



City of Westminster

Committee Agenda

Title:

Planning Applications Sub-Committee (3)

Meeting Date:

Tuesday 26th March, 2019

Time:

6.30 pm

Venue:

Rooms 18.01 & 18.03, 18th Floor, Westminster City Hall, 64 Victoria Street, London, SW1E 6QP

Members:

Councillors:

Robert Rigby
Geoff Barraclough
Angela Harvey
Selina Short



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 a pass, 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, Georgina Wills, Committee and Governance Officer.

**Tel: 020 7641 7513; Email: gwills@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 Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. ELECTION OF CHAIR

The Planning Sub-Committee (3) are required to appoint a Chair.

2. MEMBERSHIP

To note that Councillor Robert Rigby had replaced Councillor Melvyn Caplan.

To note any further changes to the membership.

3. 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.

4. MINUTES

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

5. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

Members of the public are welcome to speak on specific applications at planning committee meetings.

To register to speak and for guidance please visit:

www.westminster.gov.uk/planning-committee.

In the event that you are successful in obtaining a speaking slot please read the guidance, in order to familiarise yourself with the process prior to attending the meeting.

(Pages 5 - 10)

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|----|--|------------------------|
| 1. | 20 CARLTON HOUSE TERRACE, LONDON SW1Y 5AN | (Pages 13 - 42) |
| 2. | 34 ALDRIDGE ROAD VILLAS, LONDON, W11 1BW | (Pages 43 - 62) |

Part B (PRIVATE)

RECOMMENDED: That under Section 100 (A) (4) and Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), the public and press be excluded from the meeting for the following item of business because it relates to a claim to legal professional privilege which could be maintained in legal proceedings and it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Items	Grounds	Para. of Part 1 of Schedule 12A of the Act
3 & 4	The Reports involve the likely disclosure of exempt information relating to financial or business affairs.	Para. 3

- | | | |
|----|--|--------------------------|
| 3. | OPEN SPACE AT REAR OF 115-137 SUTHERLAND AVENUE, LONDON, W9 2QJ | (Pages 63 - 104) |
| 4. | 25 ACACIA ROAD, LONDON, NW8 6AN | (Pages 105 - 138) |

Stuart Love
Chief Executive
15 March 2019

Order of Business

At Planning Sub-Committee meetings the order of business for each application listed on the agenda will be as follows:

Order of Business
i) Planning Officer presentation of the case
ii) Applicant and any other supporter(s)
iii) Objectors
iv) Amenity Society (Recognised or Semi-Recognised)
v) Ward Councillor(s) and/or MP(s)
vi) Council Officers response to verbal representations
vii) Member discussion (including questions to officers for clarification)
viii) Member vote

These procedure rules govern the conduct of all cases reported to the Planning Applications Sub-Committees, including applications for planning permission; listed building consent; advertisement consent, consultations for development proposals by other public bodies; enforcement cases; certificates of lawfulness; prior approvals, tree preservation orders and other related cases.



CITY OF WESTMINSTER

MINUTES

Planning Applications Sub-Committee (3)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Planning Applications Sub-Committee (3)** Committee held on **Tuesday 19th February, 2019**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillors Melvyn Caplan (Chairman), Angela Harvey, Selina Short and Ruth Bush

1 MEMBERSHIP

- 1.1 The Sub-Committee noted that Councillor Ruth Bush had replaced Councillor Geoff Barraclough.

2 DECLARATIONS OF INTEREST

- 2.1 Councillor Melvyn Caplan explained that a week before the meeting, all seven Members of the Committee were provided with a full set of papers including a detailed officer's report on each application; together with bundles of every single letter or e-mail received in respect of every application, including all letters and emails containing objections or giving support. Members of the Committee read through everything in detail prior to the meeting. Accordingly, if an issue or comment made by a correspondent was not specifically mentioned at this meeting in the officers' presentation or by Members of the Committee, it did not mean that the issue had been ignored. Members will have read about the issue and comments made by correspondents in the papers read prior to the meeting.
- 2.2 Councillor Caplan advised that Councillor Payne had an interest in respect of Item 4 on the agenda and Councillor Devenish had an interest in respect of Item 5. In line with guidance agreed by the City Council's Standards Committee, members sitting on tonight's committee are no longer required to apply for a dispensation from the Code of Conduct provided they can declare that they only know Councillors Payne and Devenish through their membership of the Majority party and see them at Council and related events. Councillor Caplan advised that he, was able to give that declaration in relation to Councillors Payne and Devenish. Councillor Selina Short and Councillor Angela Harvey stated that they were also able to give that declaration in relation to Councillors Payne and Devenish.

- 2.3 Councillor Caplan declared that in respect of Item 3, he previously held the position of Cabinet Member for a portfolio that included Corporate Property until May 2015 and this was prior to the use requested in the Application.
- 2.4 Councillor Ruth Bush declared that in respect of Item 6, she was a Trustee of the Westminster Tree Trust.

3 MINUTES

- 3.1 That the minutes of the meeting held on 15 January 2019 being signed by the Chairman as a correct record of proceedings subject to Councillors Rigby's name being amended and printed correctly.

4 PLANNING APPLICATIONS

1 ST MARK'S CHURCH, NORTH AUDLEY STREET, LONDON, W1K 6DP

Use of the property for mixed use ('sui generis') purposes, comprising a mix of retail, and food market with retail and food and drink facilities and use of part of the basement as community space, with associated internal and external alterations throughout, including installation of balustrades at first floor level, internal lift, plant, ducting, pizza oven, and external light fittings for the front facade.

A late representation had been received from Geraldeve (15.02.19)

The Presenting Officer tabled the following amended recommendation.

Planning Application (18/10222/FULL and 18/10223/LBC)

1. Grant conditional permission and conditional listed building consent subject to a legal agreement to secure the following: (changes underlined):

- i) setting up of a committee to manage the community space and guarantee its long-term running costs on behalf of local groups/residents at nil cost;
- ii) a requirement not to install the previously approved staircase in the nave between the ground floor and gallery/first floor;
- iii) monitoring costs of £500 for the above clause.

RESOLVED UNANIMOUSLY:

1. That conditional permission be granted subject to the revised recommendation tabled and Condition 22 being amended to restrict all servicing during Monday to Saturdays between 07:00 hours and 22:00 hours, and subject to a legal agreement to secure the following:
 - i) setting up of a committee to manage the community space and guarantee its long-term running costs on behalf of local groups/residents at nil cost;
 - ii) a requirement not to install the previously approved staircase in the nave between the ground floor and gallery/first floor;
 - iii) monitoring costs of £500 for the above clause.

2. That If the S106 legal agreement has not been completed within six weeks, then:
 - a) The Executive Director of Growth Planning and Housing shall consider whether the permission can be issued with additional conditions attached to secure the benefits listed above. If this is possible and appropriate, the Executive Director of Growth Planning and Housing is authorised to determine and issue such a decision under Delegated Powers; however, if not
 - b) The Executive Director of Growth Planning and Housing shall consider whether permission should be refused on the grounds that it has not proved possible to complete an agreement within an appropriate timescale, and that the proposals are unacceptable in the absence of the benefits that would have been secured; if so, the Executive Director of Growth Planning and Housing is authorised to determine the application and agree appropriate reasons for refusal under Delegated Powers.

3. That conditional listed building consent be granted.

4. That the reasons for granting listed building consent set out in Informative 1 of the draft decision letter be agreed.

2 STRATHMORE COURT, 143 PARK ROAD, LONDON, NW8 7HY

Erection of three storey rear extension at fourth, fifth and sixth floor levels. Alterations to rear elevation and installation of terraces. Infill of lightwell at ground floor level. Alterations to roof dormers to provide access to terraces. Installation of rooftop plant equipment. Alterations and addition of windows and doors. All in association with the reconfiguration of existing flats and creation of nine additional dwellings.

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to including a condition to secure car club membership and subject to a revised condition 14 to secure additional cycle parking provision at basement level.

3 WHITCOMB STREET CARPARK, 39 - 41WHITCOMB STREET, LONDON, WC2H 7DT

Continued use of Levels 12 - 16 of car park (Sui Generis Use) as temporary office, construction welfare and storage area (Sui Generis Use) with screening to elevations

associated with the construction of the Leicester Square Hotel opposite until 1 June 2020.

Late representations were received from Huguenot House Residents' Association (17.02.19) and a Resident (17.02.19)

The Presenting Officer tabled a copy of the Informative (s) 1 and 2 (pg. 95 of the Agenda).

Wording of Informatives

In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>

RESOLVED UNANIMOUSLY:

That conditional permission be granted subject to a condition to require a scheme of landscaping to mitigate the impact of the alterations to the elevations to be settled under the Director's delegated powers.

4 8 MONMOUTH ROAD, LONDON, W2 5SB

Erection of rear boundary wall.

RESOLVED UNANIMOUSLY:

That conditional permission be granted.

5 SECOND FLOOR FLAT, 19 WESTBOURNE STREET, LONDON, W2 2TZ

Application 1: Amendments to planning permission dated 4 September 2018 (RN: 18/06281/FULL) for the: Replacement of rear elevation metal window at second floor level with new timber window. NAMELY, to amend the window design (Linked to 18/10696/LBC).

Application 2: Variation of Condition 1 of listed building consent dated 4 September 2018 (RN: 18/06282/LBC) for the replacement of rear elevation metal window at second floor level with a new timber window; NAMELY to amend the window design (Linked to 18/10390/NMA).

RESOLVED UNANIMOUSLY:

1. That the non-material amendment be agreed.
2. That conditional listed building consent be granted.
3. To agree the reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

6 25 ACACIA ROAD, LONDON, NW8 6AN,

The Chair moved and it was

RESOLVED:

That under Section 100 (A) (4) and Part 1 of Schedule 12A to the Local Government Act 1972 (as amended), the public and press be excluded from the meeting for the following item of business because it relates to a claim to legal professional privilege which could be maintained in legal proceedings and it is considered that, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

UNANIMOUSLY RESOLVED:

That determination of the application be deferred for an updated Engineering Appraisal that had been submitted in support of the application to fell.

The Meeting ended at 8.34 pm

CHAIRMAN: _____

DATE _____

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Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 26th March 2019
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Resolution
1.	RN(s): 18/10412/FULL St James's	20 Carlton House Terrace London SW1Y 5AN	Demolition of existing mansard roof and roof level plant and construction of a two storey vertical roof addition with extensions at rear fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Alterations to the existing building including new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level and cycle parking at basement level three.	
	Recommendation Grant conditional permission			
Item No	References	Site Address	Proposal	Resolution
2.	RN(s): 18/09126/FULL Westbourne	34 Aldridge Road Villas London W11 1BW	Erection of single storey rear extension at lower ground floor level and alterations to fenestration at rear ground floor level.	
	Recommendation Grant conditional permission			

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 26th March 2019
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

CONFIDENTIAL ITEMS

The following items are due to be published on the “confidential” part of the agenda as the reports involve the likely disclosure of exempt information relating to financial or business affairs.

Item No	References	Site Address	Proposal	Resolution
3.	RN(s): 18/07435/TPO 18/09950/TPO Little Venice	Open Space at rear of 115-137 Sutherland Avenue London W9 2QJ	1. 18/07435/TPO 1 x silver birch (T4) and 1 x London plane (T9): fell 2. 18/09950/TPO 1 x cherry (T1) and 1 x sycamore (T3): fell	MWA Arboriculture Ltd (Katy Straw)
Item No	References	Site Address	Proposal	Resolution
4.	RN(s): 18/09234/TPO Abbey Road	25 Acacia Road London NW8 6AN	Lime (T10) - Fell and treat.	OCA Insurance Services

Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 26 March 2019	Classification For General Release	
Report of Executive Director Growth Planning and Housing		Ward(s) involved St James's	
Subject of Report	20 Carlton House Terrace, London, SW1Y 5AN		
Proposal	Demolition of existing mansard roof and roof level plant and construction of a two storey vertical roof addition with extensions at rear fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Alterations to the existing building including new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level and cycle parking at basement level three.		
Agent	DP9 Ltd		
On behalf of	Noah Ltd		
Registered Number	18/10412/FULL	Date amended/ completed	10 December 2018
Date Application Received	10 December 2018		
Historic Building Grade	Unlisted		
Conservation Area	St James's		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

20 Carlton House Terrace is an eight-storey office building over a four-storey basement car park. The building is currently occupied by Anglo American Plc. Immediately adjacent to the application site is 24 Carlton House Terrace which faces onto Waterloo Gardens and is comprised of 15 residential flats. No. 24 has its own entrance separate from the entrance to the offices at No. 20. The building is unlisted but is within the St James's Conservation Area.

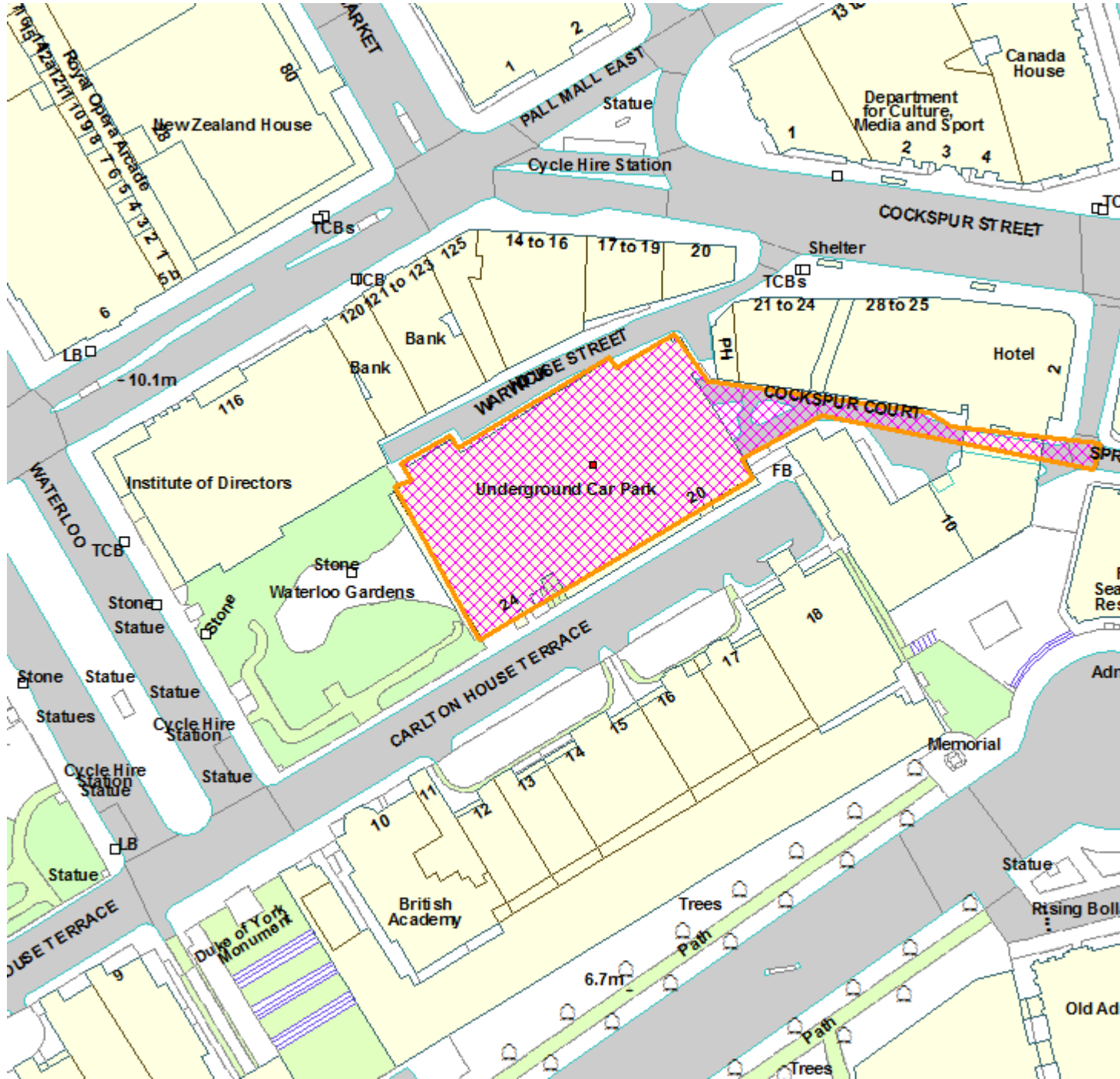
Planning permission is sought for the demolition of the existing mansard roof and roof level plant and replacement with a two-storey vertical extension with extensions at rear fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Other alterations to the existing building include new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level and cycle parking at basement level three.

The key issues for consideration are:

- The impact of the proposed alterations on the character and appearance of the building and St James's Conservation Area
- The impact on amenity of adjoining occupiers

The proposed extensions to this existing office building are considered acceptable in land use, amenity, design and conservation area terms and in accordance with the Westminster City Plan and Unitary Development Plan policies.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

WESTMINSTER SOCIETY

Any response received to be reported verbally by officers.

ENVIRONMENTAL HEALTH

No objection subject to conditions.

HIGHWAYS PLANNING

No objection subject to conditions to secure cycle parking.

WASTE PROJECT OFFICER

Condition required to secure a revised plan showing storage for residual waste and recyclable materials.

THAMES WATER

A pumped device should be installed to avoid the risk of back flow from the sewerage network during storm conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 124 Total No. of replies: 0

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

20 Carlton House Terrace is an eight-storey unlisted 20th century office building located within the St. James's Conservation Area. The building has a particularly sensitive context situated between the Grade I listed Nash terrace on Carlton House Terrace and numerous listed buildings along Pall Mall to the north. The building also lies to the north of St James's Park, a registered park and garden which affords open views towards the site.

6.2 Recent Relevant History

24 Carlton House Terrace

95/02608/FULL: Erection of a six-storey office extension and creation of a landscaped garden over existing podium on Warwick House Street; use of part ground floor as an art gallery, alterations to form a new office/art gallery.

Application permitted

25 April 1996

20-24 Carlton House Terrace

99/12997/FULL: Use of part of the external terrace areas at 6th and 7th floor levels of 20 Carlton House Terrace for amenity purposes by the office occupiers; erection of a screen at 6th floor level and landscaping at 6th and 7th floor levels.

Application permitted

26 June 2000

24 Carlton House Terrace

16/02449/FULL: Demolition of the existing mansard roof and construction of two floors to create a duplex residential flat with roof terrace and associated works including a new rooftop plant area and extension to the existing internal lift.

Application permitted

23 August 2016

7. THE PROPOSAL

Planning permission is sought to replace the existing mansard roof and roof level plant with a two-storey vertical roof extension; extensions to the rear (fronting Warwick House Street) at fourth, fifth and sixth floor levels to create additional office (Class B1) floorspace; external alterations including new windows and entrance and new terraces at seventh and eighth floor levels; new plant enclosure at ninth floor level and cycle parking spaces at basement level 3.

	Existing GIA (sqm)	Proposed GIA (sqm)	+/-
Office use	9608	12353	+2745
Total	9608	12353	+2745

8. DETAILED CONSIDERATIONS**8.1 Land Use****Provision of additional office floorspace (Class B1)**

The application involves the creation of 2,745sqm of additional B1 office floorspace within the Core Central Activities Zone (CAZ).

Policy S1 and Policy S20 of the Westminster City Plan (November 2016) are applicable. The aim of Policy S1 is to ensure a mix of uses within the CAZ in order to support vitality, function and character. Part 3 (A) of Policy S1 states that where the net additional floorspace (of all uses) is;

- i. less than 30% of the existing building floorspace, or
- ii. less than 400sqm; (whichever is the greater),

or where the net additional B1 office floorspace is less than 30% of the existing building floorspace (of all uses), no residential floorspace will be required.

Policy S20 states that new office development will be directed to the Opportunity Areas, the Core Central Activities Zone, the Named Streets, and the North Westminster Economic Development Area. The site is within the Core CAZ and the building is already in office use. The provision of additional B1 office floorspace in this location is therefore acceptable in principle.

The uplift in office B1 office floorspace 2,745sqm (28.6%) is largely attributed to the provision of new extensions at eighth and ninth floor level and the modest extensions to the existing floor plate at fourth to seventh floor level plus infilling of an existing atrium/void. The proposal does not trigger a requirement to provide residential floorspace.

8.2 Townscape and Design

The proposed works are assessed against the National Planning Policy Framework (NPPF 2018), specifically chapter 16, policies S25 and S28 of the City Plan: Strategic Policies (2016), policies DES 1, DES 5, DES 6 and DES 9 of our Unitary Development Plan (2007).

No. 24 Carlton House Terrace was granted permission in 2016 for similar proposals, which included the removal of its mansard and the construction of a two-storey vertical addition. Whilst its design approach differs from the proposals at No. 20, it has similarities and a comparable height.

No. 20 dates from the 1970s and has a distinct well-ordered appearance which sits surprisingly comfortably within its historic setting. The existing mansard is to be replaced by a two-storey vertical extension which is set back 1.5m from the main building line. The extension consists of stone vertical and horizontal framing which echoes the composition of the host building. The glazed panels are set within deep reveals clad in aluminium. Overall the extension will have a charcoal finish to mimic the slate covered roofs of the area. Spandrel panels between the floors serve to break up the double height glazing and reinforce a horizontal expression of the building.

Whilst the additional storey will be more visible than the mansard, because of its set back position, deep glazing reveals and dark tone, it is considered to successfully complete the building, and unlikely to appear over prominent within its immediate context. In terms of wider townscape views the height is unlikely to be apparent from St James's Park, nor from most wider vantage points. The additional height is likely to be apparent from Waterloo Place, but not so prominent to detract from the grade I listed Institute of Directors.

Additional elevation alterations include reconfiguration of the front entrance resulting in a more symmetrical arranging. Proposals also seek to remodel the rear, introducing a modular tiered arrangement of extensions which take on a similar design approach to the roof addition which reflect more successfully the host building. Producing a modest amount of additional height and bulk, the rear extension is considered to relate successfully to the host building without a significant visual impact on views.

The proposals are considered acceptable on design and townscape grounds and recommended for approval subject to securing details of the materials and spandrel panels by condition.

8.3 Residential Amenity

Policies S29 of the Westminster City Plan and ENV13 of the UDP seek to protect the amenity of existing residents from the effects of new development.

Sunlight and Daylight

The applicant has submitted a daylight and sunlight report, which has assessed the impact of the proposed extensions on 1 Warwick House Street, 21-24 Cockspur Street, 20 Cockspur Street, 25-28 Cockspur Street, 18 Carlton House Terrace, 13-16 Carlton House Terrace and 24 Carlton House Terrace. There have been no objections received from the occupiers of these buildings.

1 Warwick House Street was formerly a public house but is in the process of being converted into a single-family dwelling house. The property is located to the north east of the application site. The approved layout (2016 – 16/06890/FULL) shows principal habitable rooms at ground and first floors; bedrooms, dressing rooms and ensuite rooms at second to fourth floors. The windows on the side elevation (facing the application site) serve ancillary spaces – ensuite bathrooms and dressing rooms. Most of the rooms are dual aspect with windows to the front and rear. There will be no material impact on daylight and sunlight to the occupiers of this building.

21-24 Cockspur Street is located to the north east of the application site. The basement and ground floors are in commercial use and the upper floors of the building are in residential use. Three windows in the upper mansard of this building will experience daylight losses marginally in excess of the BRE recommended standard (22.74%-24.2%) but none of these windows serve principal habitable rooms. These rooms will continue to receive a good level of sunlight.

20 Cockspur Street is located to the north of the application site. One bedroom window to flat at third floor level in this building will experience a loss of daylight marginally in excess of the BRE recommended guidelines (21.37%) but this is not a principal habitable room and this window (and windows to other rooms) in the building will continue to receive a good standard of sunlight.

16 and 18 Carlton House Terrace are large single family dwelling houses located to the south east of the application site. One or two windows in each of these large houses will experience a loss of daylight in excess of the BRE recommended standards but these are windows where daylight levels are already compromised by the projecting balconies and portico entrances on these buildings. There will be no impact on sunlight to windows in these houses.

The principal habitable rooms to the flats in 24 Carlton House Terrace have good size windows and balconies which look out across Waterloo Gardens. There are minor daylight losses to kitchen and bedroom windows (20.09 – 23.95%) in the rear elevation

which look out on to the podium garden towards the application building. There is no material loss of sunlight to these windows.

Nos. 13 and 14-15 Carlton House Terrace and 25 Cockspur Street experience no loss of daylight or sunlight.

Sense of Enclosure

The main changes to the profile and massing of the building are to the rear of the building, facing Warwick House Street.

The distance between the rear façade of the application building and the rear of Nos. 17-19 Warwick House Street (tourist office on basement and ground floors with offices above) and 14-16 Cockspur Street (Embassy of Brazil) varies between 8m - 9m. Slightly further away, on the corner of Cockspur Street and Warwick House Street is 20 Cockspur Street, a five-storey building with residential flats on the upper floors.

The proposed extensions at rear fourth to sixth floor levels involve the infilling of existing flat roof areas at these levels and do not extend the existing building line forward. The new seventh floor steps back 1.5m at this point and the eighth floor is stepped back above this. Whilst the additional bulk will be visible from the upper floors of adjoining buildings on Warwick House Street it is not considered that this will cause a significant increased sense of enclosure to the occupiers of these buildings.

Privacy

New terraces are created at new seventh and eighth floor levels of the building fronting onto Warwick House Street. The proposed terraces would be set back from the edge of the main building line fronting Warwick House Street, by approximately 1.5m.

Due to the commercial nature of the buildings on Warwick House Street and the distance 20 Cockspur Street (nearest residential building) is located from the application building, it is not considered that the terraces would cause a loss of privacy to the occupiers of adjoining buildings. However, in order to mitigate any potential harm to the amenity of neighbours, conditions are recommended to control the hours of use of the terraces and to ensure no amplified or audible music is played on these external roof areas.

8.4 Transportation/Parking

Car Parking

There is an existing four level basement car park, which is accessed from Cockspur Court, a two-way private road accessible from Spring Gardens. The car park is operated independently from the offices by 'Q Park' and has a total of 205 public car parking spaces. In addition to the public car parking spaces provided there are various leases on the remaining car parking spaces.

The existing offices have a lease on 15 car parking spaces within basement level 3. It is proposed to convert 11 of these car parking spaces to accommodate 110 cycle spaces.

The proposed loss of the 11 car parking spaces is acceptable in the context of Policy TRANS 21. The Highways Planning Manager does not consider that the loss of 11 car parking spaces would have a significant impact on on-street car parking in the area.

Cycle Parking

The provision of 110 cycle spaces is more than sufficient to meet the uplift in office floorspace and together with the provision of changing rooms and showers, is welcomed in terms of encouraging sustainable forms of transport.

Servicing

The building has no off-street servicing. The site is located within a Controlled Parking Zone, which means single and double yellow lines in the vicinity allow loading and unloading to occur. The servicing requirements of this office building are unlikely to change significantly as a result of the proposed development. The largest regular service vehicle expected is the refuse collection vehicle. The Highways Planning Manager does not therefore consider that the proposed extensions will lead to an adverse impact on the surrounding public highway.

8.5 Economic Considerations

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

8.6 Access

There are no changes to the existing access arrangements into the building.

8.7 Other UDP/Westminster Policy Considerations

Sustainability

The scheme incorporates a range of sustainable and energy efficiency measures:- replacement of all existing windows to enhance thermal performance, optimise glazing performance balancing daylight hours with solar gain, high efficiency gas boilers and electric chillers, efficient LED lighting and air handling plant with low specific fan powers and heat recovery. The proposal achieves an 8% carbon reduction, which falls short of the London Plan target of 35%, but this is because the building is being refurbished rather than new build. The applicant has undertaken a BREEAM assessment, which confirms that the site proposal will achieve a rating of 62.7% (Very Good).

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the

NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 London Plan

This application raises no strategic issues.

8.10 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

The application proposals do not involve the imposition of a pre-commencement conditions.

8.11 Planning Obligations

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

The estimated Mayoral CIL is £208,625.11 and the WCC CIL is £686,692.25. The total CIL payment is estimated at £895,317.36.

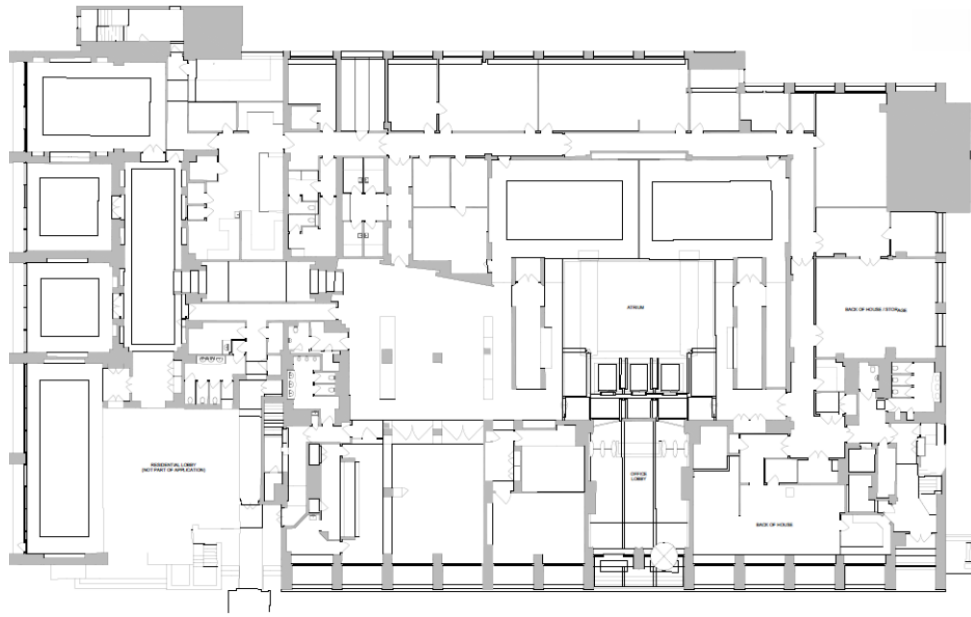
8.12 Environmental Impact Assessment

Not required for a scheme of this scale.

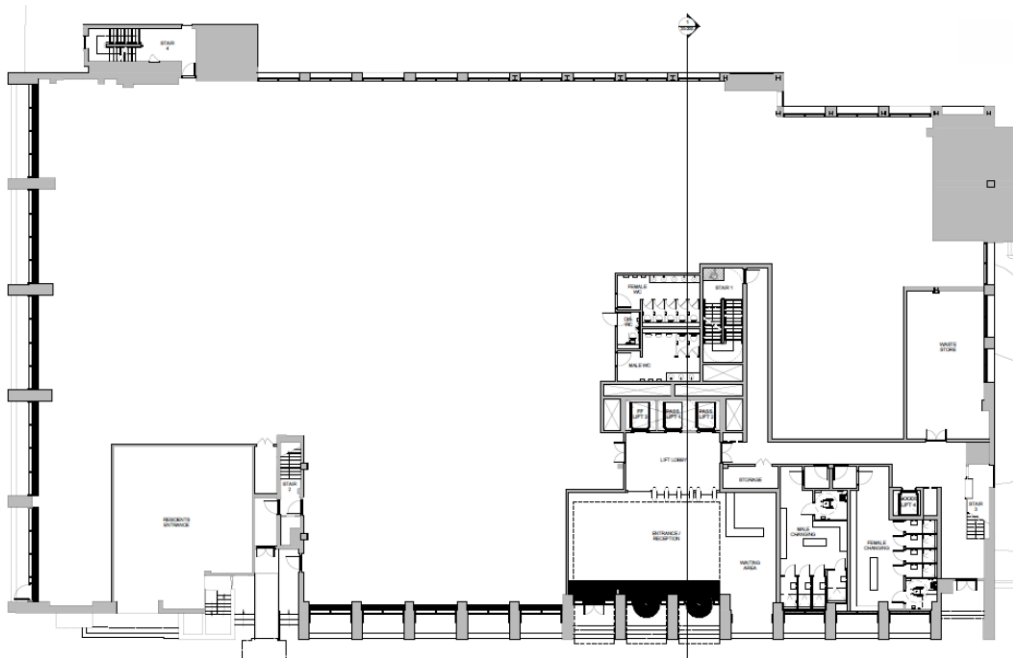
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: AMANDA JACKSON BY EMAIL AT AJACKSON@WESTMINSTER.GOV.UK.

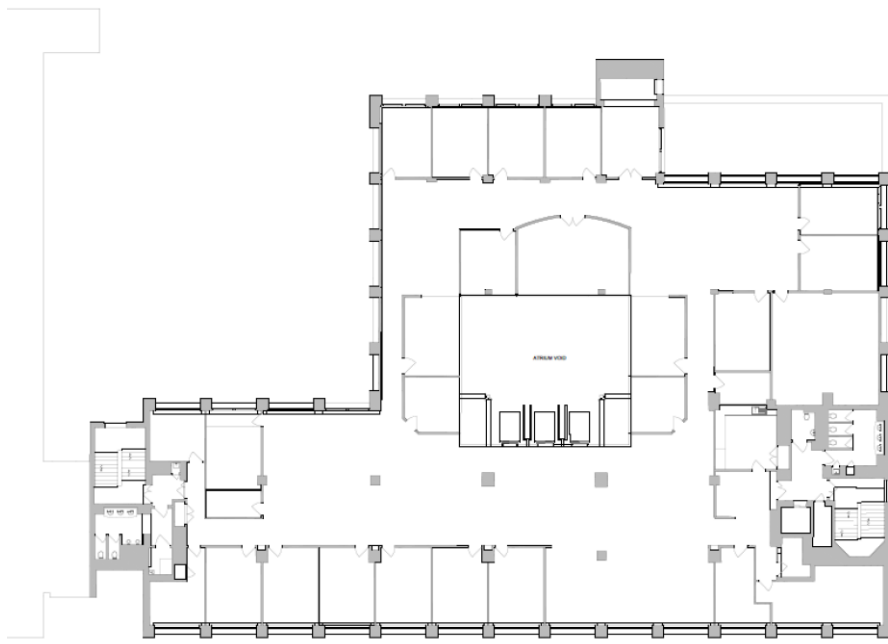
9. KEY DRAWINGS



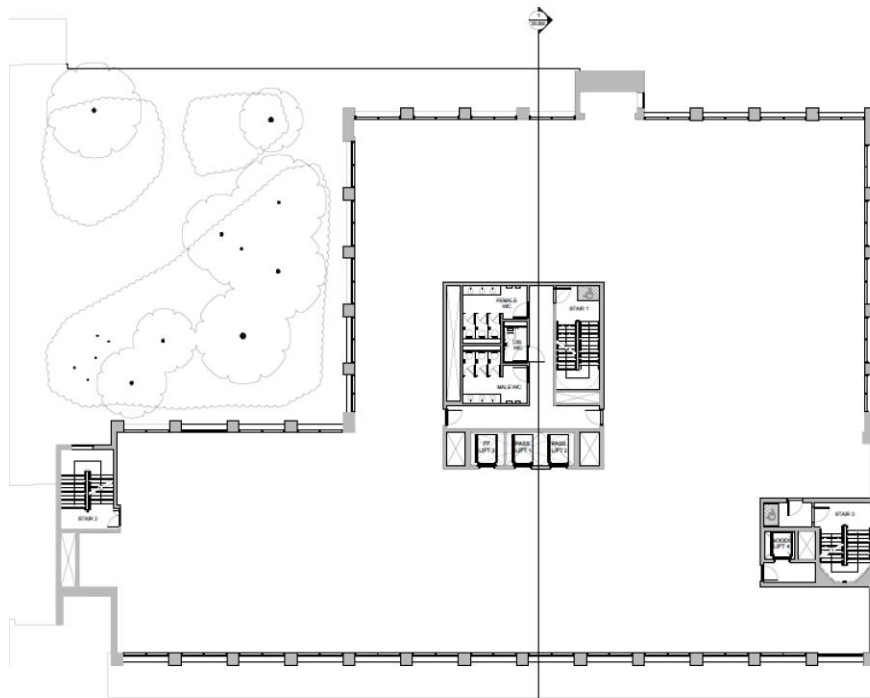
Existing ground floor



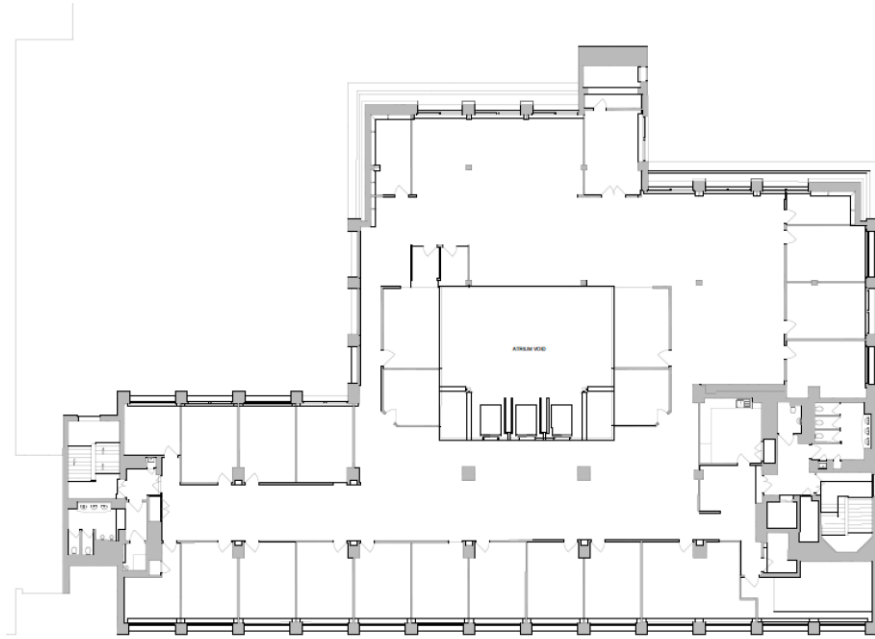
Proposed ground floor



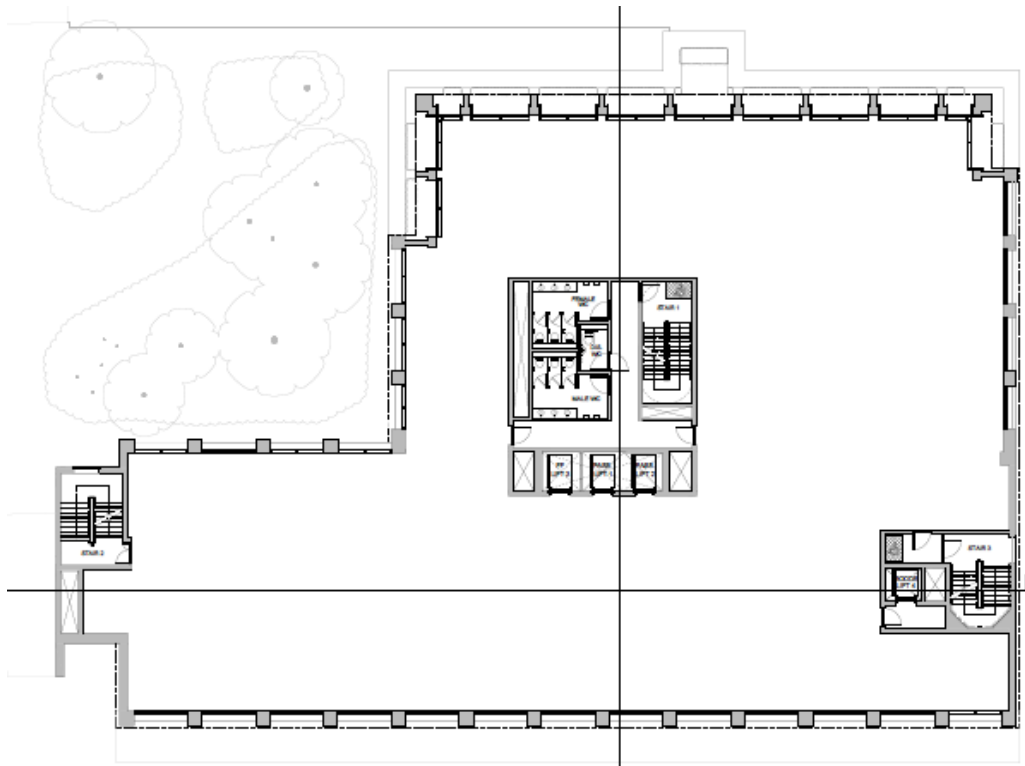
Existing fourth floor



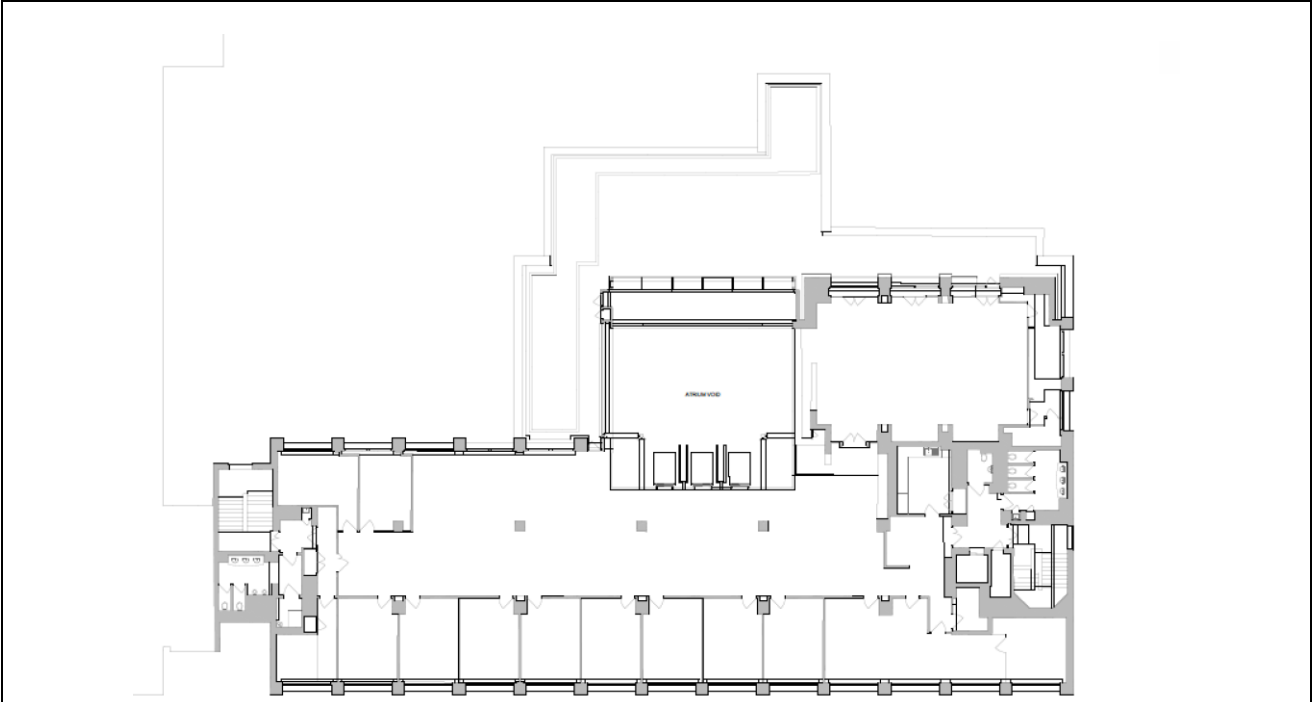
Proposed fourth floor



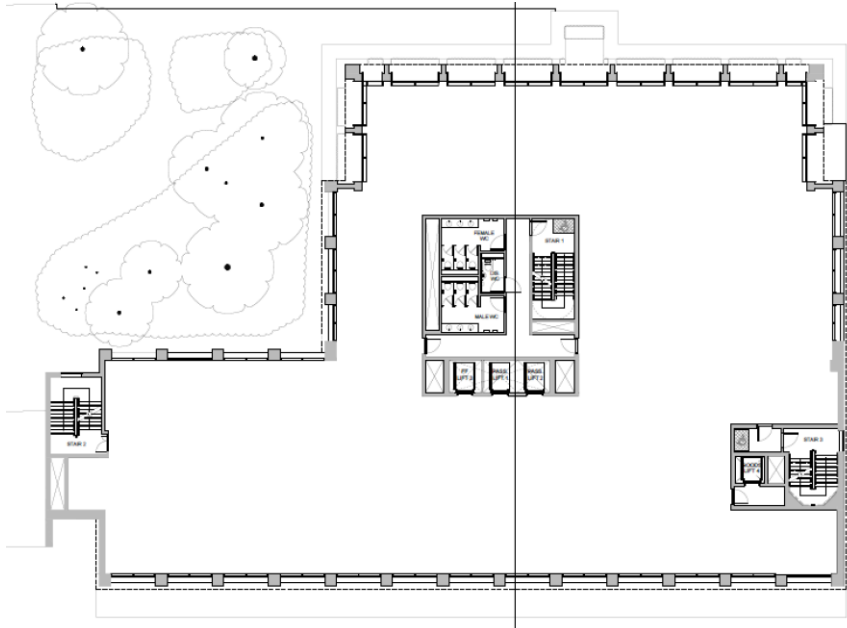
Existing fifth floor



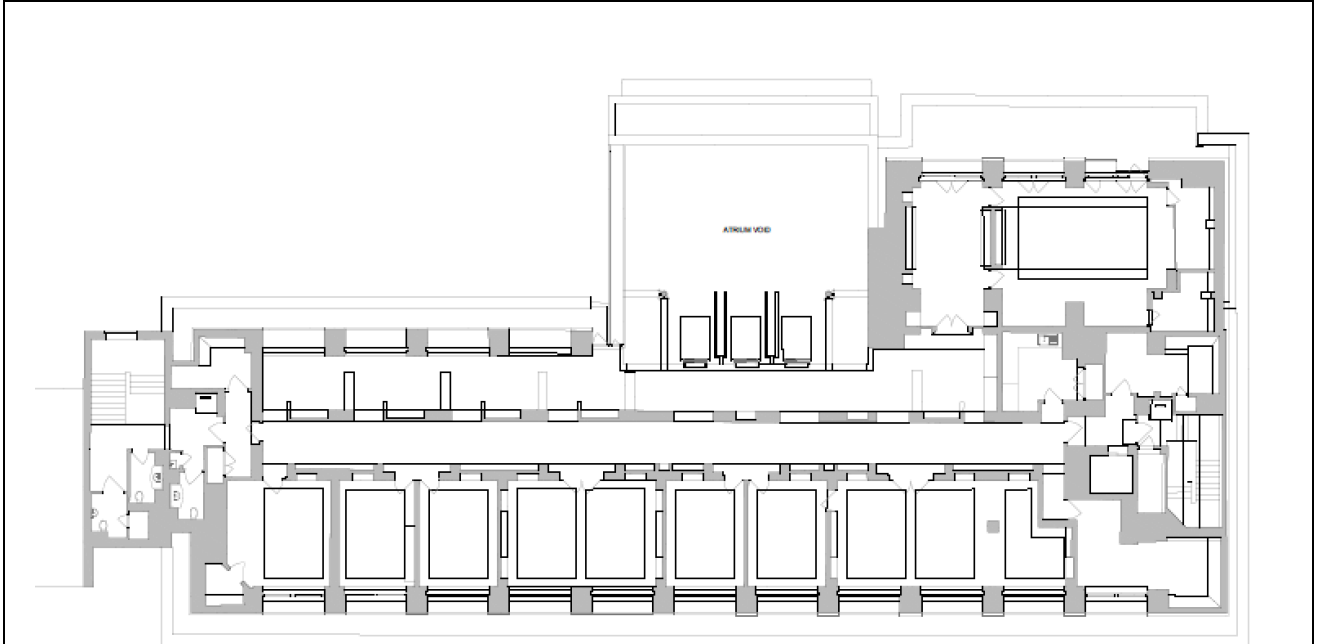
Proposed fifth floor



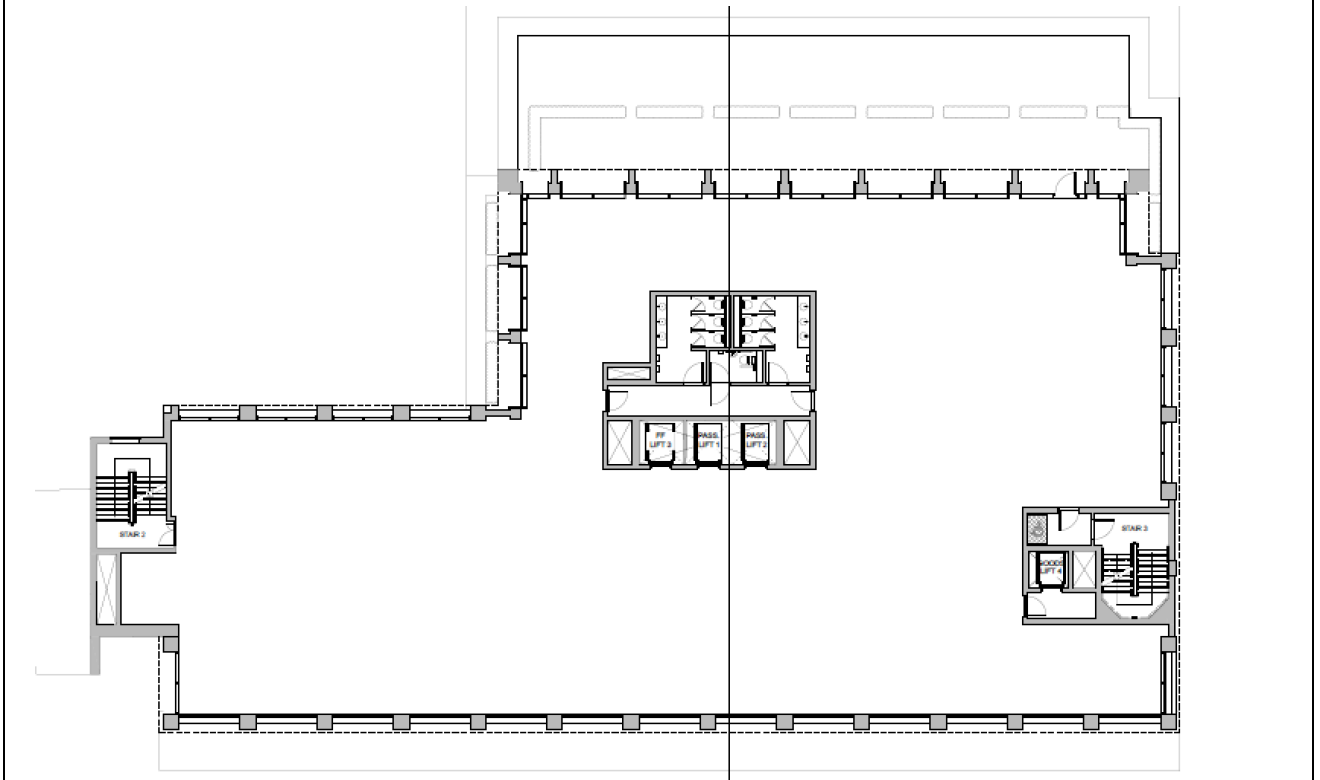
Existing sixth floor



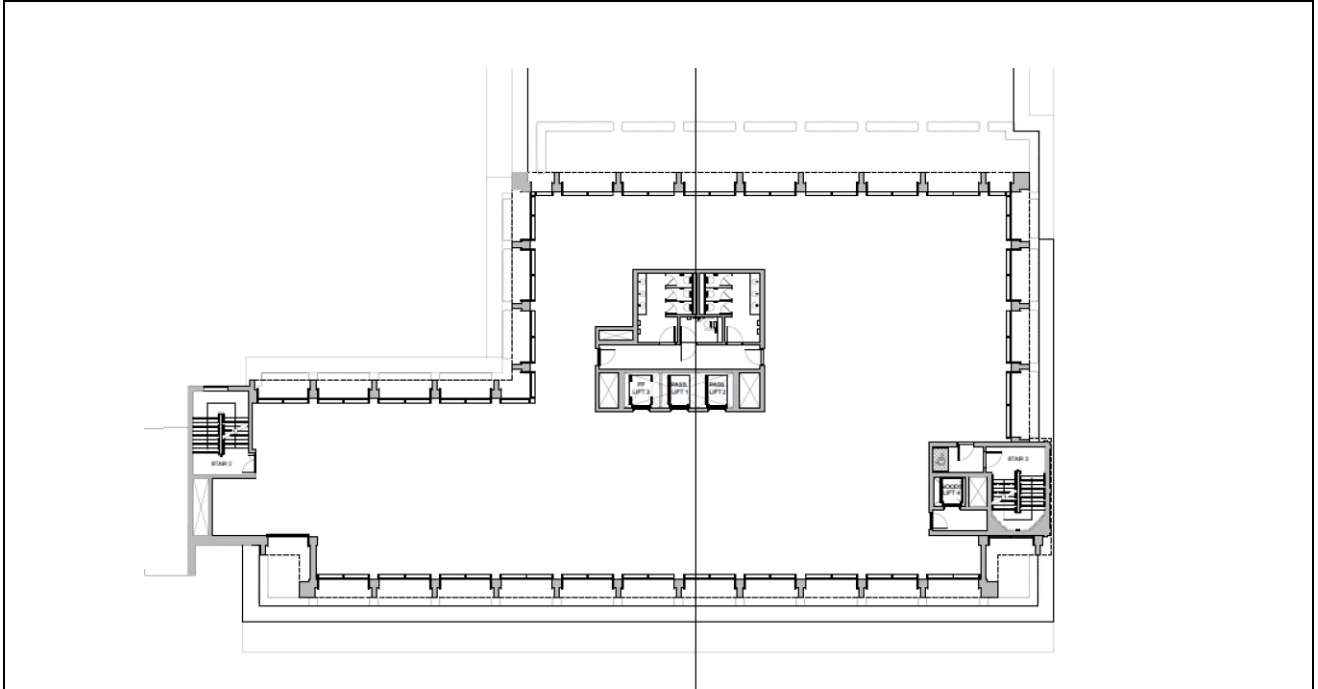
Proposed sixth floor



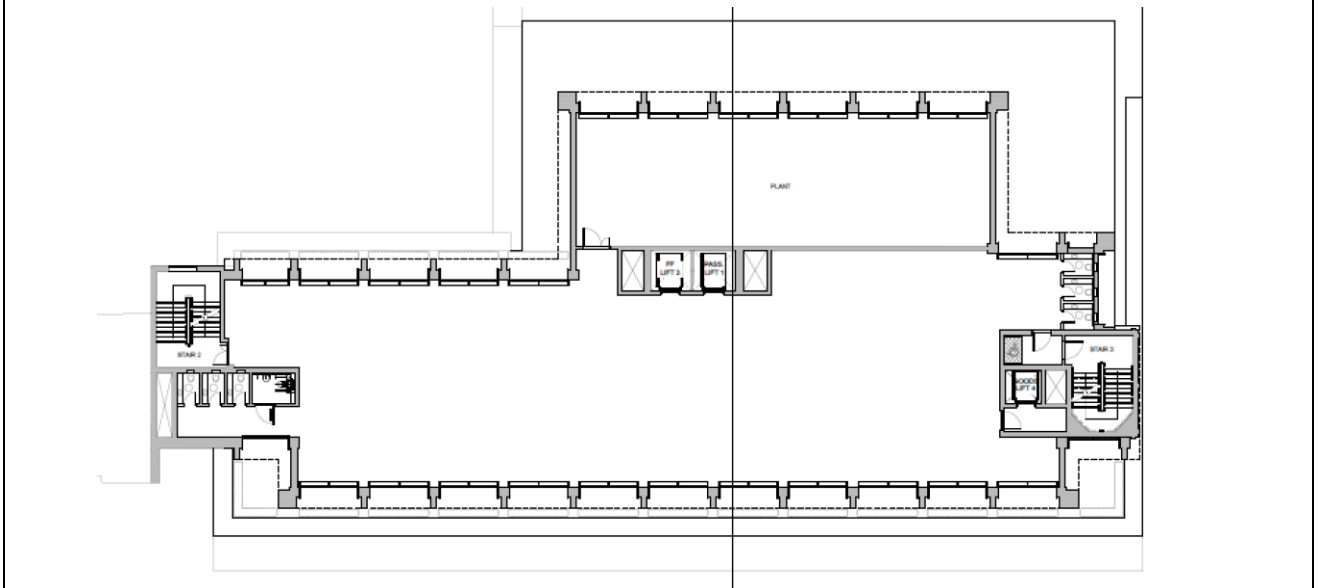
Existing seventh floor



Proposed seventh floor



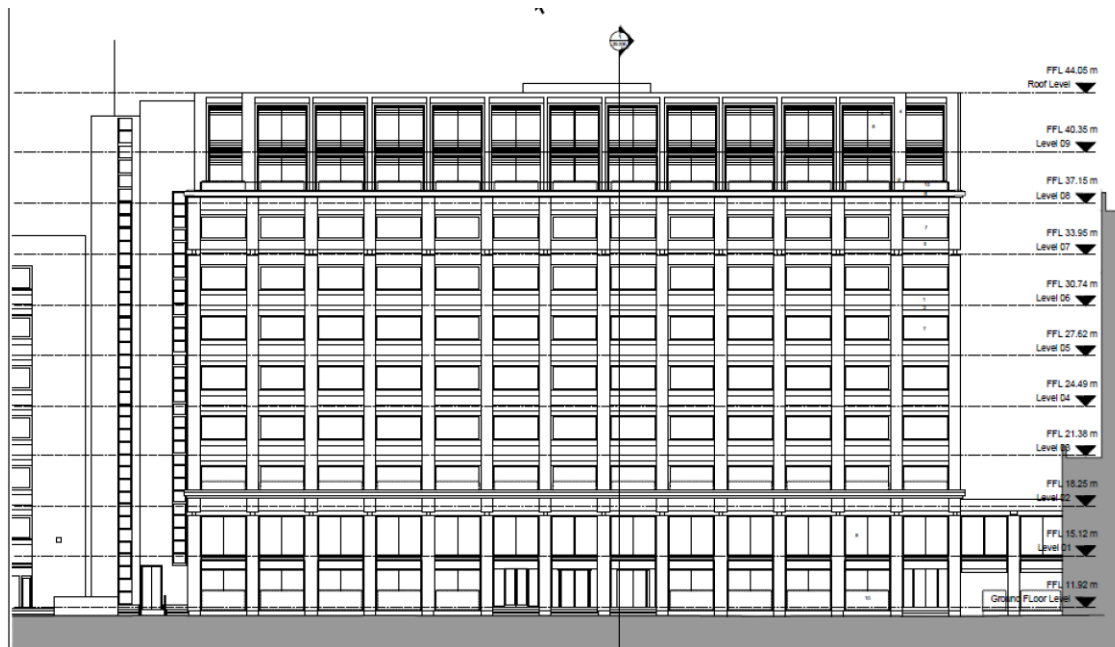
Proposed eighth floor



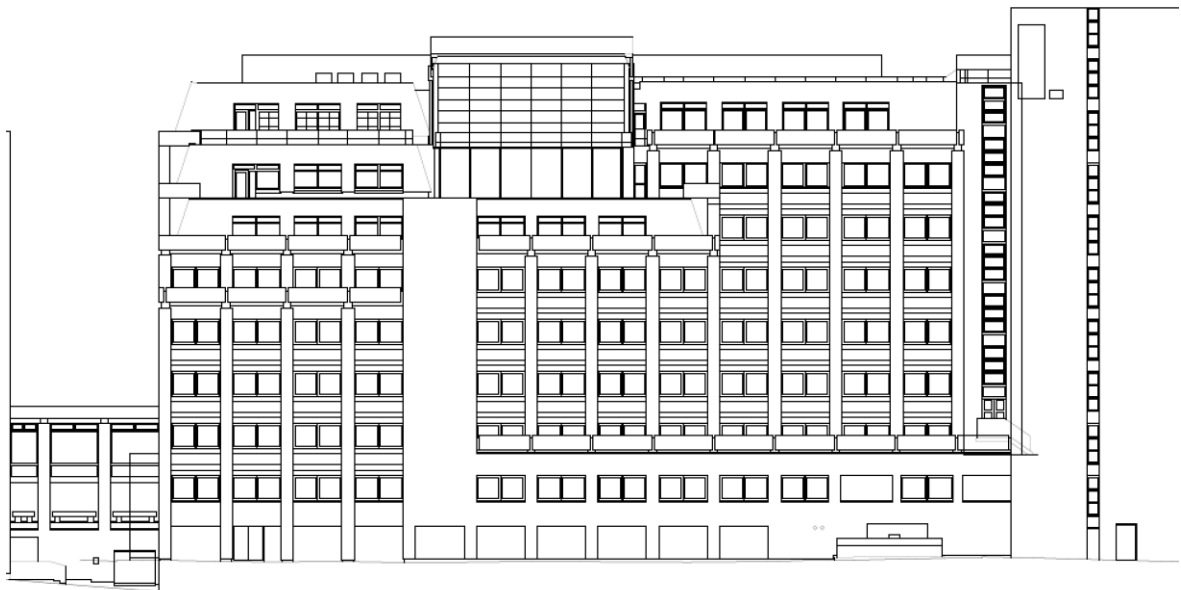
Proposed ninth floor



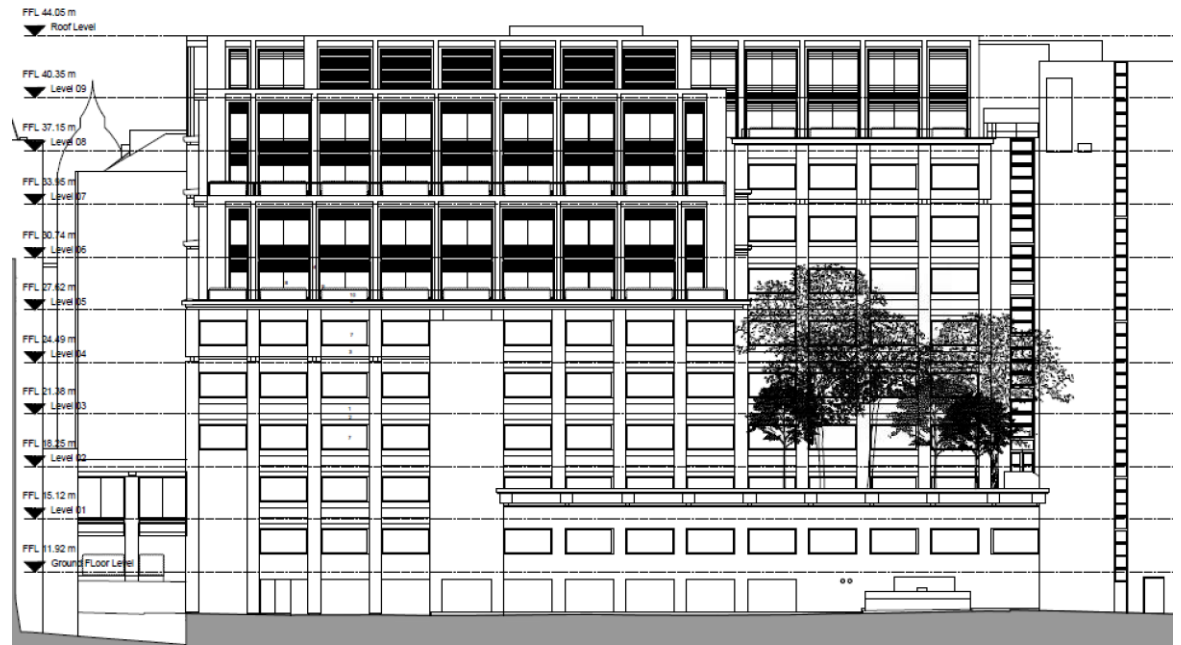
Existing south elevation



Proposed south elevation



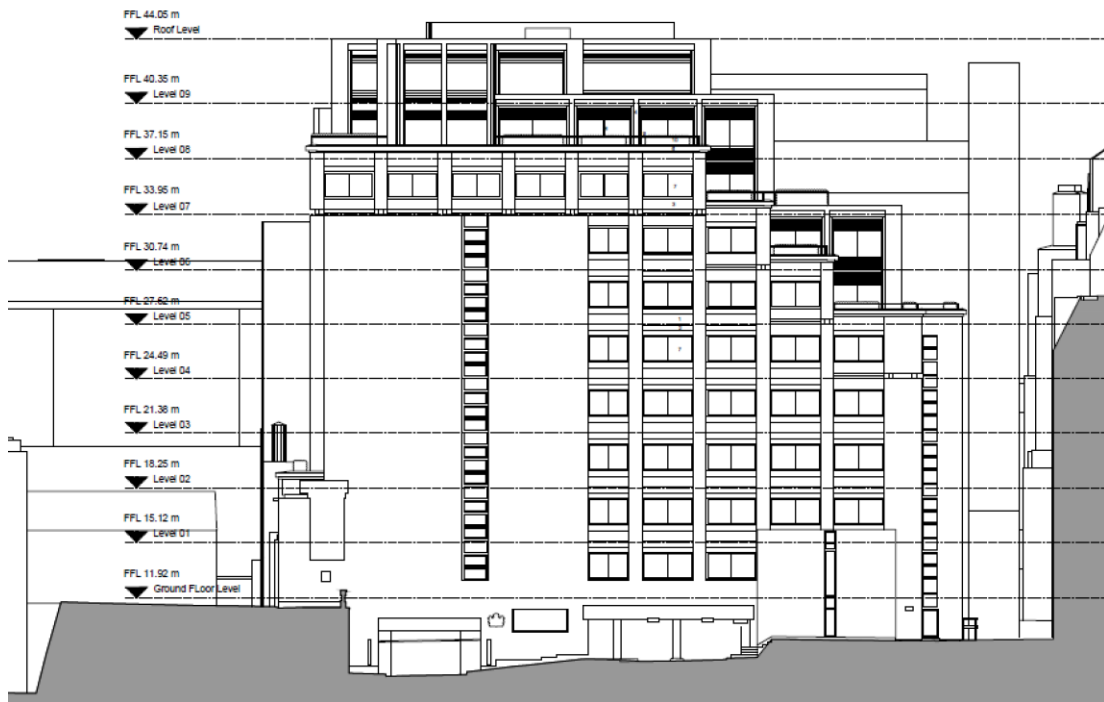
Existing north elevation



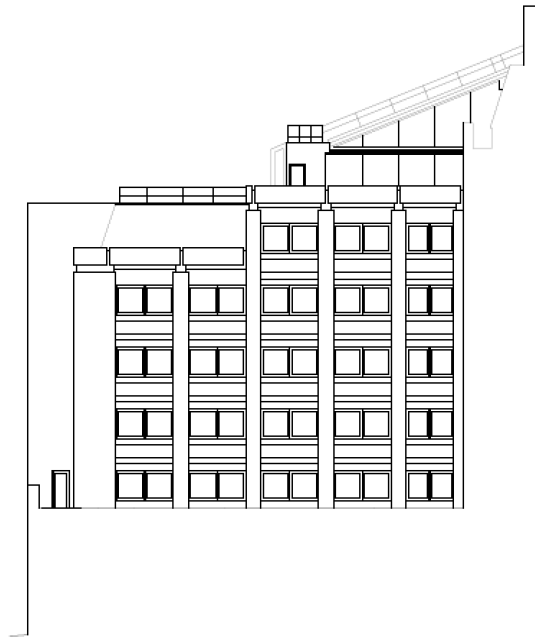
Proposed north elevation



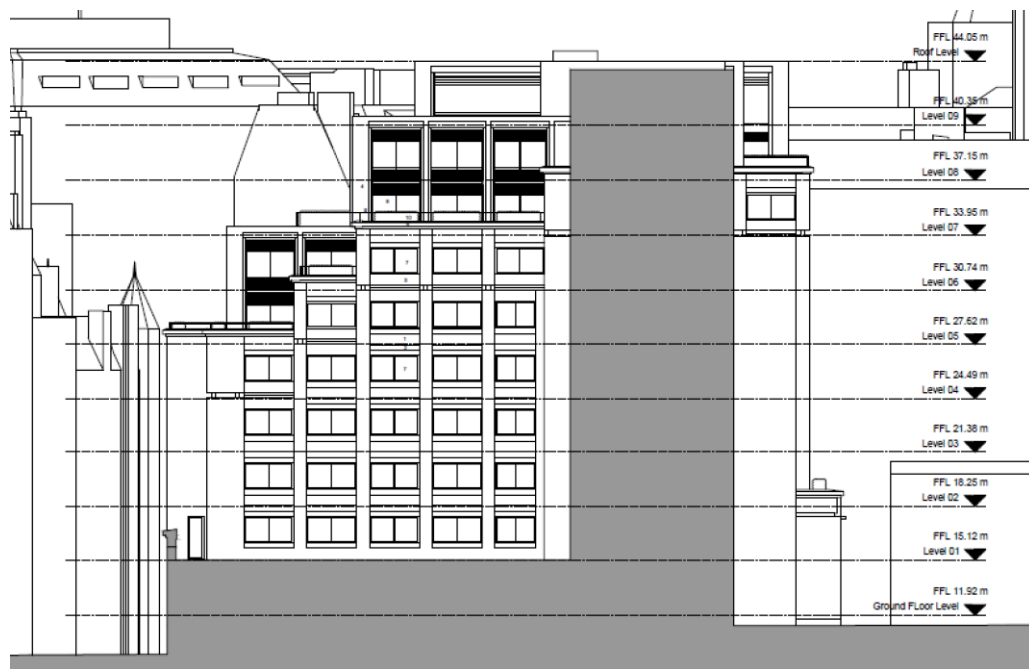
Existing east elevation



Proposed east elevation



Existing west elevation



Proposed west elevation

DRAFT DECISION LETTER

Address: 20 Carlton House Terrace, London, SW1Y 5AN

Proposal: Demolition of existing mansard roof and roof level plant and construction of three floors at roof level (one additional floor) with extensions at fourth, fifth and sixth floor levels for additional office (Class B1) floorspace. Alterations to the existing building including new windows and entrance, new terraces on seventh and eighth floor levels, new plant enclosure at ninth floor level, car and cycle parking at basement level three and associated works.

Reference: 18/10412/FULL

Plan Nos: CHT-SRA-XX-ZZ-DR-A-00-001 Rev. 1, CHT-SRA-XX-ZZ-DR-A-00-002 Rev. 1, CHT-SRA-XX-ZZ-DR-A-00-010 Rev. 1, CHT-SRA-XX-B1-DR-B-20-099 Rev. 1, CHT-SRA-XX-B1-DR-A-20-099 Rev. 1, CHT-SRA-XX-B2-DR-B-20-098 Rev. 1, CHT-SRA-XX-B2-DR-A-20-098 Rev. 1, CHT-SRA-XX-00-DR-B-20-100 Rev. 1, CHT-SRA-XX-00-DR-A-20-120, CHT-SRA-XX-00-DR-A-20-100 Rev. 1, CHT-SRA-XX-01-DR-B-20-101 Rev. 1, CHT-SRA-XX-01-DR-A-20-121, CHT-SRA-XX-01-DR-A-20-101 Rev. 1, CHT-SRA-XX-02-DR-B-20-102 Rev. 1, CHT-SRA-XX-02-DR-B-20-122, CHT-SRA-XX-02-DR-A-20-102 Rev. 1, CHT-SRA-XX-03-DR-B-20-103 Rev. 1, CHT-SRA-XX-03-DR-A-20-123, CHT-SRA-XX-03-DR-A-20-103 Rev. 1, CHT-SRA-XX-04-DR-B-20-10 Rev. 1, CHT-SRA-XX-04-DR-B-20-124, CHT-SRA-XX-04-DR-B-20-104 Rev. 1, CHT-SRA-XX-05-DR-B-20-105 Rev. 1, CHT-SRA-XX-05-DR-B-20-125, CHT-SRA-XX-05-DR-A-20-105 Rev. 1, CHT-SRA-XX-06-DR-B-20-106 Rev. 1, CHT-SRA-XX-06-DR-A-20-126, CHT-SRA-XX-00-DR-A-20-106 Rev. 1, CHT-SRA-XX-07-DR-B-20-107 Rev. 1, CHT-SRA-XX-07-DR-A-20-127, CHT-SRA-XX-07-DR-A-20-107 Rev. 1, CHT-SRA-XX-RF-DR-B-20-108 Rev. 1, CHT-SRA-XX-RF-DR-A-20-128, CHT-SRA-XX-08-DR-A-20-108 Rev. 1, CHT-SRA-XX-09-DR-A-20-109 Rev. 1, CHT-SRA-XX-RF-DR-A-20-110 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-300 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-320, CHT-SRA-XX-ZZ-DR-A-20-300 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-301 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-321, CHT-SRA-XX-ZZ-DR-A-20-301 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-302 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-322, CHT-SRA-XX-ZZ-DR-A-20-302 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-303 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-323, CHT-SRA-XX-ZZ-DR-A-20-303 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-200 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-201 Rev. 1, CHT-SRA-XX-ZZ-DR-B-20-201 Rev. 1, CHT-SRA-XX-ZZ-DR-A-20-200, Noise Assessment Report Rev. 02 dated 03/11/2018, Daylight and Sunlight Report dated 30.11.18, Energy and Sustainability Strategy dated 30.11.18, Planning Statement dated 30.11.2018 and Transport Statement dated 30.11.2018. For information purposes: Design and Access Statement dated November 2018 and Townscape and Heritage and Visual Impact Assessment dated 30.11.2018.

Case Officer: Zulekha Hosenally

Direct Tel. No. 020 7641 2511

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

o between 08.00 and 18.00 Monday to Friday; and
o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St James's 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 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 work on the relevant part of the development until we have approved in writing what

you have sent us. You must then carry out the work using the approved materials. (C26BD)

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 St James's 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 detailed drawings of the following parts of the development:

- i) Detailed elevation and section drawings of the roof extension (a typical bay);
- ii) Detailed elevation and section drawings of the rear extension (a typical bay); and
- iii) Drawings showing the detailed design of the spandrel panels, including materials.

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 detailed 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 St James's 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 not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace, except those shown on 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 St James's 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 (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 L A90, 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)

- 8 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)

- 9 You must apply to us for approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria as set out in Condition(s) 6 and 7 of this permission. You must not start work on this part of the development until we have approved what you have sent us.

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. (R51AB)

- 10 The use of the seventh and eighth floor terrace areas hereby approved shall take place only between the hours of 0800 hours to 2100 hours Monday to Friday and not at all on Saturdays, Sundays and Bank Holidays unless otherwise agreed in writing with the City Council as local planning authority. You can however use the terraces to escape in an emergency or for access for maintenance purposes.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 11 No amplified music or sound shall be played at any time on the seventh and eighth floor terrace areas.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R13EC)

- 12 You must provide the office cycle storage space shown on the approved drawing; CHT-SRA-XX-B2-DR-A-20-098 Rev. 1 prior to occupation. Thereafter the cycle spaces within the storage area must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

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 2016 (R22FA)

- 13 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 office use. (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)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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.

- 4 The development for which planning permission has been granted has been identified as potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at: www.westminster.gov.uk/cil Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**. CIL forms are available from the planning on the planning portal: <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil> Forms can be submitted to CIL@Westminster.gov.uk
Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.
- 5 You will have to apply separately for a licence for any structure that overhangs the road or pavement. For more advice, please phone our Highways section on 020 7641 2642. (I10AA)
- 6 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
- * Window cleaning - where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria - design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting - ensure luminaires can be safely accessed for replacement.
 - * Roof plant - provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).
- More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.
- Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)
- 7 Fractures and ruptures can cause burst water mains, low water pressure or sewer flooding. You are advised to consult with Thames Water on the piling methods and foundation design to be employed with this development in order to help minimise the potential risk to their network. Please contact: Thames Water Utilities Ltd, Development Planning, Maple Lodge STW, Denham Way, Rickmansworth, Hertfordshire, WD3 9SQ, Tel: 01923 898072, Email: Devcon.Team@thameswater.co.uk

- 8 When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work. Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP
Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

- 9 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

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Agenda Item 2

Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 26 March 2019	Classification For General Release	
Report of Executive Director Growth Planning and Housing		Ward(s) involved Westbourne	
Subject of Report	34 Aldridge Road Villas, London, W11 1BW		
Proposal	Erection of single storey rear extension at lower ground floor level and alterations to fenestration at rear ground floor level.		
Agent	Newman Zieglmeier		
On behalf of	Mimi Pakenham		
Registered Number	18/09126/FULL	Date amended/ completed	25 October 2018
Date Application Received	25 October 2018		
Historic Building Grade	Unlisted		
Conservation Area	Aldridge Road Villas and Leamington Road Villas		

1. RECOMMENDATION

Grant condition permission.

2. SUMMARY

<p>This application relates to an end of terrace single-family dwellinghouse located within the Aldridge Road Villas and Leamington Road Villas Conservation Area. Permission is sought for the erection of a rear extension at lower ground floor level that projects 4.56m from the original rear elevation. The extension has been partially constructed on site and therefore the current application is partially retrospective.</p> <p>Planning permission was previously granted in August 2017 (RN: 17/05558/FULL) for a similarly detailed lower ground floor extension, which extended 3.5m from the original rear elevation. Prior to that permission was refused in June 2017 (RN: 17/03197/FULL) for a similarly detailed rear extension that would have projected 5.0m from the original rear elevation with a roof terrace above at ground floor level. This permission was refused on design and amenity grounds, as set out in Section 6.2 of this report.</p> <p>Objections have been raised in relation to the design and scale of the extension and on amenity grounds in terms of the impact of the extension on light reaching neighbouring windows and the</p>

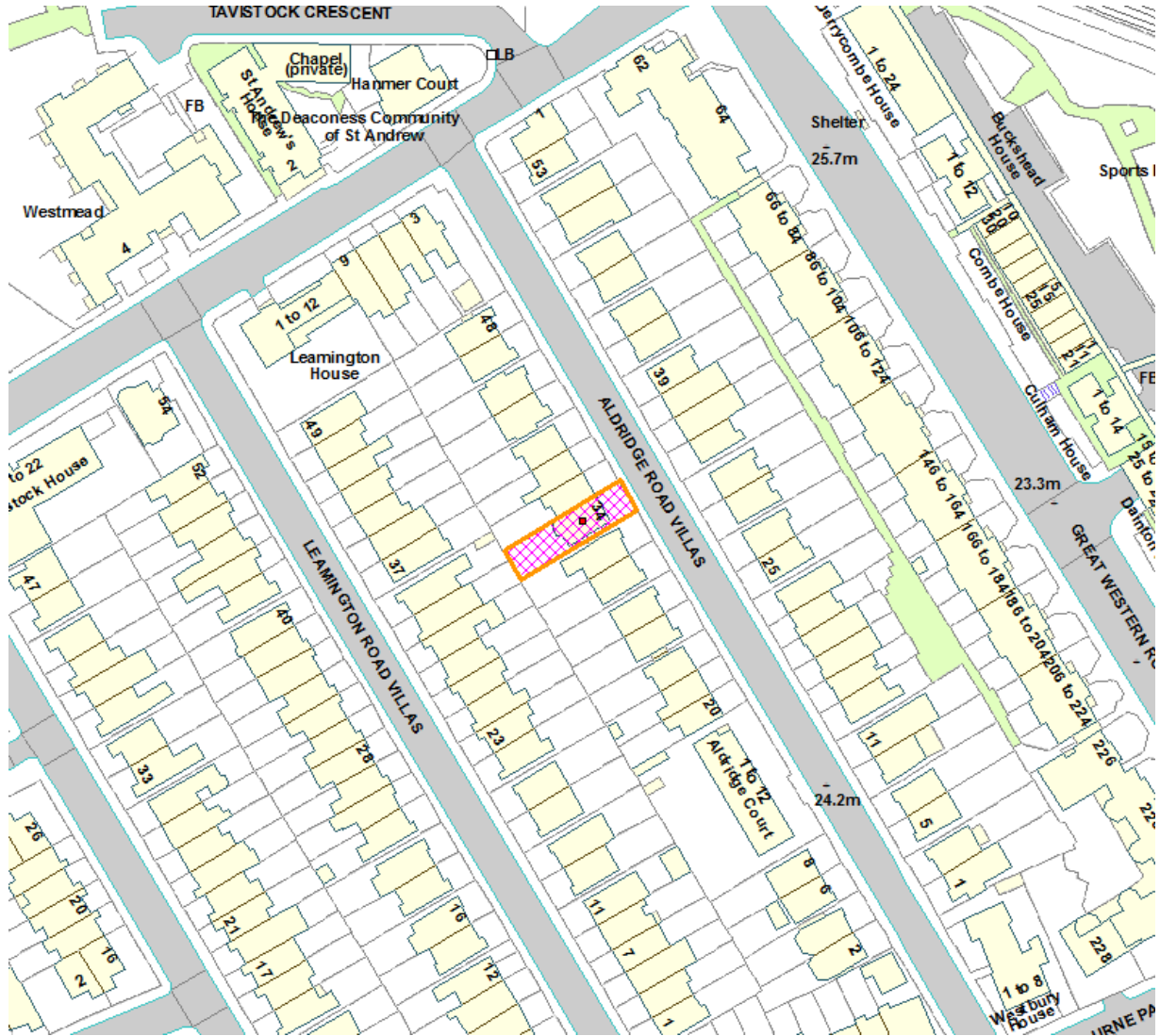
degree to which it would cause an increased sense of enclosure. Concern has also been expressed that the development being carried out not in compliance with the previous planning permission.

The key issues in this case are:

- The impact of the development on the appearance of the building and the character and appearance of the Aldridge Road Villas and Leamington Road Villas Conservation Area.
- The impact on the amenity of neighbouring occupiers.

Despite the objections raised, and subject to the recommended conditions as set out in the draft decision letter, it is considered that the proposed development is acceptable in design and conservation and amenity terms and would accord with the relevant policies in the Unitary Development Plan adopted in January 2007 ('the UDP') and Westminster's City Plan adopted in November 2016 ('the City Plan'). As such, the application is recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (top) and pre-existing rear elevation (bottom).



Existing rear elevation.

5. CONSULTATIONS

WARD COUNCILLORS (WESTBOURNE)

Any response to be reported verbally.

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

NOTTING HILL EAST NEIGHBOURHOOD FORUM

Object on grounds that the extension is overdevelopment and overcrowding; loss of garden, loss of privacy, energy consumptive, loss of greening and un-neighbourly; if everybody did this what will be left of the rear of properties.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 15.

Total No. of replies: 5.

No. of objections: 2.

No. in support: 3.

Two representations received raising objection on all or some of the following grounds:

Design

- The extension is poorly designed and excessive in size.

Amenity

- The extension is an oppressive and overbearing structure abutting neighbour's private rear amenity space.
- Ground floor French doors above the extension should be inward opening with a balustrade in front of them as per the previously approved scheme to prevent access onto the flat roof.

Other Matters

- The additional projection was unacceptable in 2017 and there has been no policy change since.
- It would not be credible to approve what was so recently refused merely because the applicant built it anyway; enforcement action should be taken.
- Cannot understand how the Council could allow people to build beyond their planning permission; it would encourage others to do it and make a mockery of the entire planning process.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site is an unlisted end-of terrace property in use as a single-family dwellinghouse located on the western side of Aldridge Road Villas within the Aldridge Road Villas and Leamington Road Villas Conservation Area.

The current application relates to the ground and lower ground floors. The rear extension that is the subject of this application has been partially built at lower ground floor level, although work on the extension has ceased following the opening of a planning enforcement investigation and pending the outcome of this application. At ground floor level French doors have been inserted into the bay window, but these open outward, rather than inward as shown in the application and in the scheme previously approved in August 2017 (see Section 6.2).

Prior to the currently unauthorised extension being partially built, the lower ground floor of the property had a bay window to the rear elevation as per the bay that remains at ground floor level. This bay window had a projection of 0.95m from the main rear wall before the chamfer and the maximum depth had been 2.1m. The boundary with No.36 comprises a boundary wall with a trellis above, which measures 2.5m in height when measured from ground level on the application site.

6.2 Recent Relevant History

17/05558/FULL

Erection of single storey rear extension at lower ground floor level and alterations to fenestration at rear ground floor level.

Application Permitted 11 August 2017

The extension permitted under the 11 August 2017 permission projected 3.5m from the original rear wall of the dwellinghouse but was otherwise consistent with the currently proposed extension in terms of its height and detailed design. The French doors at ground floor level are identical to those proposed in the current application.

17/03197/FULL

Erection of rear single storey extension at ground floor to enlarge single-family dwelling.

Application Refused 6 June 2017

The extension refused as part of this application projected 5.0m into the rear garden from the original rear elevation and had a roof terrace above at ground floor level. The application was refused for the following reasons:

- 1. Because of its size and design, the extension to rear lower ground floor level and including its integral external staircase structure would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Aldridge Road Villas and Leamington Road Villas Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 5, DES 9, DES 1 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.*
- 2. The proposed roof terrace would lead to an unacceptable loss of privacy for people in neighbouring properties and increased general disturbance This would not meet*

S29 of Westminster's City Plan (November 2016) and ENV6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

3. *Because of its projection into the garden, height and proximity to the garden boundary wall, the proposed extension would have an un-neighbourly impact on the amenity of the neighbouring occupiers of No.36 Aldridge Road Villas in terms of causing an increased sense of enclosure to the rear patio doors at lower ground floor level. This would not meet S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007.*

86/02332/FULL

Replacement of rear extension at basement, ground, first and second floor levels for residential use.

Application Permitted 25 September 1986

7. THE PROPOSAL

Planning permission is sought for the erection of a rear extension at lower ground floor level that projects 4.56m from the original rear elevation. The extension has been partially constructed on site and therefore the current application is partially retrospective.

The proposed extension is full width and projects 4.56m when measured from the original rear wall of the house. Including the height of the roof edge parapet, the extension would be 3.1m in height when complete. The extension has replaced a large bay window at lower ground floor level which projected 2.1m from the original rear wall of the house.

The current application also includes the proposed insertion of French doors into the bay at rear ground floor level. The submitted drawings show the doors to be inward opening and with railings in front of them to prevent access to the flat roof of the extension.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The provision of additional floorspace to enlarge the existing dwellinghouse accords with Policy H3 of the UDP and Policy S14 in the City Plan and is therefore acceptable in land use terms.

8.2 Townscape and Design

The extension would be finished in brickwork within which three sets of French doors are proposed, each with sub-divided glazing. The detailed design proposed is consistent with the scheme previously approved in August 2017 and is considered to be acceptable in design terms.

In terms of the bulk and projection of the extension of the original rear wall of the house, this has increased from 3.5m, as approved in August 2017, to 4.56m in the current

application (an increase of 1.06m). Whilst this is only 0.46m shallower than the 5.0m extension scheme refused in June 2017, in design terms the marginal reduction in the projection of the extension is sufficient to ensure that it would not extend further into the rear garden than the half width extension to the rear of the immediately adjoining property to the south at No.32 Aldridge Road Villas. Furthermore, as identified by the applicant in the submitted Design and Access Statement, there is no consistent pattern of development to the rear of properties in the same terrace, such that the currently proposed extension would not deviate or undermine an established or emerging pattern of development. Given these considerations, it is not considered in design terms that the depth and bulk of the proposed extension would result in material harm to the appearance of the building or the conservation area.

The proposed French doors and railings proposed at rear ground floor level would not harm the appearance of the building or the character or appearance of the conservation area and are identical to the doors approved in the August 2017 scheme.

In summary, in design terms on balance the proposed development is considered to be acceptable and would accord with Policies DES 1, DES 5 and DES 9 in the UDP and Policies S25 and S28 in the City Plan.

8.3 Residential Amenity

Policies S29 in the City Plan and ENV13 in the UDP relate to protecting amenities, daylight and sunlight, and environmental quality. Part (D) of ENV13 states that the City Council will resist proposals, which result in a material loss of daylight/sunlight, particularly to existing dwellings. Part (E) of ENV13 goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly to gardens, public open space or on adjoining buildings, whether in residential or public use.

The neighbouring property at No.32 Aldridge Road Villas has an existing half width extension at lower ground floor level which projects further than that at No.34 Aldridge Road Villas and consequently it is not considered that there would be a harmful amenity impact on the occupiers of this neighbouring property in terms of sense of enclosure, loss of daylight or sunlight or loss of privacy.

The proposed extension, which has been partially built to date, has been erected immediately adjacent to the boundary with the neighbouring property at No.36 Aldridge Road Villas. Consequently, it does have an impact on the amenity of the occupiers of this neighbouring property in terms of increased enclosure and loss of daylight and sunlight.

The height of the existing wall with trellis above measures 2.5m from the ground level in the garden of the application site. The height of the extension, when the roof has been completed, would be 3.1m. This would be 0.6m higher than the existing wall and trellis.

The most significantly affected room within the adjoining property at No.36 would be the kitchen at lower ground floor. The proposed extension would result in some daylight and sunlight loss to the doors serving the kitchen at No.36. However, the kitchen is a dual aspect room; with windows to the front elevation. Given this, and as No.36 is in use as a

single dwellinghouse, where all other windows serving habitable rooms would not be materially affected, it is not considered that proportionately the impact on the daylight and sunlight reaching the internal accommodation at No.36 would be so significant so as to warrant withholding permission.

With regard to increased sense of enclosure, whilst the proposed extension would be visible in some views from within the kitchen of No.36, it would be at an oblique angle and significant outlook directly to the rear would remain such that the proposed extension would not cause a material increase in enclosure to the internal living accommodation on the lower ground floor of No.36.

The proposed extension will be readily visible from within the garden of No.36 and this will reduce the daylight and sunlight received immediately adjacent to the rear of the house at lower ground floor level. However, at the depth now proposed it is considered that on balance the extent of daylight and sunlight loss would not be so significant so as to warrant withholding permission as much of the rear garden would continue to be well lit as existing by both daylight and sunlight.

The external amenity space immediately adjacent to the rear of No.36 would be enclosed to a greater degree than had previously been the case. However, the garden as a whole would retain a predominantly open and relatively unenclosed character.

The proposed scheme includes the insertion of French doors with railings in front of them in the centre of the existing bay at ground floor level. This arrangement is identical to that approved in August 2017 and it is not considered that this arrangement, which would prevent access onto the flat roof would cause a material increase in overlooking to any of the neighbouring or adjoining properties relative to the existing situation. As per the previous permission a condition is recommended to prevent the use of the flat roof of the proposed extension as a terrace or for sitting out on.

In summary in amenity terms it is considered that on balance, the impact of the 4.56m deep extension would not be so significant so as to warrant withholding permission and the proposed development would accord with Policy ENV13 in the UDP and Policy S29 in the City Plan.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

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

8.6 Access

No amendments are proposed to the existing arrangements to this single family dwellinghouse.

8.7 Other UDP/ Westminster Policy Considerations

None relevant.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

Not applicable.

8.10 London Plan

The application does not raise any strategic issues.

8.11 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.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council. However, in this case no pre-commencement conditions are recommended and therefore it has not been necessary to seek the applicant's agreement to any of the recommended conditions.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

The proposed development is of insufficient scale to require an environmental impact assessment.

8.14 Other Issues

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2

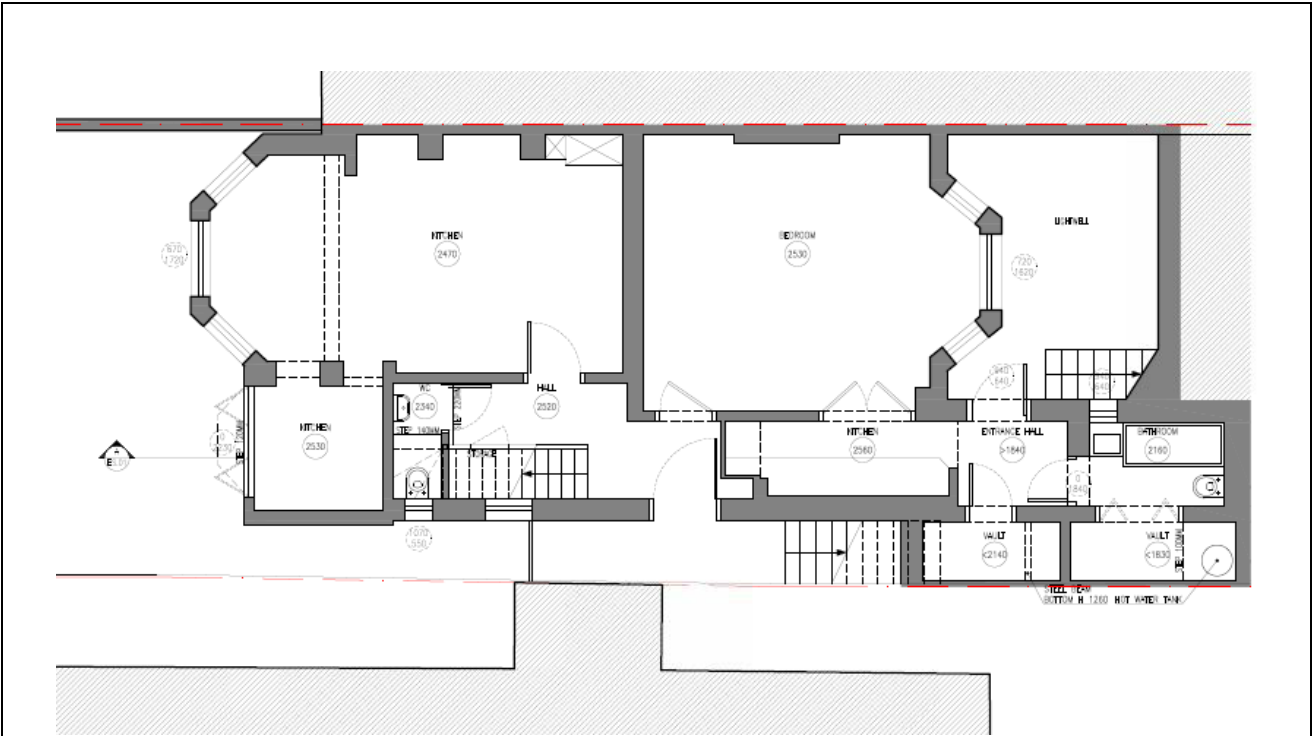
Objection has been raised on grounds that the applicant has built beyond what they had previously obtained planning permission for and that the application is retrospective. However, planning legislation makes provision for applicants to make retrospective applications to allow planning authorities to consider applications, such as this one, which seek to regularise unauthorised works. As with any other planning application, the application has been assessed on its own merits and the fact that the works have been partially carried out is not a material consideration in the determination of the application. Indeed, as with any unauthorised works, the works that have been undertaken to date have been undertaken at the applicant's own risk. As such, the fact that the application seeks to retain unauthorised development is not in itself a valid ground on which to withhold permission.

Objection has been received on grounds that the French doors that have been installed at ground floor level appear to open outwards, as the hinges to the doors are on the outside. An officer site visit has confirmed that the doors have been installed in an outward opening configuration. This deviation from the approved arrangement for these French doors has been reported to the Planning Enforcement Team for investigation. However, it should be noted that it is likely that the installation of doors in an outward opening configuration would fall within the applicant's householder permitted development rights. Nevertheless, as set out in Section 6.3, as per the previously approved scheme a condition is recommended to prevent the use of the roof of the extension as a terrace or for sitting out and the applicant has been made aware that this condition will be imposed in the event that permission is granted for the current application.

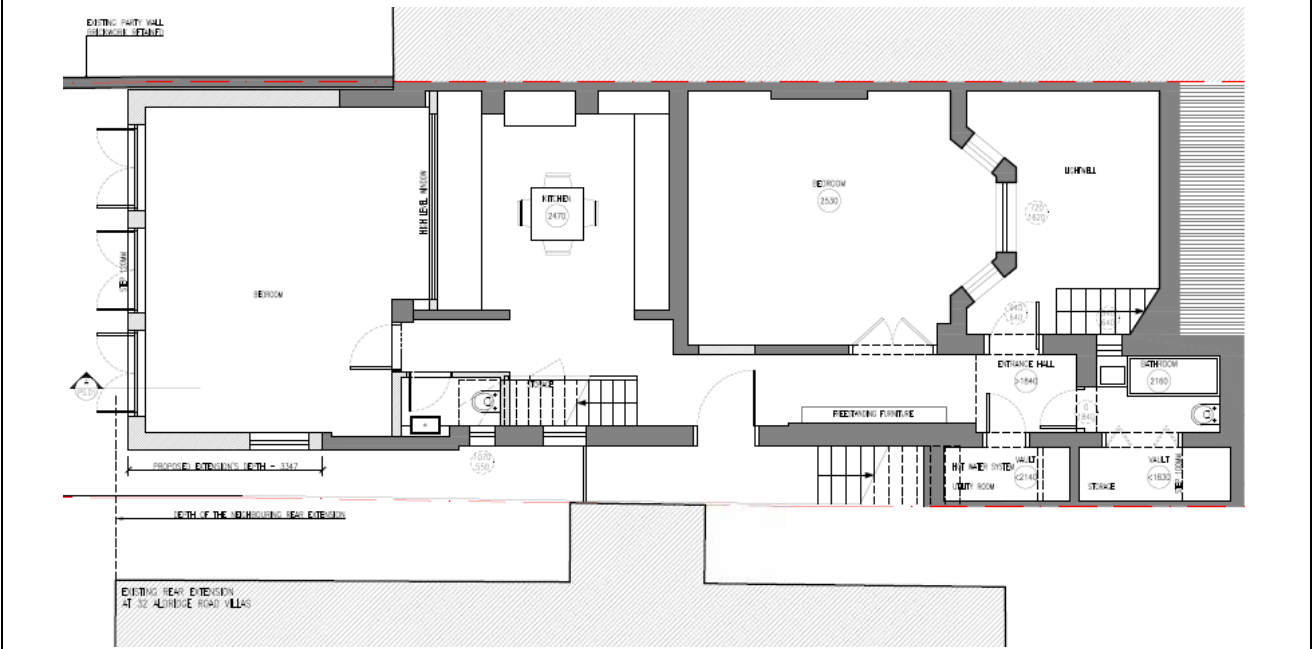
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

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

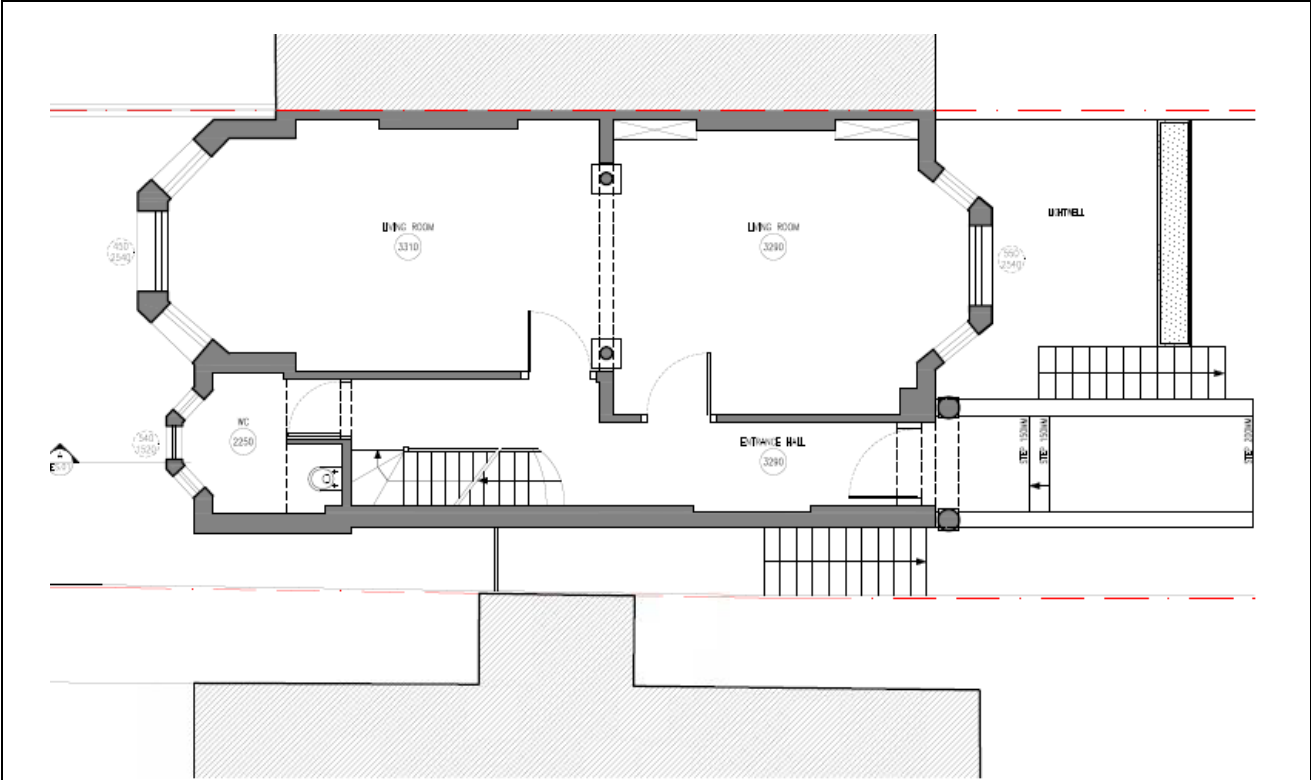
9. KEY DRAWINGS



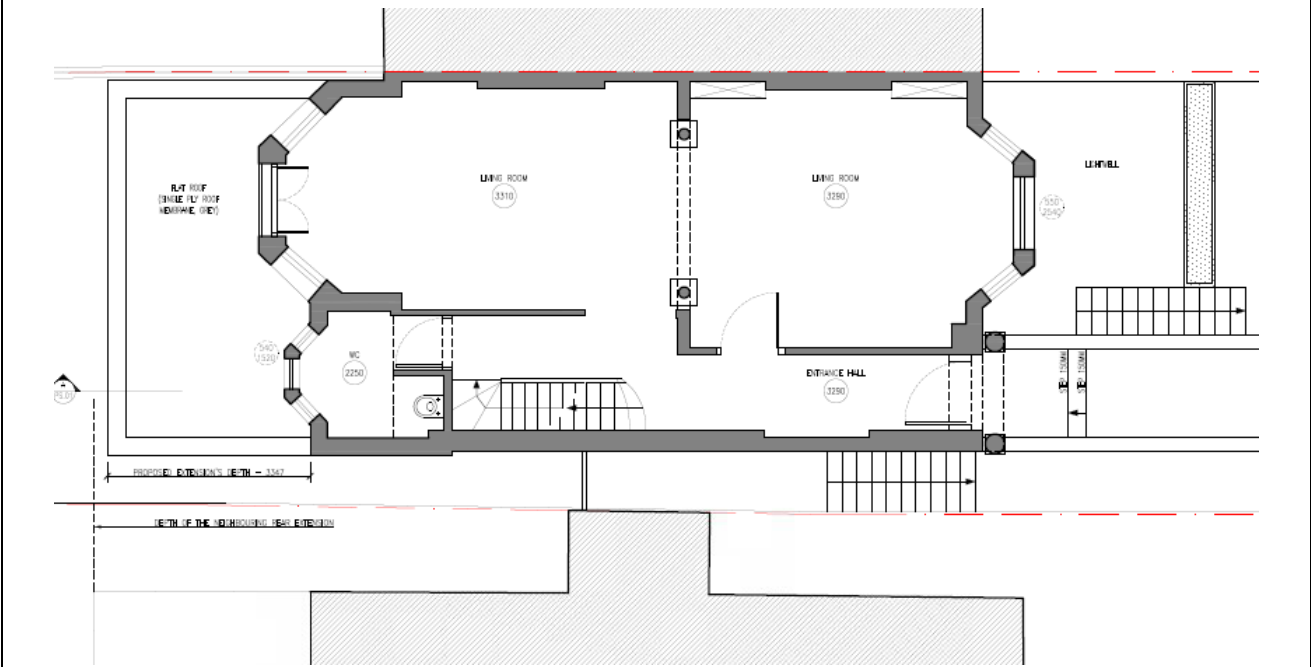
Pre-existing lower ground floor plan.



Proposed lower ground floor plan..



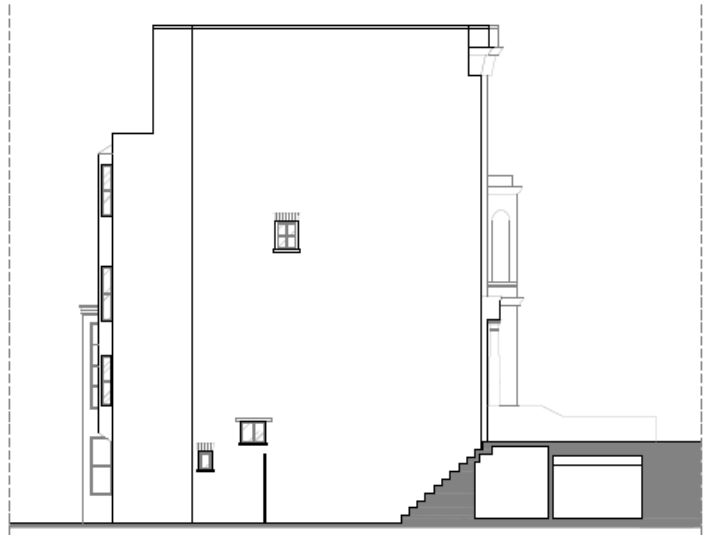
Pre-existing ground floor plan.



Proposed ground floor plan.



FRONT ELEVATION

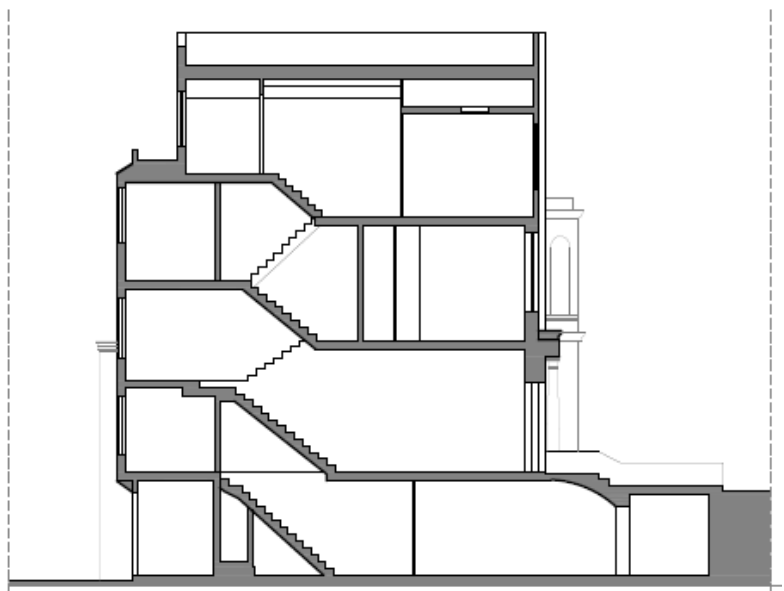


SIDE ELEVATION

Pre-existing front and side elevation.



REAR ELEVATION

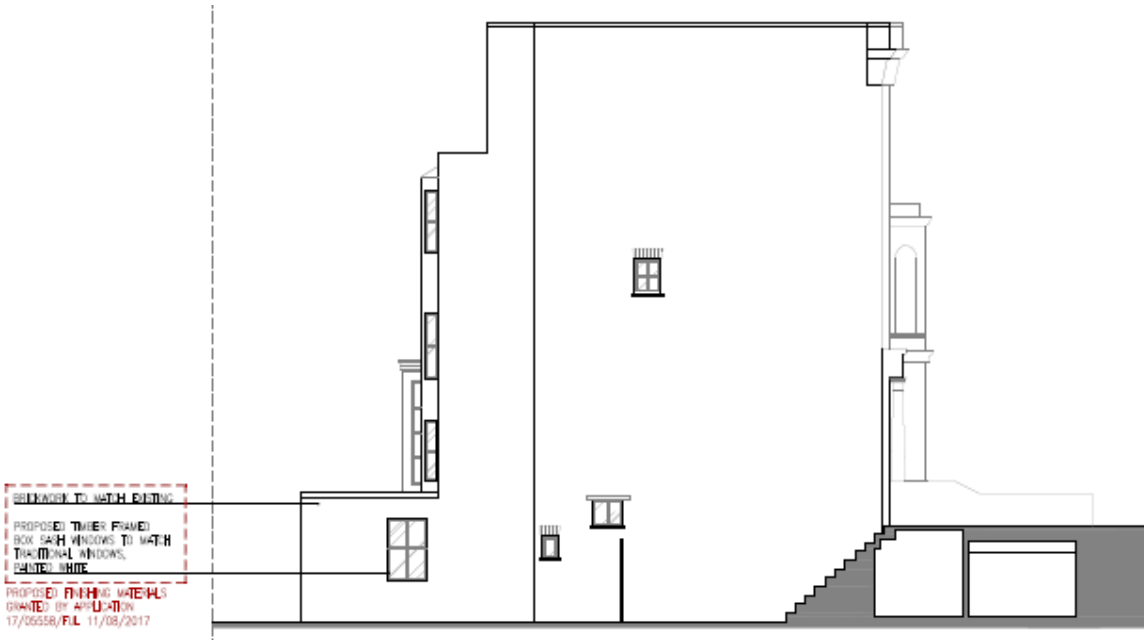


SECTION AA

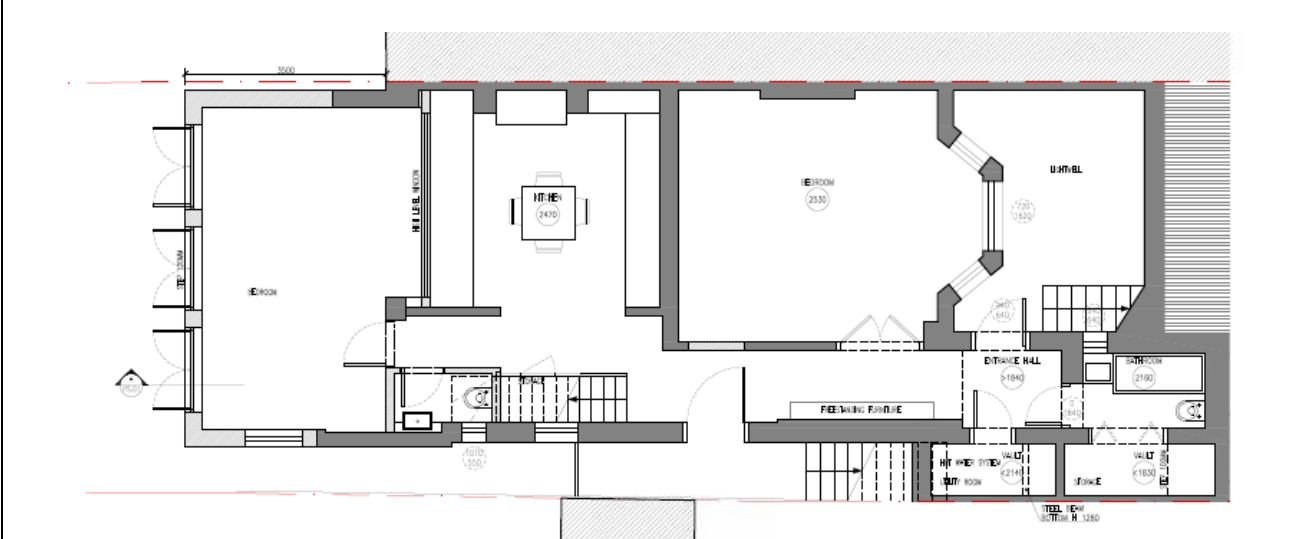
Pre-existing rear elevation and section.



Proposed front and rear elevation.



Proposed side elevation.

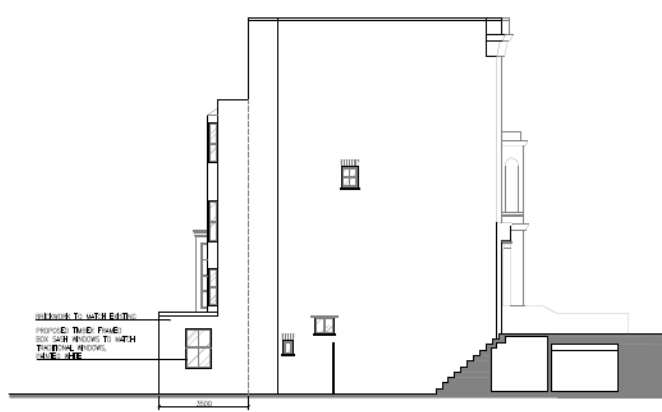


FRONT ELEVATION



PROPOSED THREE PANEL
GLAZED PATENT TO WATER
ELECTRICITY METER
WINDUW FROM BALCONY
CONTROL LOCK
GLAZED PATENT
REFER TO WATH ELEVATION
CRITICAL WINDOWS
CONTROL LOCK

REAR ELEVATION



REFER TO WATH ELEVATION
PROPOSED THREE PANEL
GLAZED PATENT TO WATER
ELECTRICITY METER
WINDUW FROM BALCONY
CONTROL LOCK
GLAZED PATENT

3.5m Extension scheme previously approved in August 2017 (RN: 17/05558/FULL).

DRAFT DECISION LETTER

Address: 34 Aldridge Road Villas, London, W11 1BW

Proposal: Erection of single storey rear extension at lower ground floor level and alterations to fenestration at rear ground floor level.

Reference: 18/09126/FULL

Plan Nos: AV.OB.01; AV.EP.01; AV.EP.02; AV.EP.03; AV.PP.01; AV.PP.02; AV.EE.01; AV.EE.02; AV.PE.01; AV.PE.02; AV.PS.01; Design and Access Statement;

Case Officer: Avani Raven

Direct Tel. No. 020 7641 2857

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

- o between 08.00 and 18.00 Monday to Friday;
- o between 08.00 and 13.00 on Saturday; and
- o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC),

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- 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 Aldridge Road Villas and Leamington Road Villas 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 not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 5 The glass that you put in the proposed side elevation window of the proposed extension facing no. 32 Aldridge Road Villas, must not be clear glass, and you must fix it permanently shut. You must not change it without our permission. (C21DB)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given

every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

2 HIGHWAYS LICENSING:

Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560.

CONSIDERATE CONSTRUCTORS:, You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>

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.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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