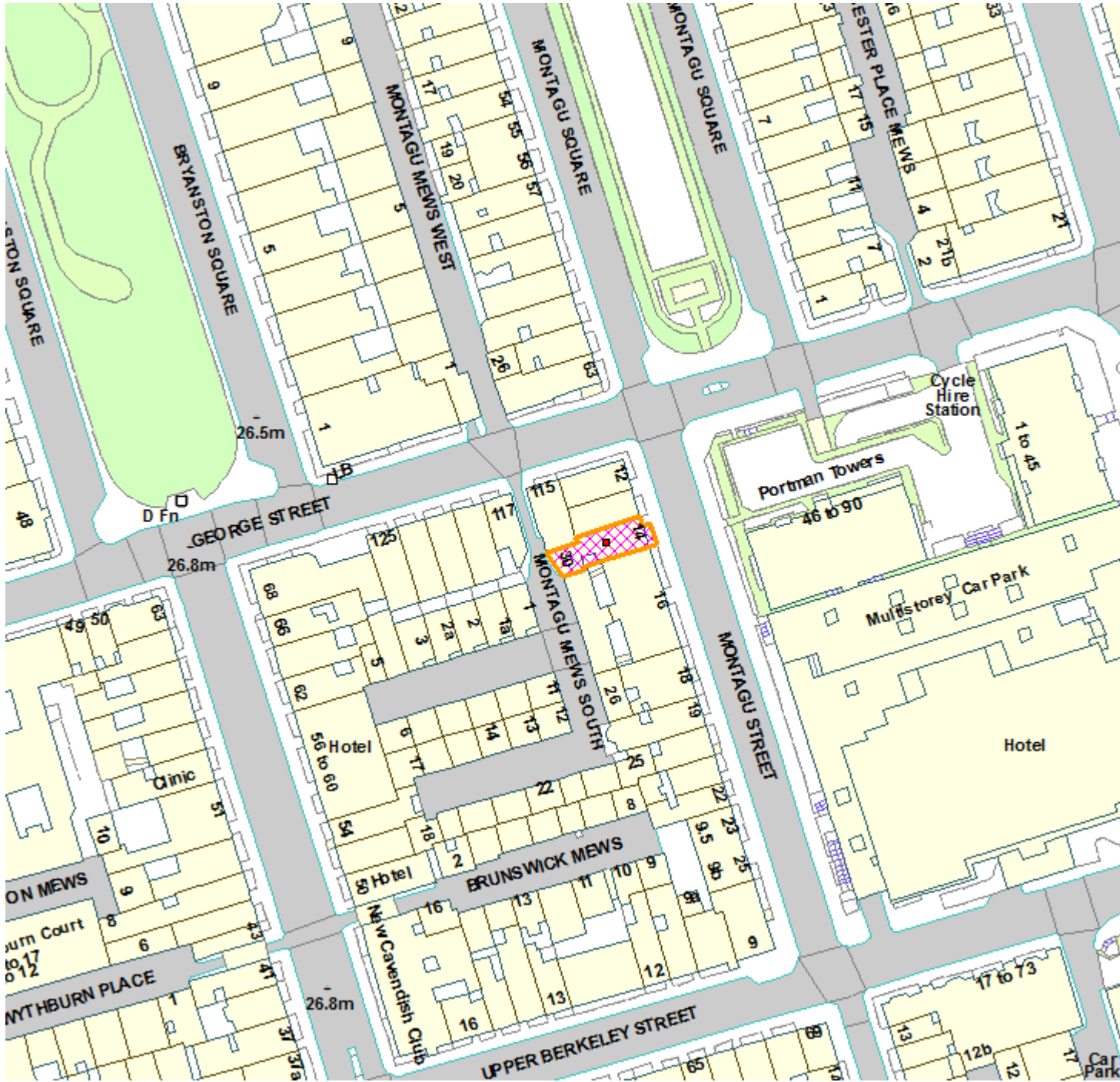
With regards to design, the special interest of the listed building stems primarily from the principal building, however, the mews properties at the rear provide a positive contribution to its significance and setting. Montagu Mews South provides a positive contribution to the Portman Conservation Area. The character of these buildings derives from the simple detailing of the front facades and the mixture of small square projecting bays with flush coach doorways.

An objection received that the modern glass screen and balustrade and walkway are unacceptable materials that would add to clutter at odds with the Conservation Area and would have a negative impact on the entrance to the Mews.

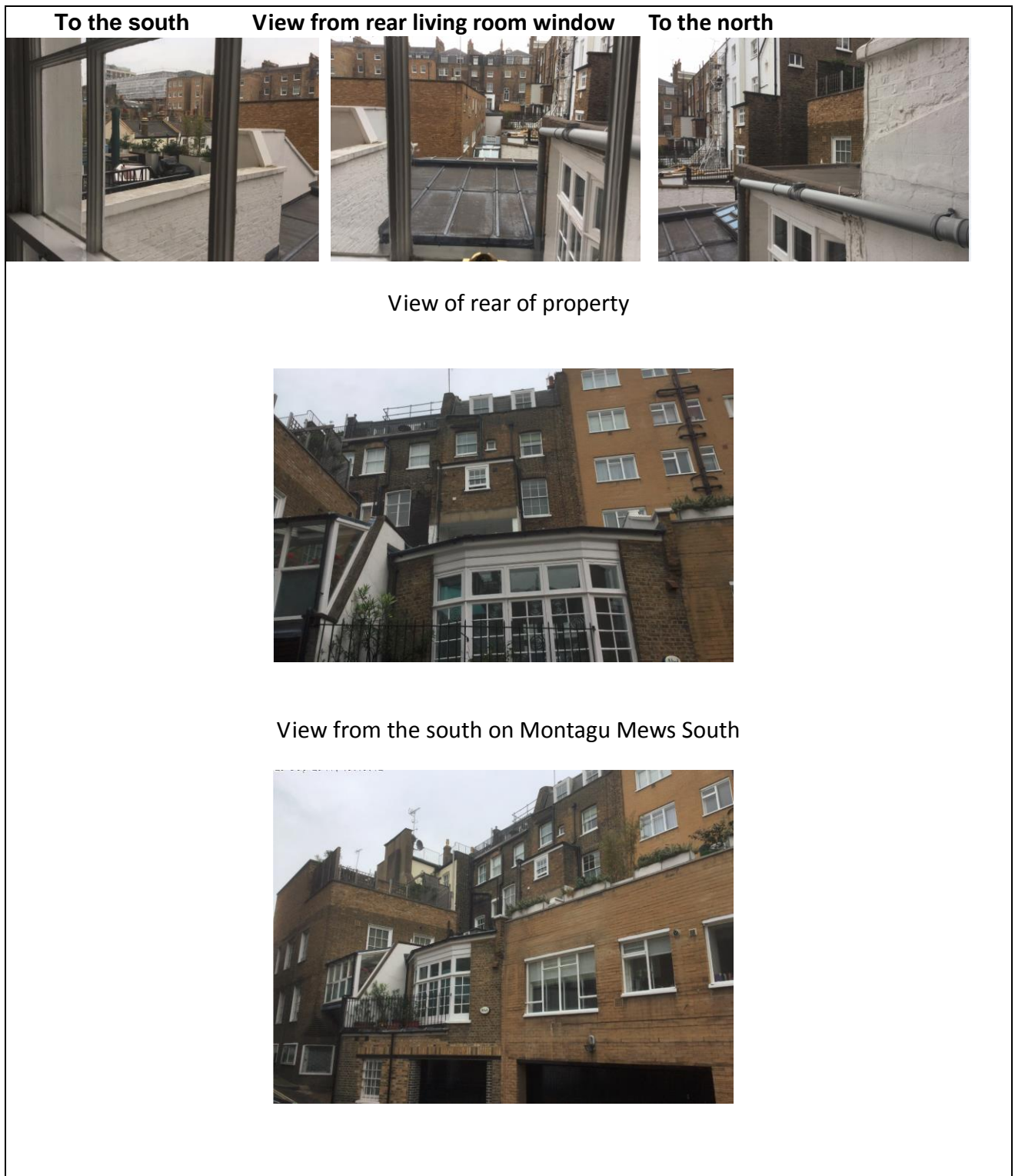
There are a number of roof terraces in the area, however these are bounded predominantly by plain black railings of a modest height, which reflect the established palette of materials. The proposal would result in the provision of expanses of obscured glazing surrounding the terrace. This screening would sit above a 1st floor bay window. The proposed screening would be prominent in views from the Mews and would be an unacceptable addition to the building. The loss of the rear sash window and walkway over the lightwell would also detract from the appearance of the listed building and the Conservation Area.

The applications are contrary to Policy DES 1, DES 6, DES9 and DES10 of the City of Westminster Unitary Development Plan adopted January 2007 and S25 and S28 of the City Plan adopted November 2016, accordingly the applications are recommended for refusal.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

MARYLEBONE ASSOCIATION

Any response to be reported verbally

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 26

Total No. of replies: 2

2 objections on the following grounds:

- Loss of light
- Unacceptable in design terms, the works are out of keeping with the historic building, materials are unacceptable adding to clutter.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

(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: MIKE WALTON BY EMAIL AT MWALTON@WESTMINSTER.GOV.UK.

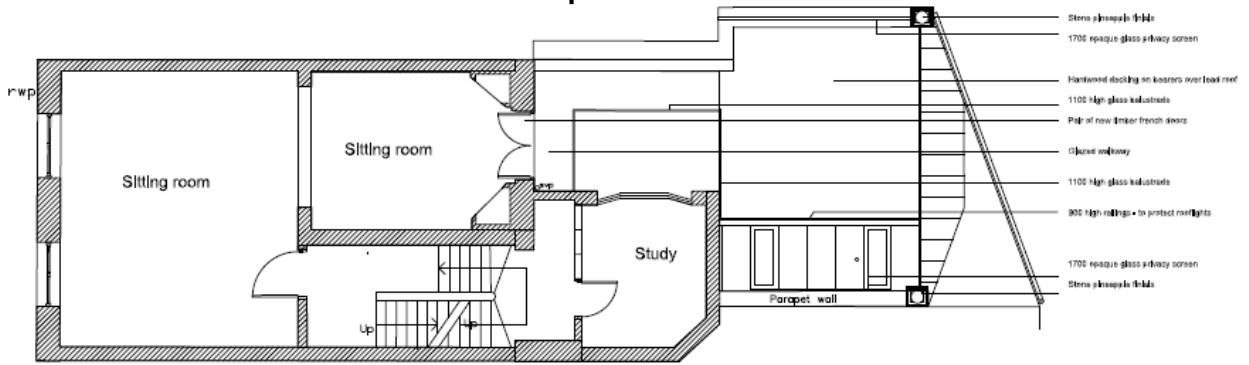
6. KEY DRAWINGS

Proposed Rear Elevation



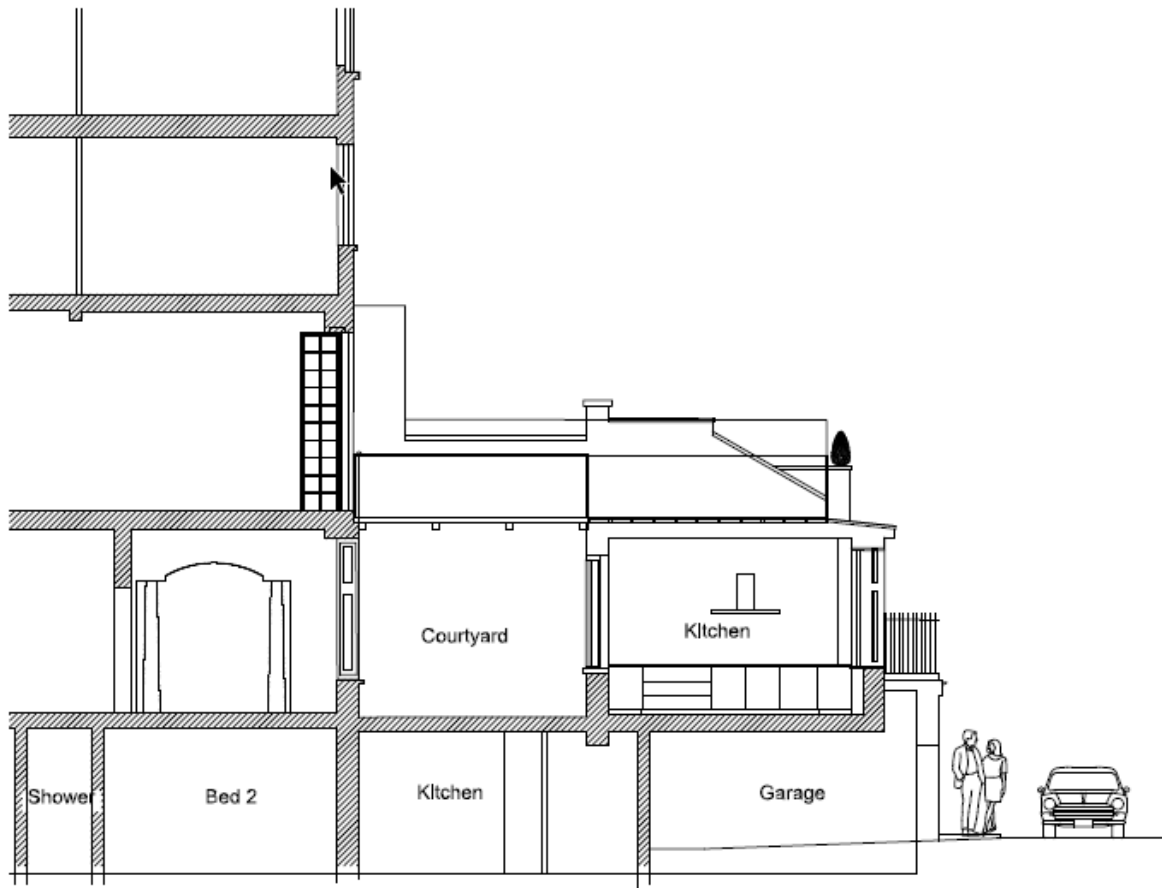
Rear Elevation 1:50
Proposed roof terrace

Proposed Plan



Rear Section 1:50
Proposed roof terrace

Proposed Section



Rear Section 1:50
Proposed roof terrace

DRAFT DECISION LETTER

Address: 14 Montagu Street, London, W1H 7EX

Proposal: Alterations including the installation of glazed opaque balustrades to create a rear roof terrace at first floor level..

Reference: 18/04764/FULL

Plan Nos: BAL02

Case Officer: Damian Lavelle

Direct Tel. No. 020 7641 5974

Recommended Condition(s) and Reason(s)

Reason:

- 1 Because of loss of fabric, height and extent of railings the proposed roof terrace would harm the special interest of this grade II listed building. It would also fail to maintain or improve (preserve or enhance) the character and appearance of the Portman Estate Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1 , DES6, DES9 and DES10 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007 and the advice set out in paragraphs HB1 and HB2 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (X17EB)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way so far as practicable. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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