



City of Westminster

Committee Agenda

Title: **Planning Applications Sub-Committee (1)**

Meeting Date: **Tuesday 17th January, 2023**

Time: **6.30 pm**

Venue: **Rooms 18.01 & 18.03, 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**
Jason Williams (Chair)
Sara Hassan
Md Shamsed Chowdhury
Jim Glen



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

Committee members will attend the meeting in person at Westminster City Hall. The Committee will be a hybrid Meeting and will be live broadcast via Microsoft Teams. 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.



If you require any further information, please contact the Committee Officer, Jack Robinson-young.

**Email: jrrobinson@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 pecuniary interests or any other significant interest in matters on this agenda.

3. MINUTES

The minutes to follow.

4. PLANNING APPLICATIONS

Applications for decision

Schedule of Applications

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

To register to speak and for guidance please visit:

<https://www.westminster.gov.uk/planning-committee>

Please note that you must register by 12 Noon on the Friday before the Committee meeting.

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

All committee meetings open to the public are being broadcast live using Microsoft Teams. For information on participating in the virtual Committee please see the following link

<https://www.westminster.gov.uk/about-council/democracy/stream-council-meetings>

To access the recording after the meeting please revisit the Media link.

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|----|---|------------------------|
| 1. | DEVELOPMENT SITE AT 3 TO 11 LANCELOT PLACE, LONDON | (Pages 7 - 40) |
| 2. | 22 NORTHUMBERLAND PLACE, LONDON, W2 5BS | (Pages 41 - 70) |
| 3. | 5 GLOUCESTER MEWS WEST, LONDON, W2 6DY | (Pages 71 - 90) |

**Stuart Love
Chief Executive
6 January 2023**

Order of Business

At Planning Applications 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) Neighbourhood Forum
vi) Ward Councillor(s) and/or MP(s)
vii) Council Officers response to verbal representations
viii) Member discussion (including questions to officers for clarification)
ix) 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.

Agenda Annex

CITY OF WESTMINSTER
 PLANNING APPLICATIONS SUB COMMITTEE – 17th January 2023
 SCHEDULE OF APPLICATIONS TO BE CONSIDERED

Item No	References	Site Address	Proposal	Applicant
1.	RN(s): 22/01312/FULL Knightsbridge & Belgravia	Developme nt Site At 3 To 11 Lancelot Place London	Variation of conditions 1, 4, 5 and 15 of planning permission dated 20th February 2020 (RN: 19/01596/FULL) for the Redevelopment of Nos. 3-11 Lancelot Place to provide five single family dwellinghouses (Class C3) comprising two basement levels plus sub-basement plant room, ground, first, second and third floor levels. NAMELY, to allow alterations to the design and materials of the facades, including alterations to windows/ privacy strategy and installation of new awnings; to allow the relocation sub-basement plant room and; to allow the submission of details.	CLLP Ltd
	Recommendation Grant conditional permission.			
Item No	References	Site Address	Proposal	Applicant
2.	RN(s) : 22/01256/FULL Bayswater	22 Northumber land Place London W2 5BS	Erection of extensions at lower ground and ground floor levels with terrace at rear ground floor level.	Mr Peter Robinson
	Recommendation Grant conditional permission.			
Item No	References	Site Address	Proposal	Applicant
3.	RN(s): 22/02004/FULL Lancaster Gate	5 Gloucester Mews West London W2 6DY	Erection of roof extension, infill extension to rear at first floor level and associated external alterations.	Ms Lan Deng
	Recommendation Grant conditional permission.			

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Agenda Item 1

Item No.

1

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 January 2023	Classification For General Release	
Report of Director of Town Planning and Building Control		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	Development Site At 3 To 11 Lancelot Place, London, SW7 1DR		
Proposal	Variation of conditions 1, 4, 5 and 15 of planning permission dated 20th February 2020 (RN: 19/01596/FULL) for the Redevelopment of Nos. 3-11 Lancelot Place to provide five single family dwellinghouses (Class C3) comprising two basement levels plus sub-basement plant room, ground, first, second and third floor levels. NAMELY, to allow alterations to the design and materials of the facades, including alterations to windows/ privacy strategy and installation of new awnings; to allow the relocation sub-basement level and; to allow the submission of details.		
Agent	Savills		
On behalf of	CLLP Ltd		
Registered Number	22/01312/FULL	Date amended/ completed	18 November 2022
Date Application Received	28 February 2022		
Historic Building Grade	Unlisted		
Conservation Area	Outside of a conservation area		
Neighbourhood Plan	Knightsbridge Neighbourhood Plan 2018-2037		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

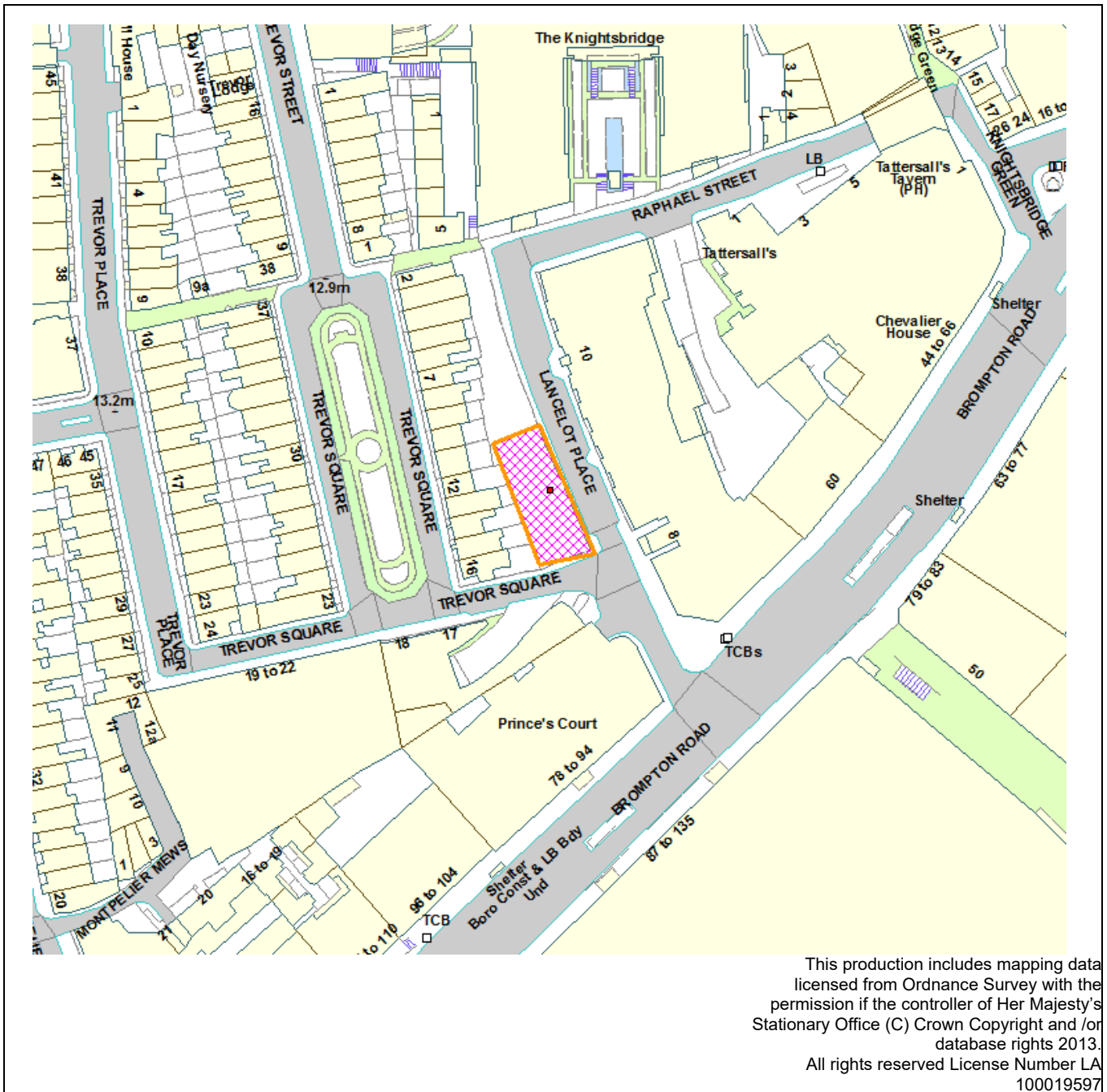
Planning permission dated 20 February 2020 allowed the erection of five large houses and the applicant has begun work on erecting them. The current application proposes to vary conditions 1, 4, 5 and 15 of that permission to allow alterations to the design and materials of the facades, including alterations to windows/ privacy strategy and the installation of new awnings; to allow the relocation sub-basement level and; to allow the submission of details.

The key considerations in this case are:

- The acceptability of the proposed amendments in design and townscape terms;
- The impact of the proposed amendments on the setting of nearby designated heritage assets, including the grade II listed buildings on Trevor Square and Knightsbridge Conservation Area adjoining the site;
- The impact of the proposed amendments on the amenity of neighbouring residential properties; and
- The acceptability of the development against the current City Plan.

The proposed development is considered against the policies in the adopted City Plan 2019-2040 (April 2021), the Knightsbridge Neighbourhood Plan 2018-2037 (December 2018) and London Plan (March 2021). Considering the extant permission which has already allowed the provision of five large houses on site, officers do not oppose the current application in land use terms. The applicant has demonstrated their amendments would continue to result in buildings of acceptable energy performance. The altered design of the buildings would maintain the buildings in a suitable appearance that would not be harmful to the setting of nearby designated heritage assets. While objectors consider the altered façade fenestration would worsen overlooking, the alternative privacy measures proposed to the rear windows would suitably protect neighbours from overlooking. The proposed sub-basement relocation would not result in an increased level of excavation over the 2020 permission. Given these circumstances, officers recommended the application be approved subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



4. PHOTOGRAPHS



View of Application Site



View of Application Site Prior to Demolition

5. CONSULTATIONS

5.1 Application Consultations

KNIGHTSBRIDGE NEIGHBOURHOOD FORUM:

A fully updated Construction Traffic Management Plan (CTMP) should be provided and the community should be consulted on it. Westminster adopted a new Code of Construction Practice in February 2022 which explicitly refers to the KNF's best practice guidance on construction standards and procedures. These should apply. Examples of the matters that should be considered are all-electric construction equipment, the routing of all vehicles to and from the site being only directly to/from Brompton Road via the shortest route (i.e. not through Trevor Place or Trevor Street or Knightsbridge Green) and no Saturday working.

KNIGHTSBRIDGE ASSOCIATION

Having taken a further look at these proposals, the Association wishes to object to the proposed use of mesh metal privacy screening to the ground and 1st floor windows backing on to the rear of the eastern terrace of Trevor Square - listed Grade II. The material is inappropriate in this context and harms the setting of the listed buildings and permission should be refused. Also requests an updated Construction Traffic Management Plan.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 291

Total No. of replies: 10 (from 8 individuals)

No. of objections: 9 (from 7 individuals)

No. in support: 0

No. neutral: 1

Objections

In summary 7 neighbouring residents or interested parties object to the application on the following summarised grounds:

Residential Amenity:

- Altered windows will result in an increased loss of privacy; and
- Re-positioned sub-basement level plant room will result in increased noise disturbance.

Design and Heritage:

- Metal mesh interlayer for the proposed rear windows is visually inappropriate in the area and harms adjacent heritage assets;
- The metal grilles to the front elevation are visually inappropriate in the area; and
- The altered bay windows to the front elevation are visually inappropriate in the area.

Basement Development:

- Re-positioned sub-basement level will increase the amount of excavation required.

Construction Impact:

- There is no traffic management plan submitted as part of the application.

Energy

- Large windows are less energy efficient, and there is no need for them.

Neutral

In summary, an interested party states neither objection nor support but comments:

- The hours of working condition attached to the original permission should be maintained and an updated traffic management plan provided.

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

The applicant did not carry out community engagement prior to the submission of the application. The Early Community Engagement in Westminster Guidance Note does not indicate whether applicants/ developers should engage neighbours regarding applications proposing amendments to extant permissions. Although, given the purpose of early community engagement is allow the community to have a meaningful role in shaping their places, it would have been welcomed had the applicant chosen to engage residents of the material changes they were considering prior to the submission of the current application.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The Knightsbridge Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment.

It has been through independent examination and was supported by local residents in a

referendum held on 18 October 2018. It was adopted on 11 December 2018. It therefore forms part of the development plan for Westminster for development within the Knightsbridge neighbourhood area in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed later in this report.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

3 to 11 Lancelot Place were five unlisted single family dwellinghouses, which were demolished. The demolished houses dated from the 1950s, were of a neo-Georgian style and comprised ground and two upper floors. The developer demolished these houses in connection with the redevelopment of the site to provide five new, larger houses which they gained consent for in 2016. In 2020, the City Council granted permission for five alternatively designed and larger houses and the applicant is currently constructing these new homes.

While outside of a conservation area, the site backs onto to the grade II listed houses on Trevor Square and the boundary with the Knightsbridge Conservation Area. To the front is the residential development of 10 Lancelot Place. To the north is the development site of 15 Lancelot Place and 1 Trevor Walk, which is near completion. To the south is Brompton Road.

The site is within the Central Activities Zone and is close to the Knightsbridge International Centre.

7.2 Recent Relevant History

On 23 February 2016, the City Council granted permission for the demolition and redevelopment of Nos. 3-11 Lancelot Place to provide five single family dwelling houses (Class C3) comprising two basement levels (plus sub-basement plant room), ground, first and second floors levels. (RN: 15/10163/FULL)

On 20 February 2020, the City Council granted permission for the redevelopment of Nos. 3-11 Lancelot Place to provide five single family dwellinghouses (Class C3) comprising two basement levels plus sub-basement plant room, ground, first, second and third floor levels. (RN: 19/01596/FULL)

On 15 February 2022, the City Council approved details of the signed and dated Appendix A from Code of Construction Practice pursuant to Condition 3 of planning permission dated 20th February 2020 (RN: 21/07781/ADFULL).

On 5 August 2022, the City Council approved details of external railings and balustrades (detailed elevations and sections) pursuant to condition 5(c) of planning permission dated 20 February 2020 (RN: 22/04724/ADFULL).

The City Council is currently considering details of refuse and recycling storage pursuant to condition 7 of the planning permission dated 20 February 2020 (RN: 22/08541/ADFULL).

Adjacent development site 15 Lancelot Place & 1 Trevor Walk (commonly referred as 15 Lancelot Place)

On 23 February 2016, the City Council granted permission for demolition of the existing buildings, redevelopment of site comprising two buildings at ground and two upper levels and excavation of part two/ part three storey basements, to create 1 x 5 bedroom unit and 2 x 1 bedroom units with associated roof gardens and terraces, carparking and cycle parking (site includes 15 Lancelot Place and 1 Trevor Walk) (RN: 15/09276/FULL).

8. THE PROPOSAL

The 2020 permission allowed the development of the site to create five single family dwellinghouses, comprising two basement levels plus a sub-basement level, ground, first, second and third floor levels.

Works have commenced on site in connection with the 2020 permission and therefore this development can be implemented in perpetuity.

The principal amendments are:

- Repositioning of the sub-basement level;
- Alteration in materials for the façades;
- Alterations to the fenestration to all elevations, including in terms of size, position, design, materials and privacy qualities;
- Alteration to parapet to end house (no.3); and
- Installation of retractable awnings over rear gardens.

The applicant also proposes to vary conditions relating to the detailed design, including materials and the privacy strategy of the development in order to align with these amendments.

During the course of the application the applicant made some minor modifications to their proposals in relation to the materials to be used for the facades, including the windows by changing the rear windows from including a metal mesh interlayer to an obscure film interlayer. The applicant also provided clarity regarding the scale of the basement excavation.

Table 1: Floorspace Figures

	Pre-Existing* GIA (sqm)	Proposed GIA (sqm)	+/-
Residential (Class C3)	718	1,759	+1,041

- *prior to demolition

9. DETAILED CONSIDERATIONS

9.1 Land Use

Residential Use

The extant 2020 and 2016 permissions allowed the replacement of the previously existing houses with five larger houses. On average, each new home approved under the 2020 permission would have been approximately 350 sqm (GIA) in floor area, over five floors plus sub-basement level. The development plan at the time had designated this part of the city as a priority for single family dwellinghouses, and so protected single family dwellinghouses from conversion into flats. There was also no policy limit relating to the size of new homes under that previous development plan. As such, the replacement of the previously existing smaller houses with five larger ones was deemed acceptable in land use terms at the time.

The amendments under this application do not propose any changes to the use of the land, number of residential units or the size of the units. The standard of accommodation provided would be very similar. However, since the grant of the February 2020 planning permission, the City Council adopted the current City Plan (April 2021). City Plan Policy 8 states Westminster will achieve its housing targets in part by ensuring site densities are optimised and by delivering a higher number of homes on small sites. It goes on to state no new homes in Westminster will exceed 200 sqm (GIA), except where it is necessary to protect a heritage asset. These new homes will conflict with the size limit set out in Policy 8 and this indicates the new houses will not optimise the number of new homes.

However, the applicant is currently constructing the five large homes permitted under the 2020 permission and the current application primarily relates to external design changes which have no bearing on the use of the land. The 2020 extant permission represents a realistic fallback position which must be a material consideration under this application. Indeed, it is a consideration of significant weight such that it would militate against refusal of permission because of the conflict with Policy 8. Therefore, these large homes continue to be acceptable in land use terms.

Affordable Housing

Like the previous development plan policies, current City Plan Policy 9 requires at least 35% of all new homes to be affordable across Westminster. Developments must provide this where they are proposing 1,000 sqm or more of residential floorspace, such as in this case. This provision should normally be made on site. The original permission allowed a payment in lieu of affordable housing to the council's Affordable Housing Fund, however. Under the current City Plan, a payment in lieu of affordable housing may also be accepted as a last resort if it is demonstrated to the council's satisfaction that the provision cannot be provided for on or off the site.

The justification for not providing affordable housing on site under the previous scheme primarily relied upon the position that redeveloping the site for use as flats (which could have allowed the provision of units suitable for affordable housing) would have been unsupported under the former development plan (which is no longer the case under the

current City Plan). While the planning policy context has changed, because the extant permission is a material consideration and the developer has commenced construction, the conflict between current City Plan policy requiring affordable housing on site is outweighed by the material consideration of the extant permission. Indeed, the affordable housing contribution required under the extant permission has been paid (£440,000 index linked) and given the proposed amendments do not propose any changes to the use of the land, number of residential units or the size of the units, it would be unreasonable to re-assess this payment in lieu of affordable housing under current planning policy and guidance.

9.2 Environment & Sustainability

Energy Performance

The amendments change the approved building fabric which will alter the building's energy performance as compared to the approved buildings.

Knightsbridge Neighbourhood Plan Policy KBR35 requires major development to minimise energy use and maximise the proportion of energy used from renewable sources and to maximise energy efficiency. City Plan Policy 36 and London Plan Policy SI 2 require major development to be net zero-carbon in terms of regulated carbon emissions from operations, and follow the energy hierarchy, as set out in the current London Plan. This is like the requirement under the previous London Plan which the 2020 application was considered under. The energy hierarchy includes:

1. be lean: use less energy and manage demand during operation
2. be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
3. be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
4. be seen: monitor, verify and report on energy performance.

The London Plan requires a minimum on-site reduction of at least 35 per cent beyond Building Regulations for major development. Applicants must reduce carbon emissions by at least 10% for domestic development through using energy efficiency measures. Where an applicant clearly demonstrates the zero-carbon targets cannot be fully achieved on-site, any shortfall can be provided for by a payment in lieu contribution to Westminster's carbon offset fund or off-site.

On 15 June 2022, Part L 2021 of the country's Building Regulations was adopted with new energy performance standards. The Greater London Authority also updated their Energy Assessment Guidance in 2022, and from January 2023, applicants are required to use the 2022 guidance and Part L 2021 to comply with London Plan policy. However, the transitional arrangements for Part L 2021 means that this applies to applications submitted after January 2023. Moreover, if a Part L 2013 notice had been submitted by June 2022, a developer would have until June 2023 to begin work and this would be under Part L 2013. Because this development is already under construction, the applicant submitted this notice before June 2022. This means that the permitted development will not be required to adhere to Part L 2021 in any case.

The table below summaries the key figures found in the applicant's carbon emissions spreadsheet, using Standard Assessment Procedure (SAP) 10 and using the £95 price per tonne of carbon emissions.

Table: Regulated carbon dioxide savings from each stage of the energy hierarchy (using SAP 10).

	Regulated Carbon Dioxide Savings	
	Tonnes CO ₂ per Annum	%
Be Lean: Savings from energy demand reduction	3.8	17
Be Clean: Savings from heat network	0	0
Be Green: Savings from renewable energy	11.1	51
Cumulative on-site savings	14.9	69
Carbon shortfall	6.8	-
	Tonnes CO ₂	
Cumulative savings for offset payment	203	
Cash-in-lieu contribution	£19,276	

The 2020 permitted development was subject to a legal agreement requiring a financial contribution to the carbon off-setting fund of £33,003 (index linked). This is higher than what the applicant is due to pay now, although the applicant has already paid the higher figure. The decrease in contribution arises because the contribution associated with the 2020 scheme was calculated using the older SAP 2012 (which assumed higher carbon emissions associated with the electricity grid than newer versions do, amongst other changes). Because SAP 10 better reflects the likely carbon emissions from the development as compared to SAP 2012, it should be used for the calculation for the cash-in-lieu contribution. However, using comparable SAP 2012 versions, cumulative on site carbon savings in fact drop slightly (from 38% to 36%). This indicates that the amendments result in a slight worsening of the building's energy performance. However, the proposal would still comply with the London Plan requirements for energy on-site reduction of at least 35 per cent.

The 2020 permitted scheme included the use of ground sourced heat pump technology and the use of photovoltaic panels, and these will continue to be provided under these amendments. The alterations to the building's fabric appear to be the source of the changes in carbon emissions between the permitted scheme and the amendment scheme. The alterations include fenestration changes which enlarge the size of some of the windows which appear to impact upon the performance of the building slightly.

Overall, given the proposed development is still in line with current City Plan and London

Plan policy requirements for energy performance, the development remains acceptable in this respect.

Whole Life-Cycle Carbon

While Life-Cycle Carbon assessments are required for major applications involving substantial demolition. In this case however, the pre-existing buildings were demolished prior to 2020, and so the neither the current or previously permitted 2020 applications proposed substantial demolition.

Air Quality

The proposed amendments would not result in any change in impact on air quality over the extant permission.

Flood Risk & Sustainable Drainage

The proposed amendments would not result in any change in impact on flood risk or drainage over the extant permission.

Environment & Sustainability Summary

The proposed amendments would slightly alter the building's energy performance over the extant scheme, but it would remain acceptable.

9.3 Biodiversity & Greening

The 2020 scheme proposed planting to the building and 2020 permission secured this by condition and this condition is maintained.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows:

Section 66 of the LBCA Act requires that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting.

Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

In terms of the City Plan, Policy 38 requires new development to incorporate exemplary standards of high quality, sustainable and inclusive urban design and architecture befitting Westminster's world-class status, environment and heritage and its diverse range of locally distinctive neighbourhoods. This includes ensuring development will positively contribute to Westminster's townscape and streetscape by having regard to the character and appearance of the existing area, adjacent buildings and heritage assets and the spaces around and between them, and also having regard to materials, building lines, scale, orientation, access, definition, surface treatment, height and massing, amongst other things.

City Plan Policy 39 states development within the settings or affecting views of listed buildings will take opportunities to enhance or better reveal their significance and states development will preserve or enhance the character and appearance of Westminster's conservation areas. Features that contribute positively to the significance of conservation areas and their settings will be conserved and opportunities taken to enhance conservation areas and their settings, wherever possible.

City Plan Policy 40 states development will be sensitively designed, having regard to the prevailing scale, heights, character, building lines and plot widths, materials, architectural quality and degree of uniformity in the surrounding townscape.

Knightsbridge Neighbourhood Plan Policy KBR1 requires proposals for new development to contribute towards the local distinctiveness of Knightsbridge. They should demonstrate high quality, sustainable and inclusive design and architecture that respects the relevant Character Area or Conservation Area.

Consideration

The report for the 2020 permission explained it was considered that those proposal represented a successful re-interpretation of the London terrace and that it would have contributed more positively overall to the character of the area, despite the increases in scale, than the 2016 permission would have done or the pre-existing houses did. Whilst the proposed scale was increased over that approved in 2016 and that pre-existed, it was considered to be adequately outweighed by the townscape benefits that the proposed new design would bring in terms of architectural quality and visual interest when viewed from Brompton Road, more fully resolving the modern design character of Lancelot Place alongside the mixture of traditional and modern development which characterises the locality of the site.

The proposed amendments principally alter the facades in terms of materiality and in terms of fenestration, but the height and massing of the building would remain unchanged. Some objectors have raised concern regarding the impact a metal mesh interlayer to the glazing to the rear elevation would have on the appearance of the building and the surrounding area, including the setting of designated heritage assets.

Concern has also been raised regarding the visual impact of alterations to the front, including the curved bay windows and the use of metal grilles to the front elevation.

In relation to the metal mesh interlayer for the rear windows, the applicant had provided a sample of this for officers to view during the course of the application. While the use of a metal material within the glazing may lead one to assume the windows would have had a metallic appearance (which officers agree would have been unsuitable) in actuality this would not have been the case. However, as explained in section 9.5 of this report, the ability of this mesh at obscuring views would not have been sufficient. The applicant has since proposed an obscure film interlayer.

The fenestration changes to the rear first floor level lean towards a slightly loft-style appearance, but not detrimentally so. Indeed, the rear windows are an improvement over the permitted 2020 rear windows which would have included angled slats such that views outward would be angled to the south (to manage privacy), which would have resulted in somewhat unusual appearing windows. Therefore, the newly proposed windows, including glazing with an obscure film interlayer, would constitute an improvement over the permitted arrangement.

Elsewhere, the revisions to the 2020 permission are minor with the proposals still expressing a successful modern interpretation of the traditional terraced properties found in the vicinity. The proposed materials of Portland stone, light buff brick and a patinated zinc roof are considered acceptable and assist in signifying this as a modern building albeit in a contextual way. The altered bays to the front are not significantly different to those permitted, nor are the decorative metal elements. The installation of awnings to the rear gardens would cover the rear gardens when open – but, because of their location they will only be visible in some private views and would not detract from the overall appearance of the building.

Given the extant permission, the site's location outside of the conservation area and the modern appearance of surrounding recent developments, the proposed revised design and materials are considered an acceptable approach and will make an appropriate contribution to the surrounding area and respect the setting of the adjacent Knightsbridge Conservation Area and listed buildings in accordance with Policies 38, 39 and 40 of the City Plan 2019-2040 and KBR1 of the Knightsbridge Neighbourhood Plan.

The applicant has submitted details of the proposed brick, Portland stone and zinc roof materials. The details of the Portland stone and zinc roof are acceptable and will be ensured by an amended materials condition. The applicant has yet to provide a sample panel of the proposed brick – discussions were held during the course of the application regarding the intended brick, the intended brick type is likely acceptable but the condition is also updated to ensure that the brick sample panel is provided.

9.5 Residential Amenity

In terms of daylight and sunlight, sense of enclosure, noise and vibration and amenity of the proposed units, the proposed amendments would have no material impact over the extant permission and remain acceptable as set out under the report for the 2020 permission. The alternative fenestration treatment will alter the internal environment of the units, but not in a manner that would materially alter the overall amenity provided by

the proposed new homes for prospective occupiers.

Privacy

The objectors raise concern the alterations to the building's fenestration will increase overlooking of neighbouring properties. As under the previous development plan, current City Plan Policies 7, 33 and 38 require development to be neighbourly including ensuring that the privacy of neighbouring residential occupiers is not unacceptably impacted.

Given the proximity between the application building and the properties on Trevor Square to the rear, the report for the 2020 permission acknowledged that new windows could harm the residents within these properties in terms of overlooking. To mitigate this, the 2020 scheme proposed windows to the rear elevation at first and second floors which would have directed views away from the Trevor Square properties by using angled slats within the windows to create oblique views through them. These angled slats would not have been applied to the rear bathrooms at second windows or the windows to the top floor, however. The second floor bathroom windows would be high level and so views out of them would not be significant. Planning Committee added a condition to ensure that the top floor windows would also have a privacy mitigation (such as obscure glazing) applied to them. Overall, this would have protected those to the rear from unacceptable levels of overlooking. To the front, the new windows would have been clear but because of the distance to the properties on the opposing side of Lancelot Place, the new windows would not have resulted in undue loss of privacy of the residents to the front of the building.

The amendments maintain clear windows to the front but propose an alternative privacy mitigation solution to the rear. All the rear windows would include glass with an obscure film interlayer. Initially the applicant had proposed glass with a metal mesh interlayer which would have created a 'semi-transparent' window. After viewing samples of this solution, officers advised the applicant that an alternative and more obscure solution ought to be found. The applicant has provided a sample of the now proposed glass with an obscure film interlayer which will obscure views through it. This will prevent actual overlooking through the windows satisfactorily.

It is acknowledged that large windows can increase a perception of overlooking even when obscured, and in this case the rear windows would include a larger expanse of glass than the 2020 scheme. However, the angle slat solution allowed under the 2020 permission would have included clear glass. Therefore, while the angled slats would have mitigated much of the harmful direct views into neighbouring properties on Trevor Square, it would still have allowed a degree of actual overlooking to occur. This new solution will prevent this actual overlooking and so, on balance, the impact in terms of overlooking (whether actual or perceived) will be comparable to the 2020 permission and therefore the amendment is acceptable in this respect.

The applicant's drawings show that parts of the new rear windows will be openable. If these parts of the windows are allowed to be fully openable, this would undermine the privacy protection afforded by the obscure glazing. To ensure this is prevented, while allowing the new homes to enjoy natural ventilation, a condition is attached to ensure detailed drawings are provided showing a mechanism to the windows to restrict the opening of the rear windows so that they cannot be fully opened.

9.6 Transportation, Accessibility & Servicing

The proposed amendments would not result in any impact on transportation, accessibility or servicing.

9.7 Economy including Employment & Skills

The new residential accommodation proposed will support the local economy through increased local spending, thereby supporting local employment and services.

9.8 Other Considerations

Basement Development

City Plan Policy 45 relates to all basement excavation in the City. In February 2016, when a double storey basement, plus sub-basement level, was first permitted on this site, the City Council had not adopted a basement policy. By 2020, when the 2020 permission was granted, the City Council had adopted a basement policy which sought in part to restrict the size of new basements to a single storey, but because the 2016 permission had already allowed the large basements (and work had started on the 2016 permission by way of demolition of the pre-existing buildings) it was considered that the 2016 permission was a material consideration that outweighed the then adopted basement policy.

Like the previous basement policy, the current basement policy set out in City Plan Policy 45 seeks to restrict the size of, and mitigate the impacts of, basement development. The policy limits basements to a single storey below the original ground level in most circumstances and it requires a margin of undeveloped garden land around the entire site boundary, which the proposed basements will not provide. However, for the same reasons as in 2020, it would now be unreasonable to resist the size of the basements given they have extant permission and are under construction.

Some objectors consider the repositioned and redesigned sub-basement level would be larger and therefore will require more excavation than the permitted sub-basement level.

Under the permitted scheme, each new home would have included a sub-basement level comprising a plant room and an adjacent lift pit. The repositioned sub-basement plant rooms are indeed larger, but the applicant has clarified this is because the lift pit is no longer required to reach the sub-basement level. Because of this, overall the sub-basement level would not be larger than that which was approved.

The applicant explains that the excavation will remain within the previously specified perimeter piling and therefore the method of basement construction and the structural concept will not change from the 2020 permission. This is because excavation of the entire site down to the sub-basement level is required even though the sub-basement level will only occupy a small portion of the area the basement levels above it will. This means that there will be no change to the amount of excavation between the permitted scheme and this amended scheme.

Another consequent of this is that there would be no change to the method of how the ground and surface water is managed during construction and when the buildings are completed. Nor would trees, flooding or other impacts worsen because of the relocation of the sub-basement level given the overall amount of excavation will remain the same. Therefore, the amendments to the sub-basement level are acceptable.

Construction Impact

Objectors have raised concerns regarding construction impacts, and consider that this amendment application should be supported by an updated construction management plan, which should be consulted upon. They also consider the hours of building work condition should be maintained.

In relation to hours of building work, the 2016 and 2020 permission contained a condition relating to when the developer can carry out noisy building works. It is more restrictive than the standard condition as it prevents work being carried out on the weekend. Planning Committee previously attached this more restrictive because of the proximity of this site to neighbouring residential occupiers, and this more restrictive condition is recommended to be maintained.

The 2020 permission also included a condition to ensure that developer adheres to the City Council's Code of Construction Practice (CoCP). The developer has already provided evidence that the development will be bound by CoCP and a condition is maintained to ensure this will continue to be the case under this amendment application.

In relation to the submission of a construction management plan, this was not required by the City Council's under the 2020 permission. Prior to July 2016, the City Council did attach conditions to planning permissions requiring construction management plans to help protect the amenity of neighbours during construction. The CoCP expressly seeks to move away from enforcement via the planning system, however. It recognises that there is a range of regulatory measures available to deal with construction impacts, and that the planning system is the least effective and most cumbersome of these. The Environmental Inspectorate has been resourced in both numbers and expertise to take complete control over the monitoring of construction impact. The condition to ensure the development will continue to adhere to the CoCP and the condition relating to the hours of noisy building work will continue to ensure that the construction impacts remain acceptable.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

Planning obligations are not relevant in the determination of this application. The applicant has commenced works and has paid the payment in lieu of affordable housing and payment to the carbon offset fund required under the legal agreement associated with the 2020 permission. The pre-commencement condition attached to the 2020 permission has already been discharged. The amendments require no new obligations or pre-commencement conditions be attached.

10. Conclusion

Considering the extant permission which has already allowed the provision of five large houses on the site, it would not be sustainable to oppose the current application in land use terms. The applicant has demonstrated their amendments would continue to result in a building of acceptable energy performance. The altered design of the buildings would maintain the buildings in a suitable appearance that would not be harmful to the setting of nearby designated heritage assets. While objectors consider the altered rear façade fenestration would worsen overlooking, the alternative privacy measures proposed to the rear windows would suitably protect neighbours from overlooking. The sub-basement plant room relocation would not result in an increase in the size of the basement overall. As such, being mindful of policies within the development plan, the proposed amendments are considered acceptable, and a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(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: JOSHUA HOWITT BY EMAIL AT jhowitt@westminster.gov.uk

11. KEY DRAWINGS



Visual of permitted scheme (above) and proposed scheme (below)





Visual of permitted scheme (above) and proposed scheme (below)





Permitted Sub-Basement Plan (above) and Proposed (below)





Permitted Front Elevation (above) and Proposed (below)



DRAFT DECISION LETTER

- Address:** Development Site At 3 To 11, Lancelot Place, London,
- Proposal:** Variation of conditions 1, 4, 5 and 15 of planning permission dated 20th February 2020 (RN: 19/01596/FULL) for the Redevelopment of Nos. 3-11 Lancelot Place to provide five single family dwellinghouses (Class C3) comprising two basement levels plus sub-basement plant room, ground, first, second and third floor levels. NAMELY, to allow alterations to the design and materials of the facades, including alterations to windows/ privacy strategy and installation of new awnings; to allow the relocation sub-basement plant room and; to allow the submission of details.
- Reference:** 22/01312/FULL
- Plan Nos:**
- 22/01312/FULL:
Drawings:
Site Plan; Location Plan; 2102-A-4-011 rev 1; 2102-A-4-040; 2102-A-4-050; 2102-A-4-110 rev 3; sk-2102-A-4-111 rev 3; 2102-A-112 rev 4; 2102-A-220; LTP-STA-ZZ-A-DR-A4114; Landscape Document HAYDESIGNS_137_RP04 dated March 2022; Materials Document received 26 October 2022; Vanceva Artic Snow glazing sample.
- For information only:
Cover Letter; Design Statement dated 11 February 2022; Energy Statement dated 4 July 2022 and spreadsheets; Be Seen Addendum dated 19 April 2022; Drawing Strategy Notes and SUDS dated 5 April 2022; London Sustainable Drainage Proforma; Fire Statement dated 16 March 2022.
- 21/07781/ADFULL:
Completed Appendix A, Counter Signed by Environmental Inspectorate.
- 22/04724/ADFULL:
137-HD-L-DT-010-001-C 137-HD-L-DT-010-002-B 137-HD-L-DT-010-003-B
- 19/01596/FULL:
Drawings:
Site Location Plan; D4981 - D 1001 rev I2; D 0600 rev I1; D 0601 rev I1; D 0200 rev I1; D 0201 rev I1; D 0202 rev I1; D 0203 rev I1; D 0500 rev I1; D 0097 rev I2; D 0098 rev I2; D 0099 rev I2; D 0100 rev I2; D 0101 rev I2; D 0102 rev I2; D 0103 rev I2; D 0104 rev I2; D 0300 rev I2; D 0301 rev I2; D 0302 rev I2; D 0400 rev I2; D 0401 rev I2; D 0402 rev I2.
- Documents:
Design and Access Statement and Addendum (tp bennett); Townscape and Heritage Statement (tp bennett); Planning Statement (tp bennett); Arboricultural Assessment Report and Tree Protection Plan (Barrell Tree Consultancy); Daylight and Sunlight report and Addendum (gia); Overshadowing Impact Assessment rev A (gia); Amenity Within the Site Report (gia); Energy and Sustainability Statement (LIBRA services); Acoustic Assessment Report (PC Environmental); Transport

Statement (TPP).

For Info only:

Geo-environmental Site Assessment (RSK); Structural Methodology Statement (RSK); Report on Ground Investigation (K F Geotechnical); Details of Previously Approved Construction Traffic Management Plan; Details of Shared Pile Agreement; Statement of Community Involvement.

Case Officer: Joshua Howitt

Direct Tel. No. 07866038007

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 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; and
 - o not at all on Saturday, 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 As confirmed by the evidence submitted to and approved by the City Council as Local Planning Authority on 15 February 2022, under application RN: 21/07781/ADFULL, in the form of a completed Appendix A of the Code of Construction Practice, any demolition and/or earthworks/piling works and/or construction pursuant to the permission hereby approved and carried out by the applicant or any other party, will be bound by the council's Code of Construction Practice.

Reason:

To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 4 A. You must apply to us for approval of a sample panel of brickwork which shows the

colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved the sample panel in writing. You must then carry out the work according to the approved sample.

B. You must carry out the development using the Portland Stone and Quartz-Zinc, as set out in the materials document received 26 October 2022 and hereby approved, in the locations as stated on the approved elevations, or in accordance with other details as submitted to and approved by the City Council.

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 Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26CE)

5 A. You must carry out the development in accordance with detailed drawings of the external railings and balustrades as approved by the City Council as Local Planning Authority on 5 August 2022 under application RN: 22/04724/ADFULL, or in accordance with other details as submitted to and approved by the City Council

B. You must apply to us for approval of detailed drawings of the following parts of the development:

- i. Typical bay studies (detailed overall part-elevations and sections at 1:20);
- ii. Windows and external doors, including their reveals and surrounds (detailed elevations and sections at 1:5)

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 approved details.

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 Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26CE)

6 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no building, structure or other alteration permitted by Classes A, B or C of Part 1 or Class C of Part 2 of Schedule 2 of the Order shall be carried out on the application site without the prior written permission of the Local Planning Authority on an application made for that purpose.

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 Policies 38 and 40 of the City Plan 2019 - 2040 (April 2021). (R26CE)

7 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 new single family dwellinghouses. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

- 8 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces 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 in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 9 (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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022), so that the noise environment of people in noise sensitive receptors is protected, including the intrusiveness of tonal and impulsive sounds, and 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. (R46AC)

- 10 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:

To ensure that the development is designed to prevent structural transmission of noise or vibration and to prevent adverse effects as a result of vibration on the noise environment in accordance with Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R48AB)

- 11 The design and structure of the building shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. (C49AA)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise as set Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49AB)

- 12 The design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 13 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

1. The planting shown on drawings D0100 rev I2, D0104 rev I2 and the landscape document HAYDESIGNS_137_RP04.

You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 14 You must provide, maintain and retain the following energy efficiency measures before you start to use any part of the development, as set out in your application.

1. The photovoltaic panels and ground source heat pumps.

You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in Policies 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

- 15 A. You must carry out the development using the Vanceva Artic Snow glazing, in accordance with the sample hereby approved, in the locations as stated on the approved elevations (rear windows at first floor level and above), or in accordance with other details as submitted to and approved by the City Council, and then you must not change it without our permission.

B. You must apply to us for approval of detailed drawings showing a mechanism / device to prevent the openable parts of the rear windows at first floor level and above from fully opening. 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 protect the privacy and environment of people in neighbouring properties, as set out Policies 7 and 38 of the City Plan 2019 - 2040 (April 2021). (R21AD)

- 16 This permission must be commenced no later than 20 February 2023.

Reason:

This permission authorises amendments to the original planning permission granted on 20 February 2020 (RN: 19/01596/FULL) which must be commenced no later than the above date. (R03HA)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 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 and to apply online please visit www.westminster.gov.uk/suspensions-dispensations-and-skips.
- 3 When carrying out building work you must take appropriate steps to reduce noise and prevent nuisance from dust. The planning permission for the development may include specific conditions relating to noise control, hours of work and consideration to minimising noise and vibration from construction should be given at planning application stage. You may wish to contact to our Environmental Sciences Team (email: environmentalsciences2@westminster.gov.uk) to make sure that you meet all the requirements before you draw up contracts for demolition and building work.

When a contractor is appointed they may also wish to make contact with the Environmental Sciences Team before starting work. The contractor can formally apply for consent for prior approval under Section 61, Control of Pollution Act 1974. Prior permission must be sought for all

noisy demolition and construction activities outside of core hours on all sites. If no prior permission is sought where it is required the authority may serve a notice on the site/works setting conditions of permitted work (Section 60, Control of Pollution Act 1974).

British Standard 5228:2014 'Code of practice for noise and vibration control on construction and open sites' has been recognised by Statutory Order as the accepted guidance for noise control during construction work.

An action in statutory nuisance can be brought by a member of the public even if the works are being carried out in accordance with a prior approval or a notice.

- 4 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.
- 5 The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, for example by issuing regular bulletins about site progress.
- 6 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). For further information please use the following link: www.westminster.gov.uk/private-sector-housing. However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact the Environmental Health Consultation Team (Regulatory Support Team 2) by email at ehconsultationteam@westminster.gov.uk.
- 7 Under the Construction (Design and Management) Regulations 2015, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

* Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;

* This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to

be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- 8 For advice on how you can design for the inclusion of disabled people please see the guidance provided by the Equality and Human Rights Commission, the Centre for Accessible Environments and Habinteg. The Equality and Human Rights Commission has a range of publications to assist you (www.equalityhumanrights.com). The Centre for Accessible Environment's 'Designing for Accessibility' (2012) is a useful guide (www.cae.org.uk). If you are building new homes, you must provide features which make them suitable for people with disabilities. For advice see www.habinteg.org.uk.

It is your responsibility under the law to provide good access to your buildings. An appropriate and complete Access Statement as one of the documents on hand-over, will provide you and the end user with the basis of a defence should an access issue be raised under the Disability Discrimination Acts.

- 9 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is also a condition of the London Building Acts (Amendment) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application for street naming and numbering, and to read our guidelines, please visit our website: www.westminster.gov.uk/street-naming-numbering. (I54AB)
- 10 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please email AskHighways@westminster.gov.uk. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority).

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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Item No.
2

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	17th January 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Bayswater	
Subject of Report	22 Northumberland Place, London, W2 5BS		
Proposal	Erection of extensions at lower ground and ground floor levels with terrace at rear ground floor level.		
Agent	Miss Katy Greenwood		
On behalf of	Mr Peter Robinson		
Registered Number	22/01256/FULL	Date amended/ completed	24 November 2022
Date Application Received	24 February 2022		
Historic Building Grade	Unlisted building of merit		
Conservation Area	Westbourne		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

Permission is sought for a full width rear extension at lower ground floor level, a replacement closet wing extension, together with a recessed light-weight infill extension between the new closet wing and the adjacent closet wing of no.23, a terrace at ground floor level and sedum roofs.

Five objections have been received from neighbours on the grounds of design and amenity including loss of privacy and loss of light and that the submitted drawings are misleading. An objection has also been received from the Notting Hill East Neighbourhood Forum on the grounds of the rear extensions would result in loss of rear garden space, lack of greenery and loss of amenity.

Nine letters of support were also received on the grounds of supporting improvements to homes on the street for growing families and the associated benefits in terms of reducing crime. A second

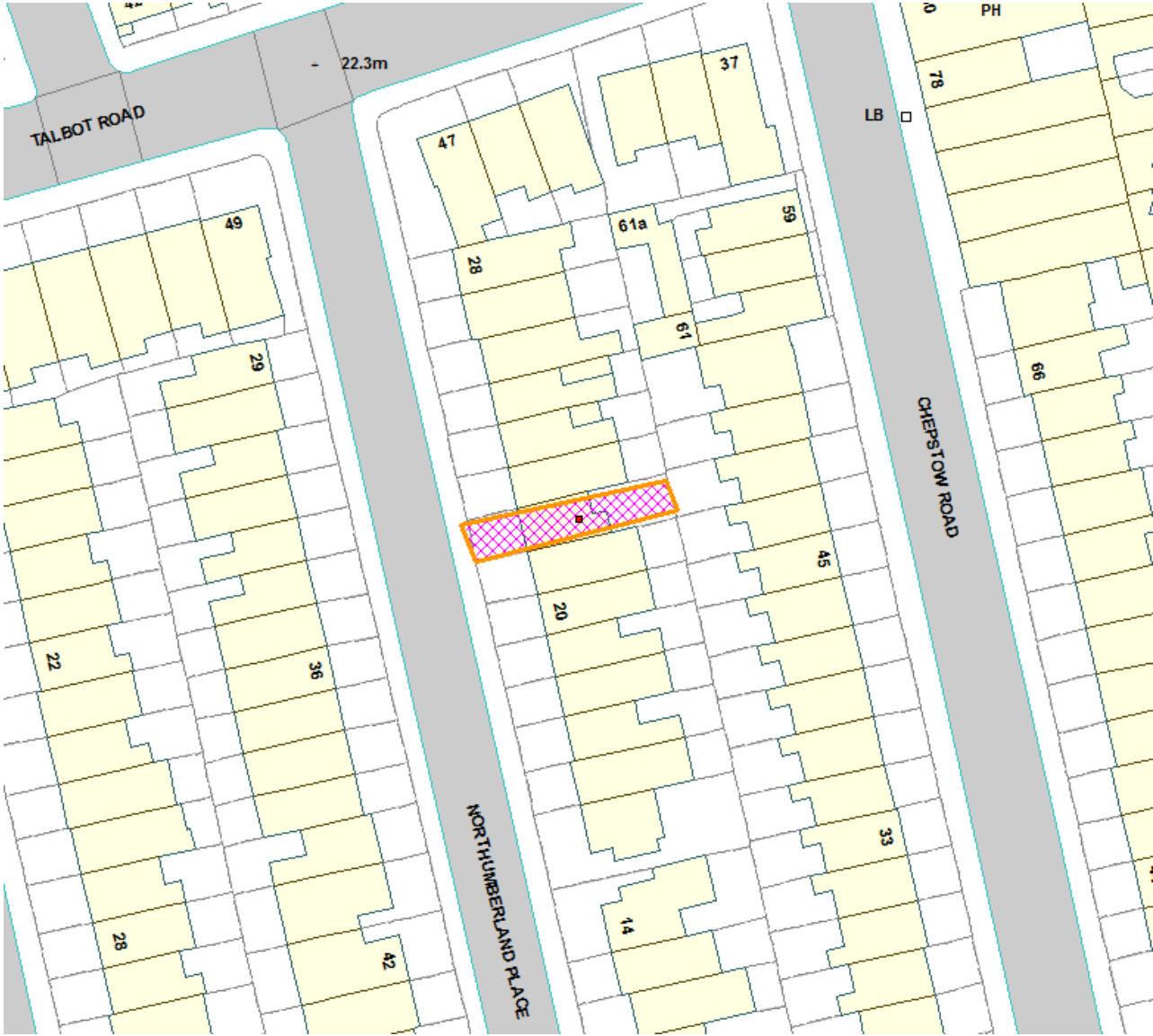
consultation took place following amended drawings being submitted after a resurvey of the height of the neighbouring property at no. 23. Objections were received on amenity grounds and on the grounds the drawings were still inaccurate.

The key considerations in this case are:

- The impact of the proposed buildings on the character and appearance of the Westbourne Conservation Area.
- The impact on the amenity of neighbouring residential properties.

The proposed development is considered to be acceptable and would accord with policies within Westminster's City Plan 2019 – 2040 (April 2021).

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation



Rear elevation

5. CONSULTATIONS

5.1 Application Consultations

FIRST CONSULTATION

NOTTING HILL EAST NEIGHBOURHOOD FORUM

Objection on the grounds of rear extensions resulting in loss of rear garden space, change in rear garden level and lack of greenery. Rear terrace would be closer to neighbour's garden and would result in loss of amenity.

Our comments remain the same as the last time this application was in play.

The extensions at the back cut into the square of garden residents wish to maintain in ALL properties in the neighbourhood. See guideline diagram 5.1.1 with further details in our neighbourhood plan.

Our area is enjoyed because of the amount of greenery and space between our buildings that keep pleasant for residents AND make sure that we are doing our bit for the environment too.

Our objection to the change in garden level proposed at the back is for the same reason. Planting just doesn't work as well when the garden is lowered. And without the greenery (that we all enjoy) noise becomes a nuisance too.

We know that there has been a revision to the plan. The revision makes proximity to the neighbour at the back even worse. The proposed new terrace would in fact be closer to the neighbour's garden than the main body of the building at 22 Northumberland Place. We know neighbours are deeply unhappy about this and so request that this new terrace is not allowed.

We refer the planners to a similar proposal at No 22 Courtnell St - Appeal Decision APP/X5990/D/20/3259065. In paragraph 6 it is concluded that "The presence of the balustrade and timber trellising in an elevated position above the flat roof closet wing would appear obtrusive." That application was denied.

ARBORICULTURAL MANAGER

Proposals do not have any implications for trees on the site. Concerns regarding lowering of rear garden. Notes garden alterations and proposed tree approved under earlier planning permission (Ref: 21/07693/FULL)

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 9

Total No. of replies: 12

No. of objections: 3

No. in support: 9

3 representations of objection on one or all of the following grounds.

Design

- Ground floor should fit within profile of neighbours either side

Amenity

- Ground floor extension would have negative impact in terms of sense of enclosure on the lower ground floor level skylight (W3/9) and ground floor rear reception room (W1/10) on No.21
- Loss of privacy to neighbours at rear due to ground floor projection
- Loss of light and outlook to neighbours either side
- Windows to "home study" should be obscured and restricted opening for privacy and noise reasons.
- Loss of privacy as a result of balcony outside conservatory
- Light pollution caused by conservatory
- First floor projects too far from existing footprint resulting in privacy /amenity issues to neighbours
- Window at first floor level too large.
- Double doors of proposed Juliet balcony is a privacy issue to gardens to rear and noise issues.
- Noise issue from people lowering lower ground garden level to create patios.

Other

- drawings misleading

9 representations of support on one or all of the following grounds:-

- support improvements to homes on the street
- facilitation growing families staying within the street and Westminster
- benefits in terms of reducing crime as flats replaced by houses
- works comparative to other developments in the street

PRESS NOTICE/ SITE NOTICE:

Yes

SECOND CONSULTATION - amended drawings following resurvey of the height of the neighbouring wall at no. 23

No. Consulted: 21

Total No. of replies: 3

No. of objections: 2

No. in support 1

Two objections on one or all of the following grounds:-Amenity

- Terrace should not be allowed - previous permission conditioned roof to not be used as terrace for privacy reasons.

Other

- Drawings still inaccurate

1 representation of support from the applicant on no specified grounds

5.2 Applicant's Pre-Application Community Engagement

Formal pre-application engagement is not required for a development of this scale although it is encouraged by the City Council for all development. No community engagement was carried out with regards to this proposal however the applicant did engage with officers through its pre-application advice service.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan. The Notting Hill East draft neighbourhood plan covers this area, but it is yet to be adopted and therefore its policies currently have little weight in determining planning applications.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

22 Northumberland Place is four storey (plus basement) unlisted building of merit, in use as a single family dwelling house with front and rear gardens, located on the eastern side of Northumberland Place and forms part of an attractive Victorian terrace group which makes a positive contribution to the character and appearance of the Westbourne Conservation Area. The building backs on to a group of Grade II listed buildings along Chepstow Road (7-53 Chepstow Road).

7.2 Recent Relevant History

21/07693/FULL

Lower ground floor rear extension.

Application Permitted 10 February 2022

21/03733/FULL

Erection of a rear extension at lower ground, ground and first floor levels and extensions into the vaults to the front of the property.

Application Withdrawn 27 July 2021

14/08266/FULL

Erection of second floor extension to rear closet wing.

Application Permitted 14 October 2014

14/08262/FULL

Erection of mansard roof extension.

Application Permitted 27 October 2014

8. THE PROPOSAL

The application proposes to replace the existing shallow two-storey (lower ground to ground/first half-landing level) projection with a more deeply projecting two-storey extension, rising to ground floor level (slightly lower than the existing shallow closet wing). This would be built on top of and to the same rear building line as the already approved lower-ground (full width) extension, and would be coupled with a recessed lighter-weight infill extension between the new closet wing and the adjacent closet wing of no.23. A terrace is also proposed at rear ground floor level and sedum roofs are also proposed.

Amended drawings were submitted following resurvey of the height of the neighbouring wall at no. 23. These amended drawings were subject to further public consultation. A revised certificate of ownership has been submitted to reflect works to the party walls of the two adjoining properties.

Past permissions have been granted but not yet implemented for a lower ground floor extension in February 2022 (RN: 21/07693/FULL), and for an extension to the closet wing at first/second half-landing level (RN: 14/08266/FULL). A mansard roof extension permitted in October 2014, but has been built (RN: 14/08262/FULL). The current application follows a previous application for a taller replacement closet wing extension up to second floor level (RN: 21/03733/FULL), which had been considered by officers to be too tall and bulky in design and amenity terms and which was subsequently withdrawn on officer advice.

9. DETAILED CONSIDERATIONS

9.1 Land Use

The proposal would extend this single family dwellinghouse This would accord with Policy 8 of the City Plan.

9.2 Environment & Sustainability

Sustainable Design and Energy Performance

A sustainability report has been submitted with this householder application. This demonstrates that the proposal meets the requirements of Policy 36 and 38 (Parts D, E and F) by the use of construction materials in accordance with the BRE Green Guide, using a design prioritising passive methods of minimising energy consumption and heat loss such as trickle vents and vent panels or opening windows.

Flood Risk & Sustainable Drainage

The proposal involves the lowering of the rear garden level. The site is not located within a Surface Water flood Risk Hotspot or within Flood Zones 2 or 3. The proposal involves the lowering of the rear garden level. The Arboricultural Manager whilst raising concern, has no objection to the proposal subject to a condition requiring an appropriate depth of topsoil, subsoil and drainage layer in the lowered garden.

Light Pollution

An objection has been received on the grounds of potential light pollution caused by the conservatory. The conservatory is solid on both side elevations and being recessed between the closet wings of the subject premises and the next door property is not considered to result in light spill to neighbouring properties, therefore this objection is not considered to be sustainable.

9.3 Biodiversity & Greening

Policy 34B of the City Plan requires that "developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme.

There are no existing trees in or adjacent to the rear garden which could be lost or harmed as a result of the proposals.

Notting Hill East Neighbourhood Forum have objected on the grounds of rear extensions resulting in loss of rear garden space, change in rear garden level and lack of greenery.

The existing garden is currently paved, and both adjacent gardens; at Nos. 21 and 23, are fully hard landscaped and other gardens in the vicinity have also been lowered.

It is proposed to lower the rear garden level so that it is at the same level as the lower ground floor. The Arboricultural Manager has raised concerns about this, however it is considered acceptable subject to a condition requiring an appropriate depth of topsoil, subsoil and drainage layer in the lowered garden, as well as details of a proposed new tree as was attached to the recent permission for the lower ground floor extension. This

will ensure that the garden soil is suitable for future planting, given the lowering which will remove existing topsoil layer likely present beneath the existing paving.

It is also recommended to impose a condition to require the materials to be used in the rear garden to be permeable to address sustainable drainage.

The proposal provides for a sedum roof to the closet wing and part of the main roof, and these are to be secured by condition.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the LBCA Act') requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the LBCA Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the LBCA Act requires that *"In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy 39(K) in the City Plan 2019-2040 requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

The application relates to a mid-terraced townhouse within the Westbourne Conservation Area. It is an unlisted building of merit which, as part of the wider terrace fronting the eastern side of Northumberland Terrace, makes a positive contribution to the character and appearance of the area, both to the front and to the rear. The terrace also positively contributes to the setting of the adjacent grade II listed terrace which it backs

onto, 7-53 Chepstow Road. The house is in a generally good condition and retains much of its historic interest, including modest rear closet wing which rises from lower ground to ground floor levels.

Closet wings on the rear of this terrace are a little varied, but the original modesty (shallow projection) of these can still be seen not only with this site, but also at nos. 17, 20, 21, and 23. No.24 also has seen some effort shown in the stepping of later extensions to the closet wing. There are however three properties which have received substantial extensions to the closet wings at nos. 18, 19 and 25, which are similar to that proposed by this application. There are also further taller and notably bulkier extensions to second floor level seen at 26, 27 and 28. The applicant's and officer's research of the planning history of these has not revealed recent permissions, with the scale of these extensions seemingly pre-dating the available planning record. Whilst they do not represent a recent permission history which might influence the consideration of this current application, they do represent a part of the varied character of the rear of the terrace. They are also all taller in height than the current application proposal.

The application proposes to replace the existing shallow two-storey (lower ground to ground/first half-landing level) with a more deeply projecting two-storey extension, rising to ground floor level (so slightly lower than the existing shallow closet wing). This would be built on top of and to the same rear building line as the already approved lower-ground (full width) extension, and would be coupled with a recessed lighter-weight infill extension between the new closet wing and the adjacent closet wing of no.23.

A number of objections have been received in relation to the proposed extension, but also to other elements of proposals which were the subject of past applications, and are related in fact more to the lower-ground floor extension which has already been approved. A number of letters of support have also been received.

From the current character of the rear of this terrace, it is considered that the pattern of closet wings is quite loose - whilst substantial two-storey extensions are in the minority, and the addition of more would be harmful, this is not what is proposed by this current application which is smaller than those existing two-storey extensions. Being set at the ground floor level, it sits below the equivalent height of those other, more substantial extensions, but also only slightly above the lower level of the stepped extensions of no.23 next door. In 3D drawings submitted in support of the application, the proposal would sit relatively comfortably alongside the existing variable extensions across the back of the terrace.

The detailed design of the proposed extension and its associated infill at the same level, would be respectful to the vernacular character of the rear of the terrace, whilst representing a high quality new addition to the house.

Whilst the proposal is perhaps larger than what may be acceptable in other locations, for this property and when compared with the existing and approved situation across this terrace, it is considered to preserve the appearance of the building and the character and appearance of the conservation area. Subject to conditions and other matters, the application is therefore considered compliant with Policies 38 (design principles), 39 (heritage) and 40 (townscape and architecture) of the City Plan, and is recommended for approval.

9.5 Residential Amenity

Policy 7 of the City Plan seeks to protect surrounding residences from unacceptable loss of daylight/ sunlight, sense of enclosure, loss of privacy and noise. Policy 33 aims to minimise local environmental impacts of development. Policy 38C of the City Plan requires that all development, introduces measures that reduce the opportunity for crime and anti-social behaviour, promoting health, well-being and active lifestyles through design and ensuring a good standard of amenity for new and existing occupiers.

Daylight & Sunlight

Objections have been received on the grounds of loss of light to neighbouring properties.

The lower ground floor level extension would largely sit between the boundary walls of the neighbouring properties and therefore is unlikely to result in any significant increase in sense of enclosure or loss of sunlight/daylight to those properties.

The proposed extensions at ground floor level involve an extension to the closet wing adjacent to the boundary with No.21 and an infill extension adjacent to the boundary with No.23. A sunlight and daylight assessment has been submitted with the application and has assessed the impact on No 21 and no 23 Northumberland Place and 49 Chepstow Road. This concluded that 23 Northumberland Place and 49 Chepstow Road will not experience any reduction in VSC, NSL or APSH and that 21 Northumberland Place will experience fully BRE compliant alterations in VSC, NSL and APSH. Whilst a lower ground floor window to 21 Northumberland Place will experience losses, due to the retained level of light it remains BRE compliant. It is therefore considered that the proposal is acceptable in terms of its impact on sunlight and daylight.

Sense of Enclosure

An objection has been received on the grounds of the sense of enclosure to the lower ground floor level skylight and ground floor rear reception window of No.21. The proposal would involve the closet wing projecting further than existing at the boundary with 21 Northumberland Place (by approximately 3.5 meters), however this would only be by one storey above the existing lower ground floor extension of that property and the relationship is typical of the area. It is not considered that it would result in an unacceptable increase in sense of enclosure to the nearest adjacent windows. The room served by the rooflight is served by other large windows.

Privacy

The windows of the lower ground floor extension would face into the garden of the subject premises and so would not result in any overlooking to neighbouring properties. This element of the application was granted permission in February 2022 (RN: 21/07693/FULL).

Objections have been received on the grounds of loss of privacy from the windows in the rear extensions, and the proposed terrace/balcony. The balcony proposed at ground floor level is flanked on one side by the wall of the proposed closet wing extension and

on the other by the flank wall of the extension at No.23. This would mean that overlooking from the balcony would be limited and it is not considered that it would result in significant loss of privacy. The balcony and the new windows in the proposed extension would be some distance from the properties directly opposite and are not considered to result in significant overlooking when compared with the existing situation

Noise

Objections have been received on the grounds of noise as a result of lowering the lower ground garden level and as a result of the balcony and double doors. The balcony/terrace is of a small size, and it is not considered that it would enable large groups to gather which would represent a significant noise issue. It is not considered that any elements of the proposal would result in a significant increase in noise compared with the existing situation or that of neighbouring buildings.

9.6 Transportation, Accessibility & Servicing

The proposal has no transportation or highways impact.

9.7 Economy including Employment & Skills

It is recognised that the proposal will create jobs during the construction period which is welcomed.

9.8 Other Considerations

Objections have been received on the grounds that the submitted drawings were inaccurate and misleading. The applicant has since resubmitted corrected drawings explaining a surveying error in the original drawing set. The revised drawings have been subjected to re-consultation. Two further objections have been received from previous responders on the grounds that the drawings remain inaccurate however from a site visit the drawings appear to be accurate.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

Planning obligations are not relevant in the determination of this application. No pre-commencement conditions are recommended for this application.

10. Conclusion

Whilst recognising the concerns raised by the objectors, the proposal is considered acceptable in design, conservation, sustainability and amenity terms. The proposed extensions are considered to protect the character and appearance of this unlisted

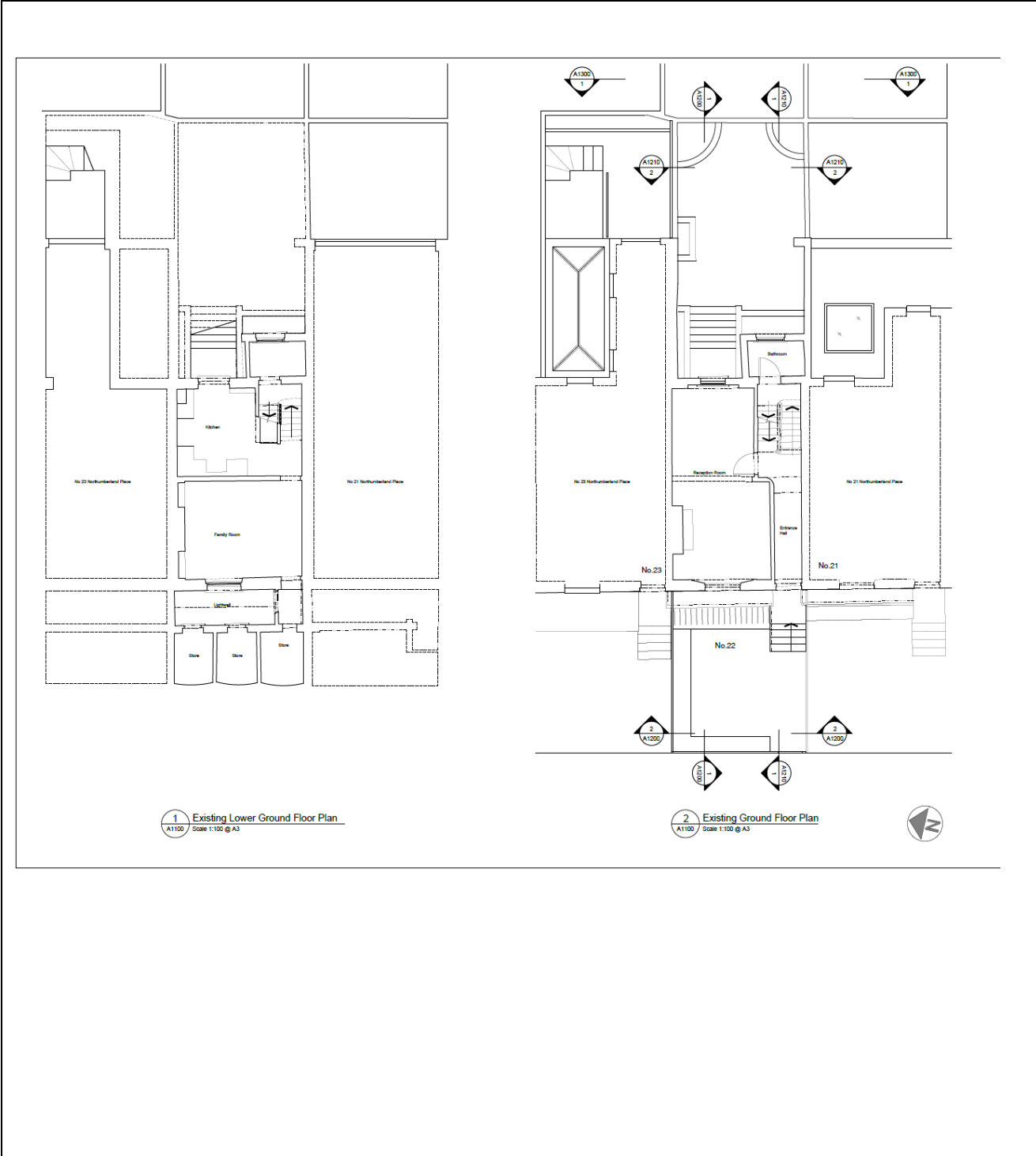
building of merit and of the conservation area.

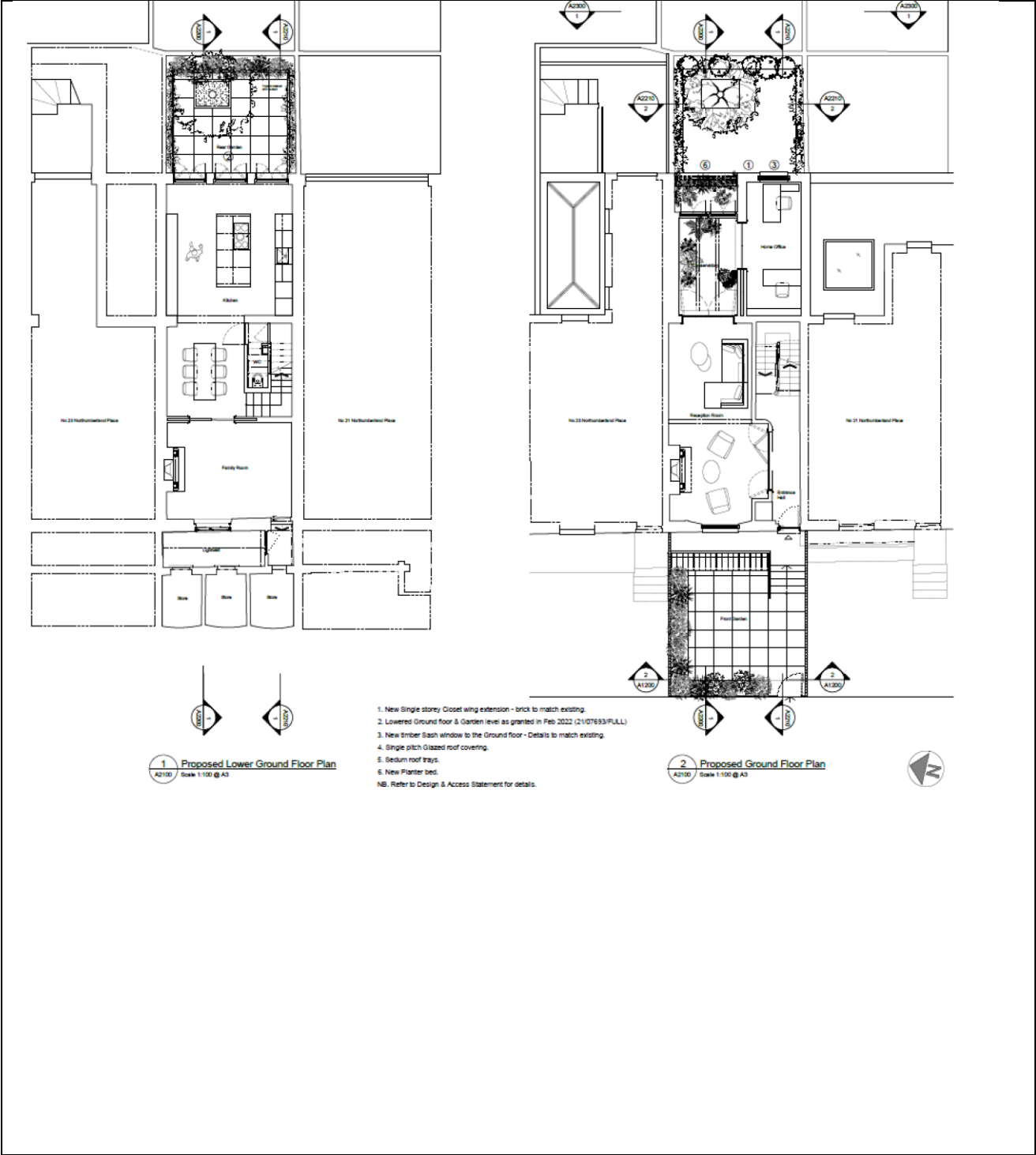
As such, the proposal is considered acceptable, mindful of policies 7, 8, 34, 36, 38, 39 and 40 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(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: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk

11. KEY DRAWINGS

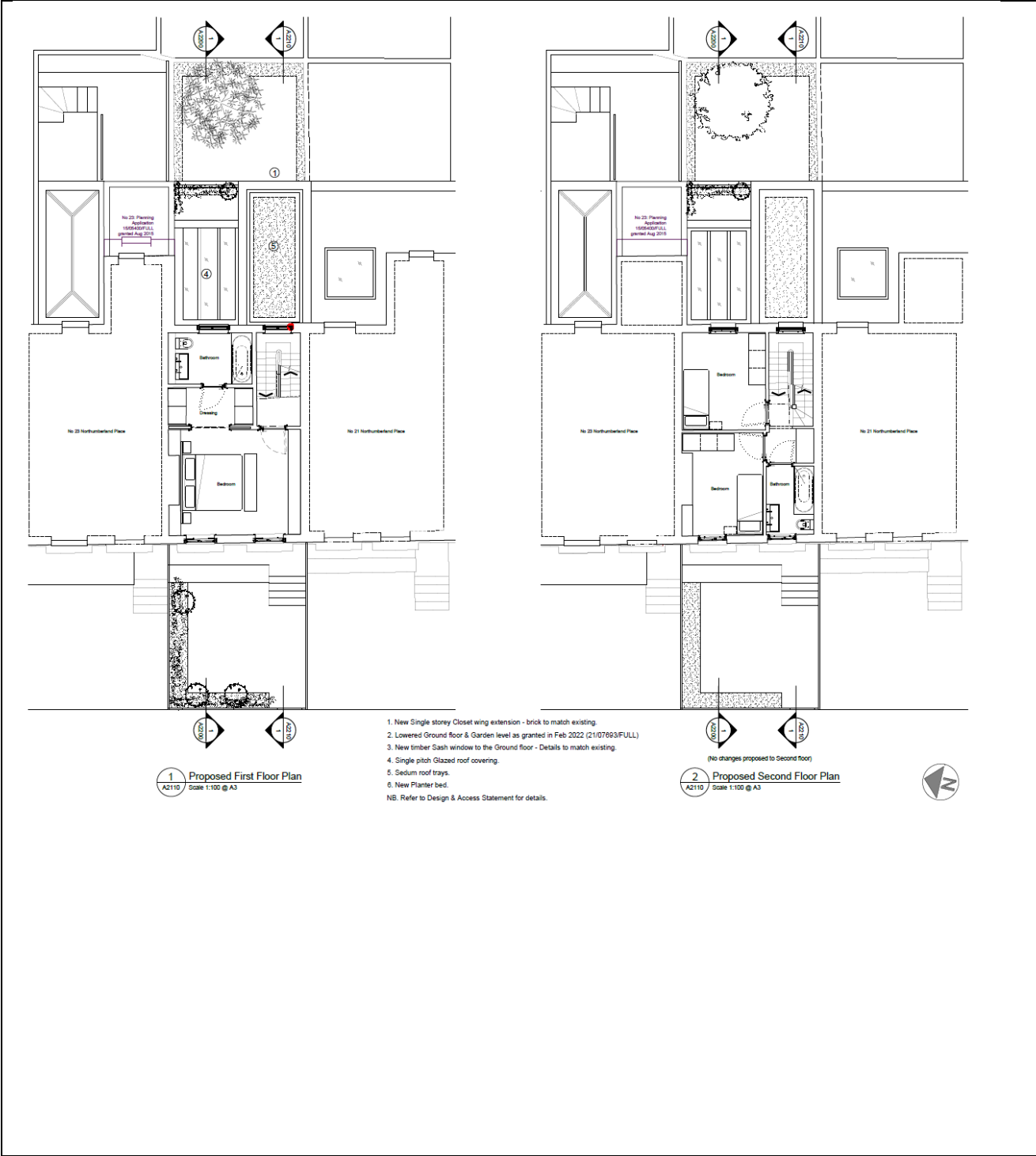


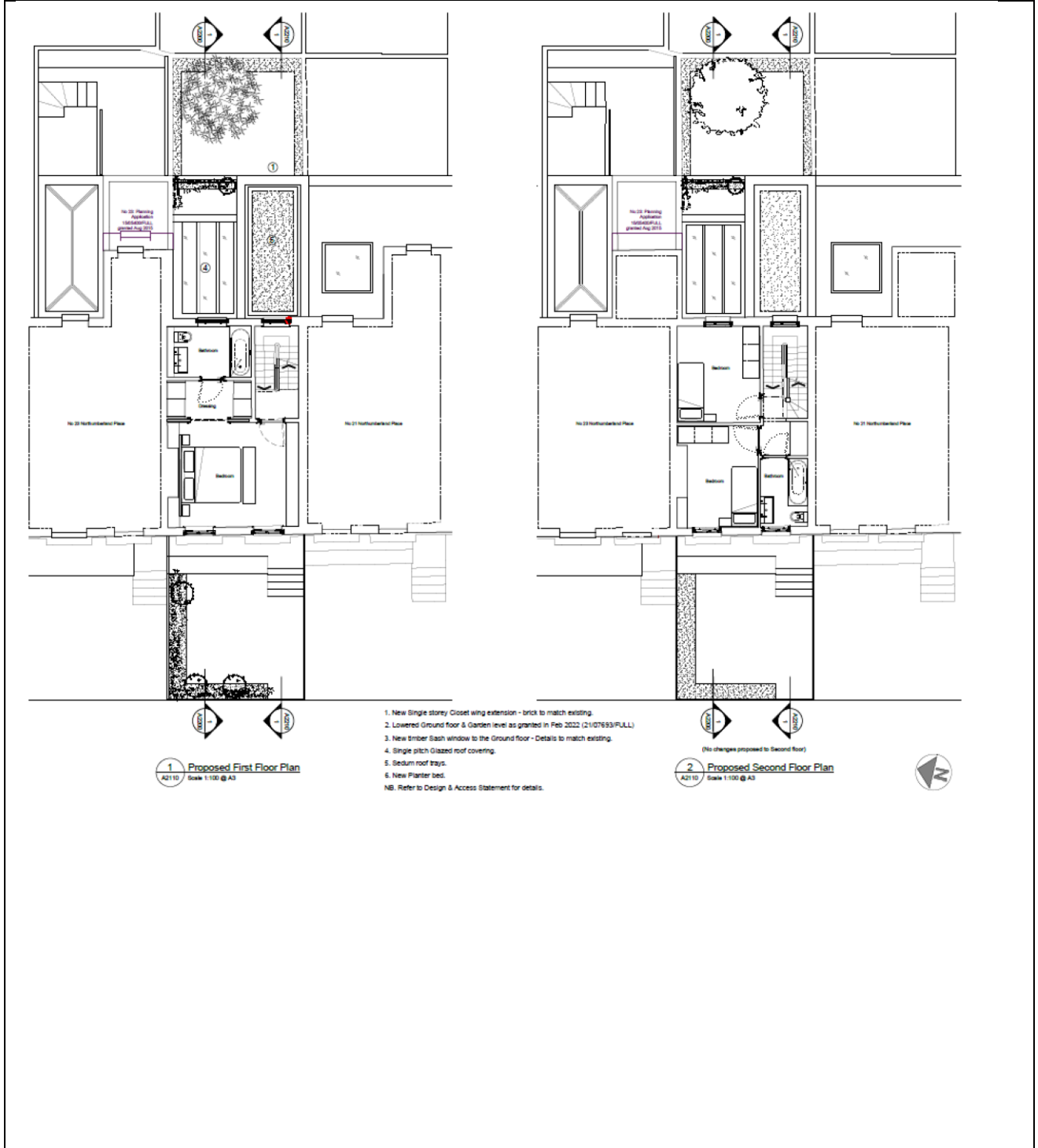


1 Proposed Lower Ground Floor Plan
A2100 Scale 1:100 @ A3

2 Proposed Ground Floor Plan
A2100 Scale 1:100 @ A3

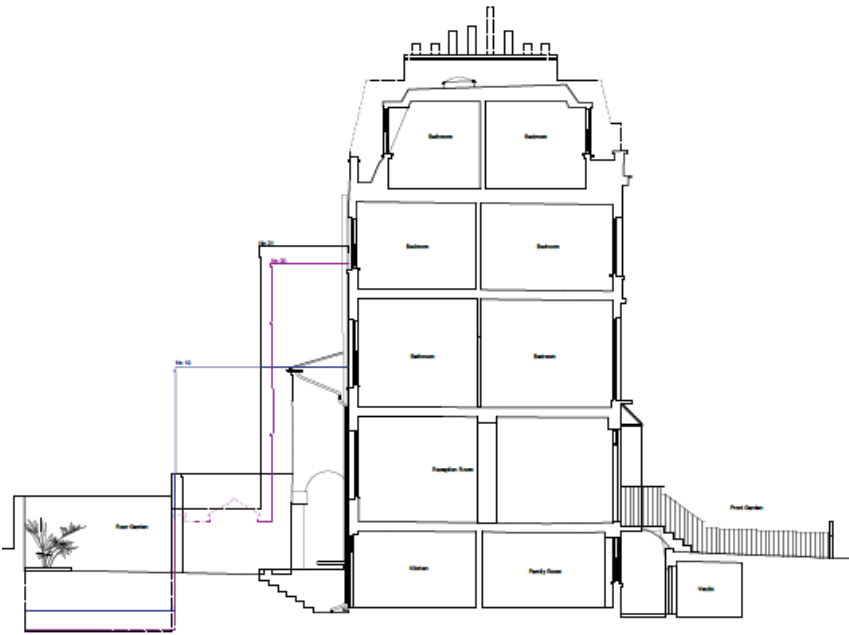








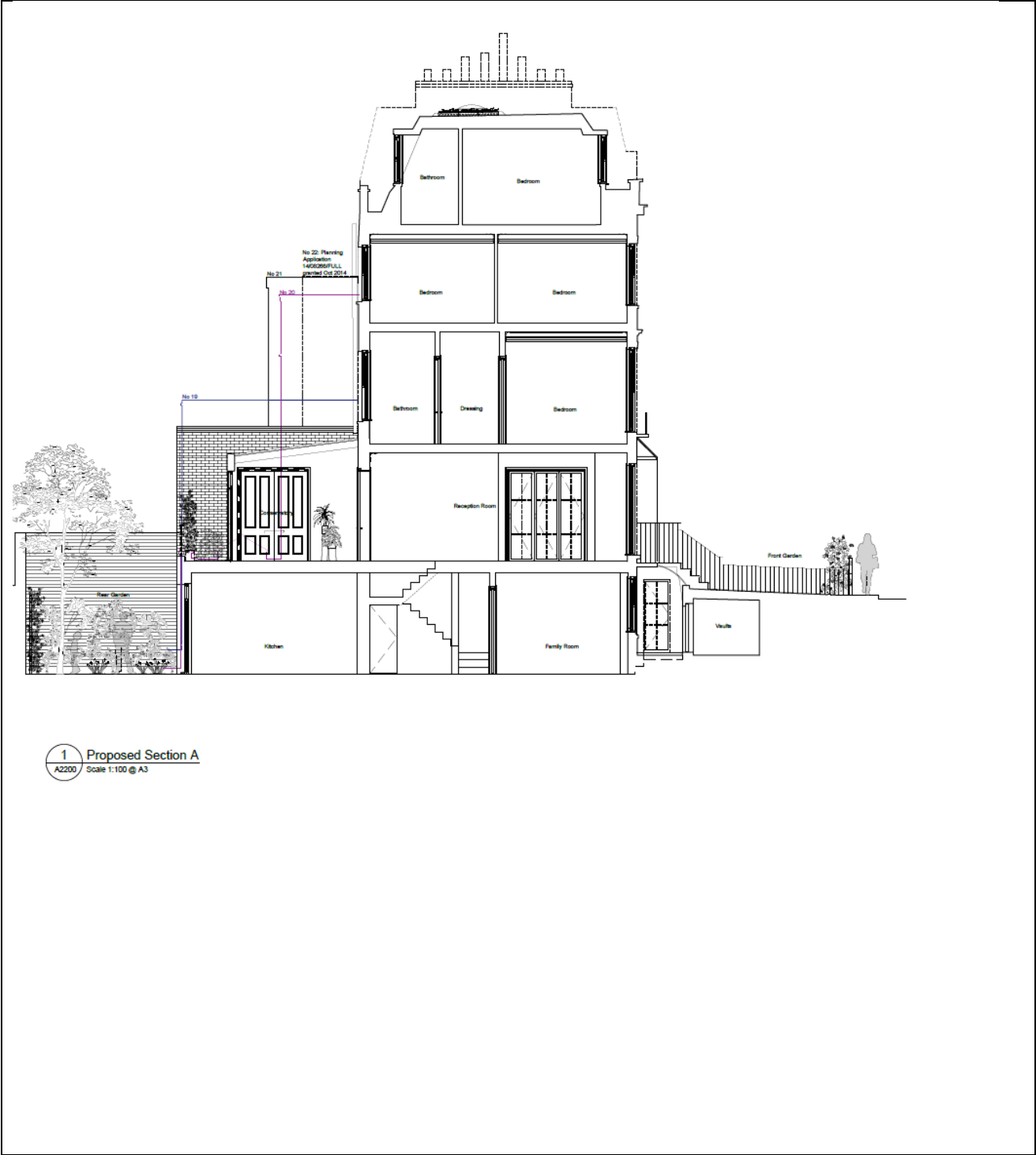


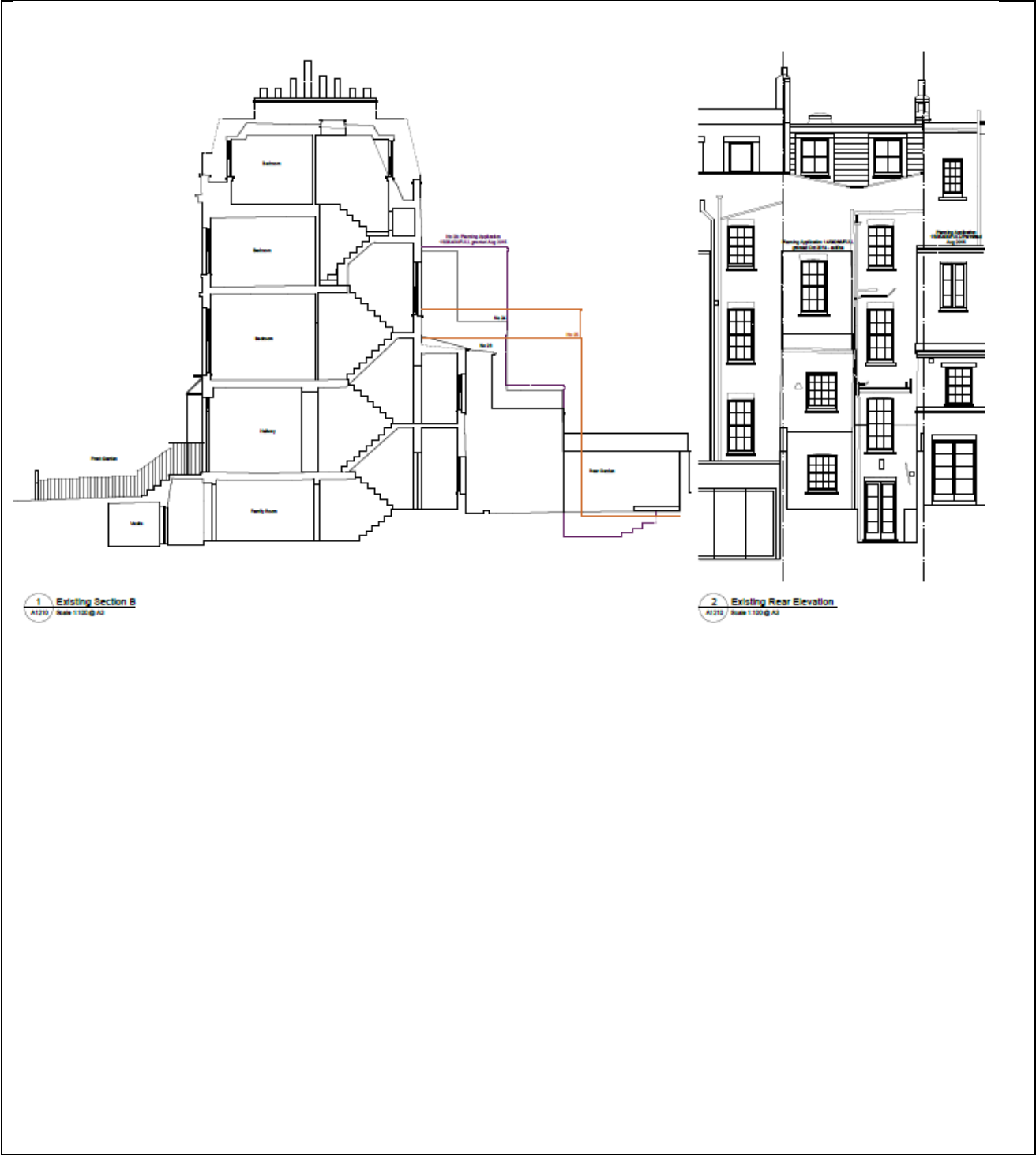


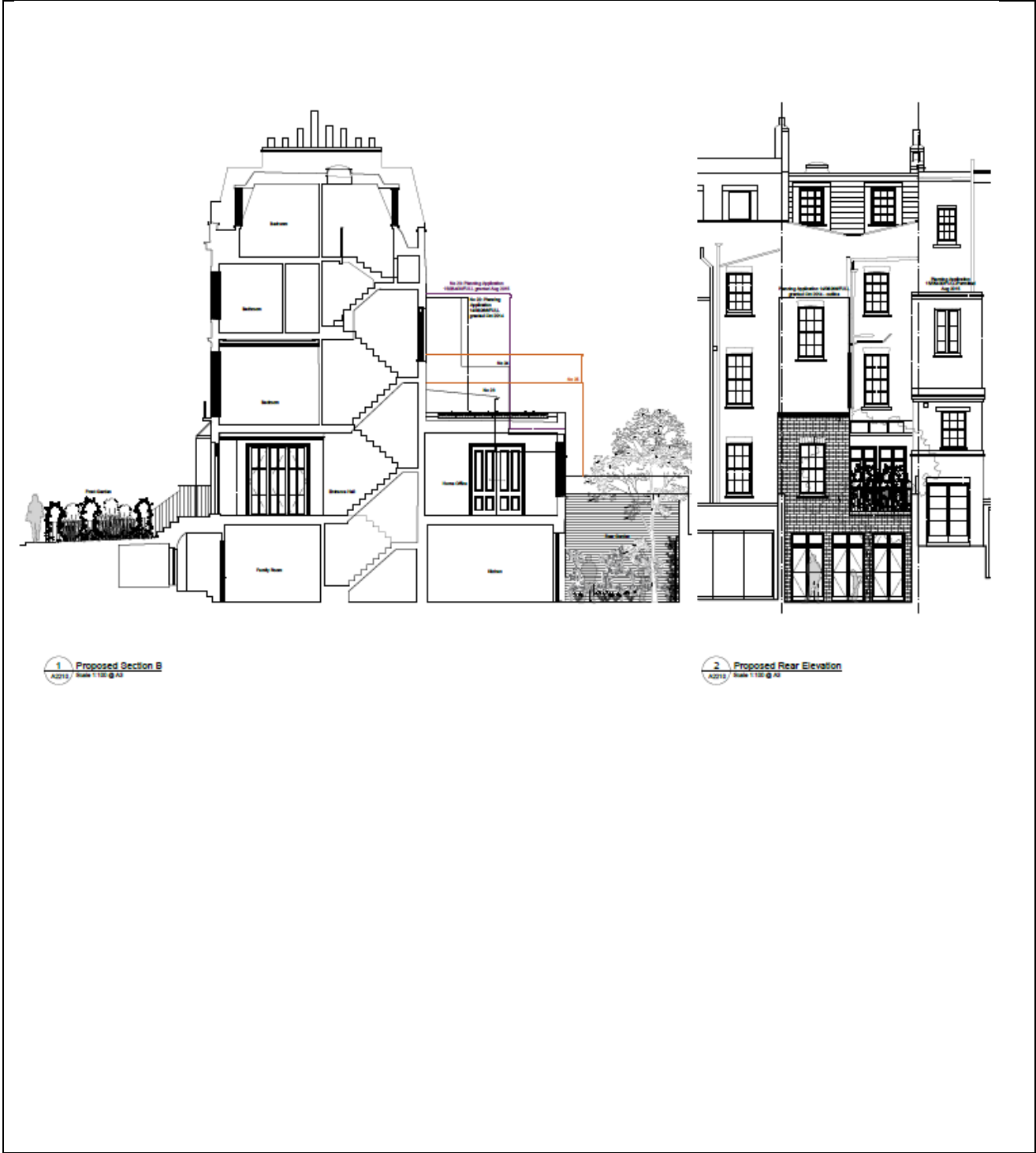
1 Existing Section A
A1000 Scale 1:100 @ A3



2 Existing and Proposed Front Elevation
A1000 Scale 1:100 @ A3







DRAFT DECISION LETTER

Address: 22 Northumberland Place, London, W2 5BS,

Proposal: Erection of extensions at lower ground and ground floor levels with terrace at rear ground floor level.

Plan Nos: A100001; A101003; A110006; A111006; A112002; A120006; A121004; A130004; A201007; A210012; A211009; A212004; A220012; A221014; A230005; Design and Access Statement; Daylight and Sunlight Report

Case Officer: Richard Langston

Direct Tel. No. 07866036470

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

- 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 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 Westbourne Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 4 You must not use the roof of the closet wing extension at first floor level for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 5 You must apply to us for details of the specification and profile of the soil which you propose for the lowered rear garden, including details of the drainage layer and details of the permeable paving ,measures to deal with water run-off.

You must not start any work on this part of the development until we have approved what you have sent to us. You must then carry out the work according to the approved details.

Reason:

To improve the appearance of the development and its contribution to biodiversity and the local environment, as set out in Policies 34 and 45 of the City Plan 2019 - 2040 (April 2021). (R30DB)

- 6 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

Sedum roof

You must not remove any of these features. (C43FA)

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43AC)

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

If you remove any trees that are part of the planting scheme that we approve, or find that they are dying, severely damaged or diseased within 3 years of planting them, you must replace them with trees of a similar size and species. (C30CC)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Westbourne Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in Policies 34, 38 and

39 of the City Plan 2019 - 2040 (April 2021). (R30CE)

- 8 Windows must be painted timber vertically sliding sash windows set into reveals. Doors must be painted timber side-hinged French doors with matching fixed or inward tilting fanlights, and set into reveals.

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 Westbourne Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 visit our website at www.westminster.gov.uk/guide-temporary-structures.

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 at www.westminster.gov.uk/contact-us-building-control

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Item No.
3

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 th January 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Lancaster Gate	
Subject of Report	5 Gloucester Mews West, London, W2 6DY		
Proposal	Erection of roof extension, infill extension to rear at first floor level and associated external alterations.		
Agent	Mr Hamish Macpherson		
On behalf of	Ms Lan Deng		
Registered Number	22/02004/FULL	Date amended/ completed	6 September 2022
Date Application Received	24 March 2022		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

Permission is sought to extend the property at roof level and at the rear, together with associated external alterations, including installation of green roof and rooflights.

The application has been amended during the course of consideration, to correct dimensions on drawings, to incorporate the addition of a green roof and to set-back the extension at the rear.

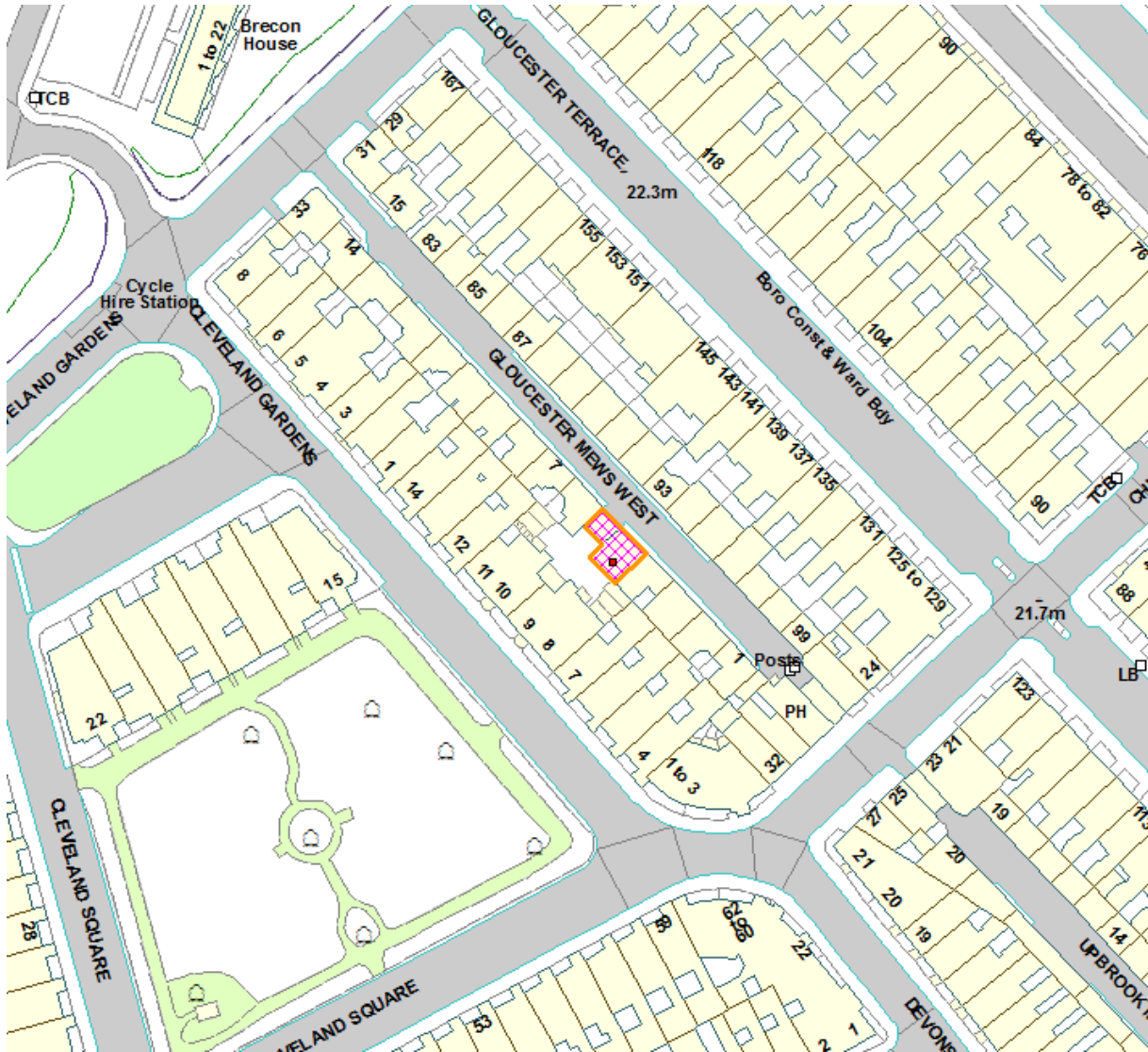
The South East Bayswater Residents Association has made neutral comments. Seven objections have been received on both design and amenity grounds. Two further objections have been received to the second consultation on the grounds that the amendments did not address the original objections.

The key considerations in this case are:

- The acceptability of the proposed development in design terms and on the character and appearance of the Bayswater Conservation Area.
- The impact on the amenity of neighbouring residential properties.

The proposed development is considered to be acceptable and would accord with policies within Westminster's City Plan 2019 – 2040 (April 2021).

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation



Rear Elevation

5. CONSULTATIONS

5.1 Application Consultations

ORIGINAL CONSULTATION

SOUTH EAST BAYSWATER RESIDENTS' ASSOCIATION

Comment. Continuation of the existing set-back façade for Nos. 3 to 4, at second floor level, is welcome albeit analogy in the D & A with the uniform roof development in Westbourne Terrace Mews is overstated; when considering Nos 1A to 5 as a whole, there is a gap in the set-back roof line at Nos. 1A and 2, and the set-back roof extension at No. 1 has different fenestration.

Impact on daylighting/sense of enclosure, etc, on low level windows at Cleveland Square behind, we note from the side elevation drawings and the D & A that a second floor extension - behind the new set back extension now proposed, being nearer to Cleveland Square - has already been built. If so, the impact of the change to what is now proposed should be the same as the previous impact of the set-back second floor extensions at Nos 3 and 4.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 40

Total No. of replies: 7

No. of objections: 7

No. in support: 0

7 Objections on one or all of the following grounds

Design

- Detrimental to conservation area

Amenity

- loss of light to 8-11 Cleveland Square flats
- loss of privacy to 8-11 Cleveland Square flats

Other

- applicant did not consult with neighbours
- Planning Inspectorates decision to allow appeal against Council's decision to refuse application at 1-4 should not be taken into account when considering the current application
- area already overbuilt

PRESS NOTICE/ SITE NOTICE:

Yes

SECOND CONSULTATION – following revised drawings including corrections to dimensions on proposed section drawing, addition of green roof to flat area in front of

extension, rear elevation of entire extension set back consistently from rear elevations.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 47

Total No. of replies: 2

2 objections on the following grounds

Design

- Detrimental to the conservation area.

Amenity

- Impact on amount of light received to 10-11 Cleveland Square.

Other

- Amendments do not address previous objections.

5.2 Applicant's Pre-Application Community Engagement

Formal pre-application engagement is not required for a development of this scale although it is encouraged by the City Council for all development. No community engagement was carried out with regards to this proposal.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in

the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

5 Gloucester Mews West is an unlisted two-storey mews property, located on the south west side of Gloucester Mews West within in the Bayswater Conservation Area.

The property is in use as a single dwelling with a ground floor home/office and a living/kitchen/dining room and two bedrooms and a bathroom at first floor. It benefits from an integral double garage at the rear (with permission to use as habitable space), accessed via a gated under-croft at ground floor level of the building from Gloucester Mews West. There is a hardstanding area to the rear which is served by the under-croft access and serves the rear courtyard which provides access to a number of other garages at ground floor level of 8-11 Cleveland Square which is a block of flats which also backs onto this area directly behind the application site. Adjoining to the south west is 1-4 Gloucester Terrace which are three storey mews properties.

7.2 Recent Relevant History

5 Gloucester Mews West 20/04626/FULL

Conversion of ground floor garages to habitable space, and associated works of replacing two garage door openings including roller shutters with two windows and reinstatement of the curb outside no. 5 Gloucester Mews West to provide additional on-street parking.

Application Permitted 7 April 2021

1-4 Gloucester Mews West 18/04329/FULL

Erection of a roof extension to Nos.1-4 Gloucester Mews West to enlarge four existing dwellinghouses.

Application permitted at Appeal in April 2021

8. THE PROPOSAL

Planning permission is sought for the erection of an extension at rear first floor level, infilling an existing roof terrace and a roof extension at second floor level with windows to front and rear elevation and minor changes to existing rear fenestration, in association with the continued use as a single family dwelling. The proposal also includes the installation of a green roof to the flat roof in front of the extension and rooflights within its roof. An existing water tower structure at second floor level will be removed as part of the development.

The proposal has been amended during the course of consideration to add corrections to dimensions on the proposed section drawing, the addition of a green roof to flat roof area to the front of extension, and to show the rear elevation of the entire extension set back consistently from the rear elevations.

The corrections to dimensions on the section drawing have been checked during an officer site visit. A revised certificate of ownership has been submitted to reflect works to the party walls of the two adjoining properties.

9. DETAILED CONSIDERATIONS

9.1 Land Use

The application proposes to increase the floor space to this single family dwelling. The proposed dwelling would comprise a ground floor home/office, at first floor level a kitchen/living/dining area, two bedrooms and a bathroom and within the new second floor level, two ensuite bedrooms and a large open plan area with kitchenette, which the applicant has indicated is to be used as a private dance studio by the occupier. The proposed increase in residential floorspace to this dwelling complies with Policy 8 of the City Plan.

The proposal would result in the loss of the only external amenity space serving this single family dwellinghouse (a small terrace to the rear at first floor), however this is balanced by the increased internal floorspace. It is also recognised that providing outside amenity space at high level – the only option for a site such, would likely have amenity implications for surrounding properties.

9.2 Environment & Sustainability

Sustainable Design and Energy performance

A Sustainability Statement has been submitted with this householder application. This aims for the proposal to meet the requirements of Policy 36 and 38 (Parts D, E and F) by the works surpassing the minimum requirements of building regulations through thermally efficient measures. These measures include upgrading the retained elements of the existing building, specifying high levels of insulation to the new elements of the proposal, installing heating systems that are compliant with the current regulations, and installing efficient low-energy lighting. Mindful of the relatively small scale nature of the development the approach is considered acceptable.

Circular Economy

The applicant has stated that wherever materials from the demolition of existing structures are in a reusable condition and if their use does not detract from the appearance of the building, they would be re-used.

Flood Risk & Sustainable Drainage

The site is located within a Surface Water flood Risk Hotspot. A Flood Risk Assessment has been submitted with the application which outlines a number of flood protection measures. It states that all water running off the new roof will run into gutters, that will be directly connected to the existing rainwater down pipes and the most efficient route to the sewers. The proposal would not result in any increase in impermeable surface area. Peak surface run off will be in part mitigated by the green roof included in the proposal.

9.3 Biodiversity & Greening

Policy 34B of the City Plan requires that "developments will, wherever possible, contribute to the greening of Westminster by incorporating trees, green walls, green roofs, rain gardens and other green features and spaces into the design of the scheme.

A living green roof has been proposed on the flat roof in front of the setback roof extension at second floor level and it is recommended that this feature is secured by condition.

9.4 Townscape, Design & Heritage Impact

Section 72 of the same Act requires that "In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

Gloucester Mews West was created in the mid-19th century as an integral part of the townscape of this part of Bayswater and was conceived as a mews street providing stabling for the surrounding residential terraced properties. In the mid-20th century however the buildings in the street were rebuilt, and all the properties lining Gloucester Mews West are now residential buildings of quite modern styling. The buildings are not fully uniform along the street but arranged into several separate runs of buildings each with their own unified character, and whilst no. 5 has a wider frontage and some stylistic differences it generally integrates with nos. 1-4 Gloucester Mews West. Though relatively modern, they are not unattractive, particularly when considered as a grouping of buildings. City Plan policy 40 (E) states that 'Roof extensions will be supported in principle where they do not impact adversely on heritage assets and where part of a terrace or group already characterised by roof additions, be of appropriate design which follows an established form and would help to unify the architectural character of the existing terrace or a group.'

Though noting that the Bayswater Conservation Area Audit has identified buildings where roof extensions would be unacceptable and the application building is identified as such, nonetheless the more recently allowed extensions at nos. 1-4 Gloucester Mews West are of considerable note in assessing the application, as is the more recently adopted policy quoted above. As such, and given the roof extensions now present to the buildings adjoining on the southern end of this terrace, the principle of the extension proposed is considered acceptable.

The extension proposed follows the design approach of those previously allowed to nos. 1-4, with generally zinc cladding to match, dark grey aluminium framed windows in a size and arrangement to follow those on the adjoining buildings, and a matching height

and also set back from the front elevation. In views from street level therefore the extension proposed will integrate well with the adjoining extension at no. 4 and this group of roof extensions generally. To the rear, a small infill extension is proposed to rear first floor which is considered well integrated into the building, and the minor works to the rear fenestration pattern considered in character with the building. To the rear the extension to roof level is designed to integrate with the building below and neighbour to the south, with a set-back to give a more subsidiary roof extension appearance, and with a part continuation of the rendered rear elevation on the southern end, and the zinc clad structure to the northern side. Overall, the extension is considered acceptable and in line with City Plan policies 38, 39 and 40.

9.5 Residential Amenity

In terms of the amenity impact of the proposed extension, the permission granted at appeal to 1-4 Gloucester Mews West is relevant. The roof extension is of matching height and form to that approved and in particular the extension at No.4 has the same relationship to 8-11 Cleveland Square as the proposal. The Inspector in that decision found that "the proposed extension would not result in undue harm to the living conditions of nearby occupiers". Coming to this conclusion "having had regard to the distance between the appeal site and the flats nearby and the position of their windows".

Daylight & Sunlight and Sense of Enclosure

Objections have been received on the grounds of loss of light to 8-11 Cleveland Square flats. There are garages directly to the rear of the property at ground floor level and a blank wall of a stairwell at part first floor level. The most effected window would be a first floor window to the rear of 8-11 Cleveland Square. This window would pass the BRE 25 degree angle guideline regarding its position to the extension. Given the limited increase in height proposed, the set back of the roof extension from the existing building line, the removal of the existing water tower as part of the proposal, the fact that the nearest residential windows to the rear are at a raised level as the lower storey is used as garages together with the distance to the nearest windows (approximately 7.5m), it is not considered that the proposed roof extension would result in such a significant loss of daylight or cause such a sufficient increase in enclosure, so as to justify withholding permission on these grounds.

Within the mews, the set back of the front elevation of the proposed roof extension would be sufficient to ease the relationship with mews houses opposite and prevent the proposed development from resulting in an unacceptable loss of daylight or sunlight or material increase in enclosure.

Privacy

Concerns have been raised by objectors in relation to the loss of privacy to the flats behind the site at 8-11 Cleveland Square. There is an existing window (to be retained) at the rear first floor level and the proposal would involve an additional window at this level on the main rear elevation where it would be within an infill extension replacing an existing roof terrace and two additional rear facing clear windows to the roof extension. Because of the existing fenestration on this elevation and the fact that the proposal

would involve the replacement of the existing rear terrace and because of the distance to the neighbouring windows (approximately 7 meters) it is not considered that these windows would result in an unacceptable increase in overlooking.

The extension would introduce new rear facing windows at second floor level and it is proposed that these windows are obscure glazed with top hung casement windows with restrictors to protect the privacy of the windows to the rear elevation of Cleveland Square behind.

The windows proposed to the front elevation would be set back from the existing elevation by approximately 2m and would be limited in terms of their size. Given these factors and as there are existing windows at first floor level which afford similar overlooking across the mews, it is not considered that permission could reasonably be withheld on overlooking grounds to the window opposite in the mews.

Given their position in the roof of the proposed roof extension and their limited size and number, it is not considered that the proposed rooflights would give rise to significant overlooking or cause a light nuisance to neighbouring occupiers.

9.6 Transportation, Accessibility & Servicing

The proposal has no transportation or highways impact.

9.7 Economy including Employment & Skills

It is recognised that the proposal will create jobs during the construction period, which is welcomed.

9.8 Other Considerations

Objections have been received on the grounds that the applicant has not consulted neighbours on the proposal. Although it is always desirable for applicants to consult their neighbours on planning applications, it is not a requirement. The Council has consulted neighbours and the local amenity society as well as published a press notice and site notice. It is considered that sufficient consultation has been undertaken.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

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

10. Conclusion

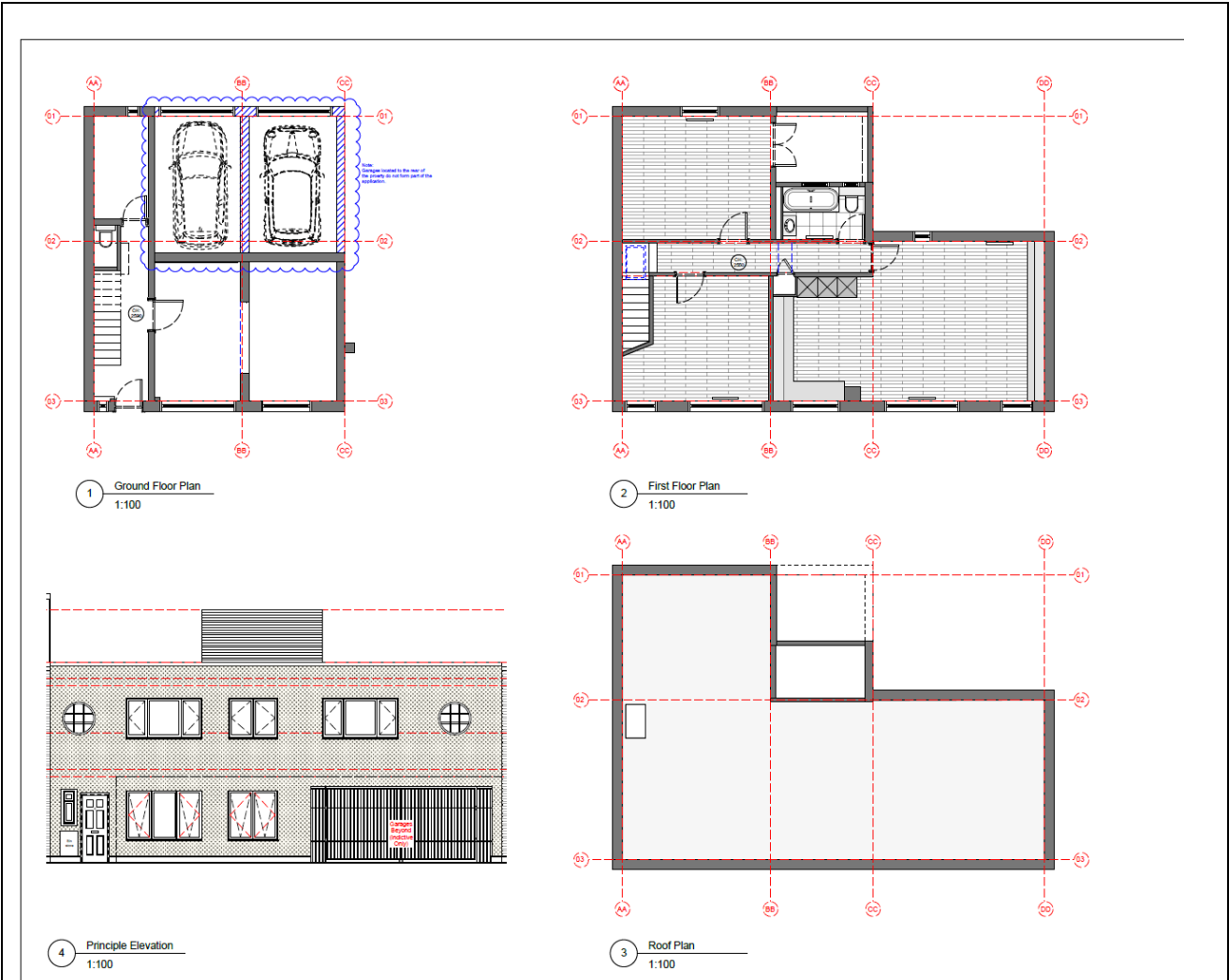
Whilst recognising the concerns raised by the objectors, the proposal is considered acceptable in design, conservation, sustainability and amenity terms.

As such, the proposal is considered acceptable, mindful of policies 7, 8, 34, 36, 38, 39 and 40 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

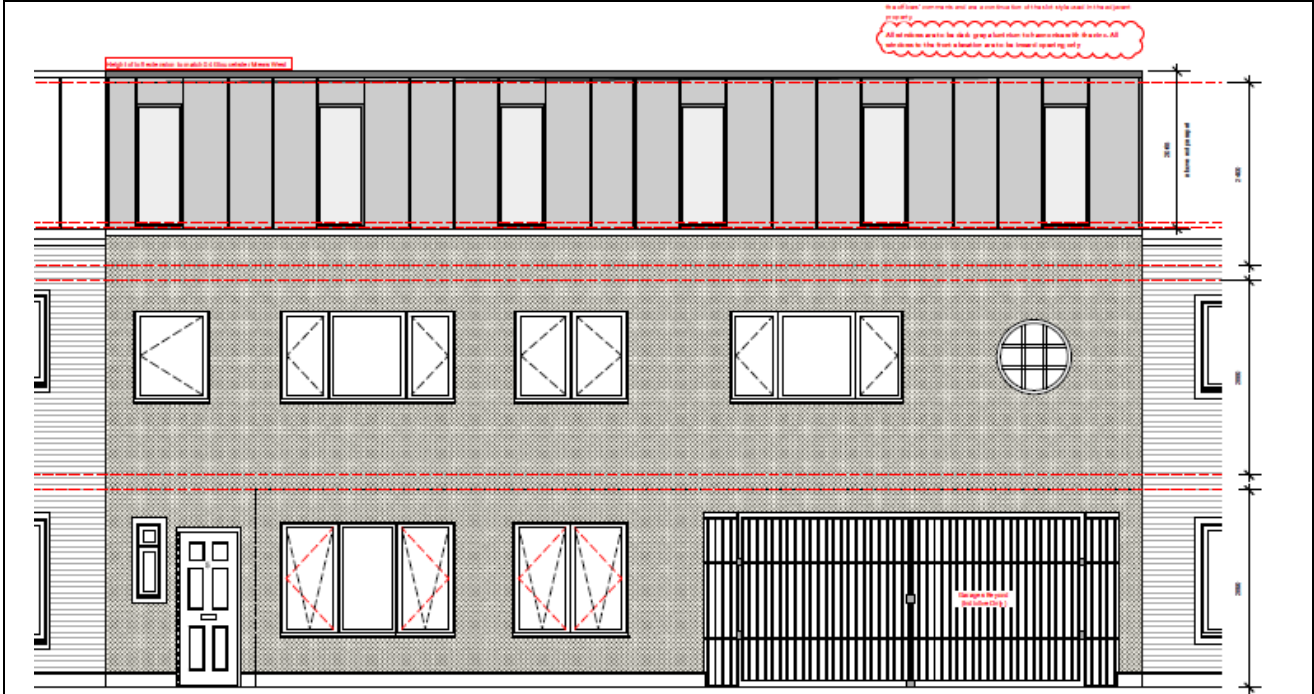
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT swhitnall@westminster.gov.uk

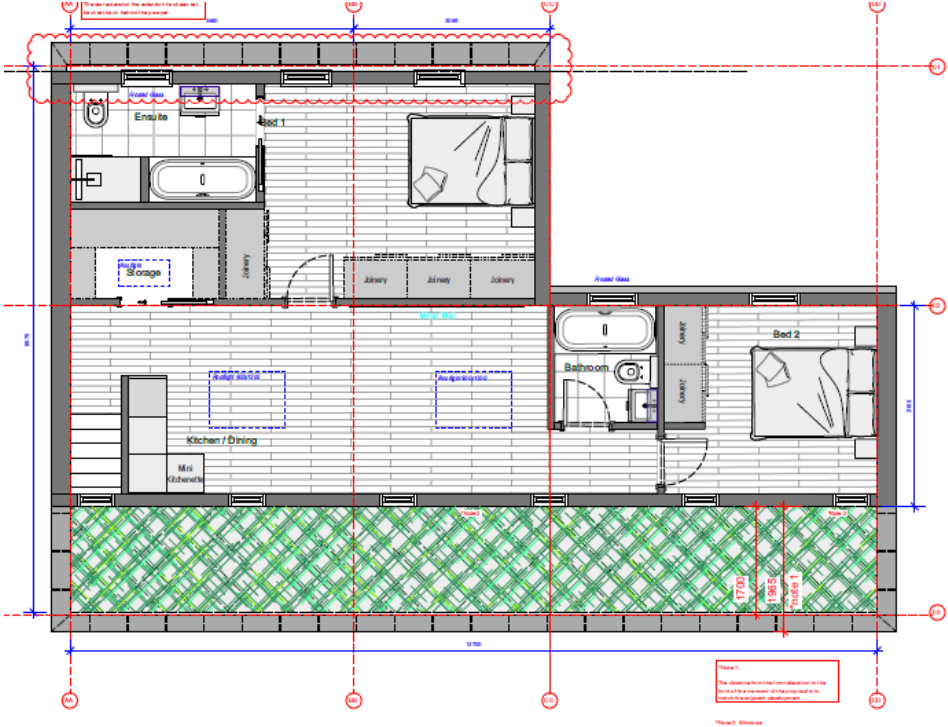
11. KEY DRAWINGS



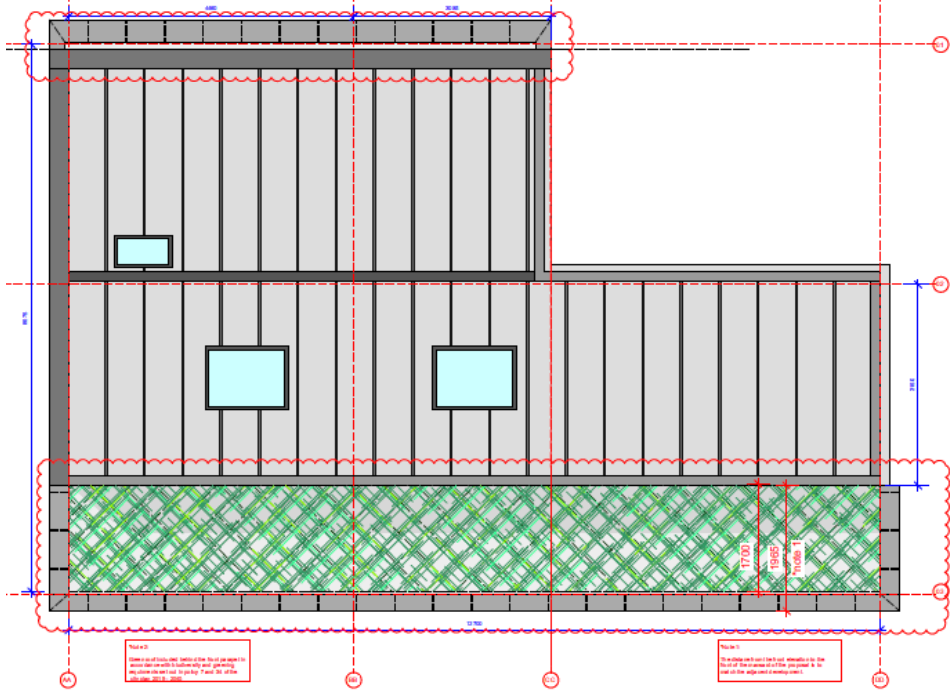
Existing floorplans and Front elevation



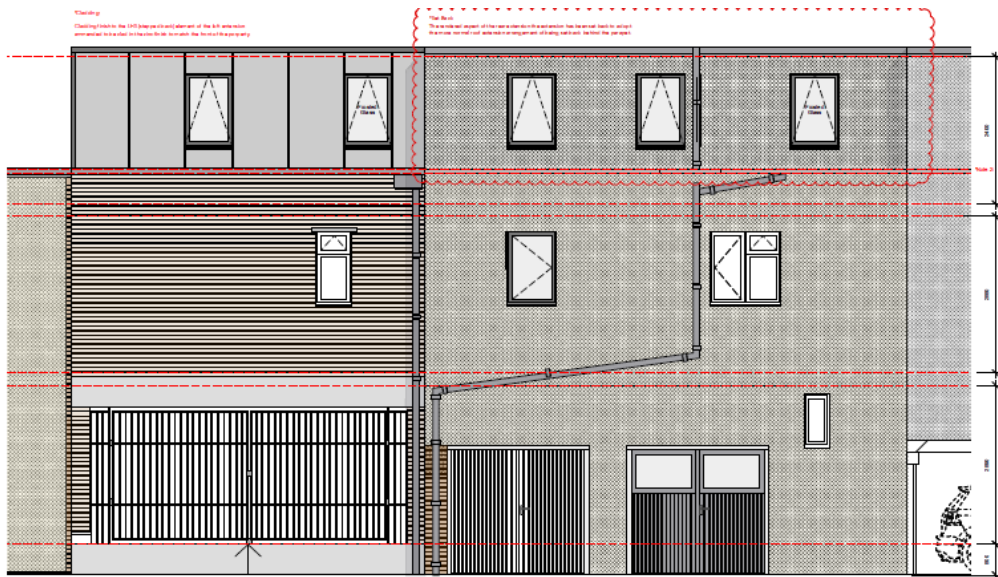
Proposed Front elevation



Proposed second floor



Proposed Roof Plan



Proposed Rear Elevation

DRAFT DECISION LETTER

Address: 5 Gloucester Mews West, London, W2 6DY,

Proposal: Erection of roof extension, infill extension to rear at first floor level and associated external alterations.

Plan Nos: Location Plan: 2005_G200RevA; 2005_G201RevA; 2005_G202RevA; 2005_G203RevA; 2005_G301RevB; 2005_G302RevA; 2005_G303RevA; 2005_204RevC; 2005-G205_RevG; 2005-G206_RevE; 2005-G207_RevB; 2005_G304RevE; 2005-G305_RevE; 2005-G306_RevC; 2005-G306B_RevB; 2005_G307RevB; 2005_G600_RevC; 2005_G801RevB; 2005_G802RevB; Design and Access Statement; Sustainability Statement;

Case Officer: Richard Langston

Direct Tel. No. 07866036470

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

- 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 4 You must apply to us for approval of a sample and also a photograph of the sample for the zinc cladding to be used to clad the extension. 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 Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 5 The new areas of facing brickwork must match the existing original brickwork in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Bayswater Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 6 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

Green roof

You must not remove any of these features. (C43FA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 7 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof to include construction method, layout, species and maintenance regime.

You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan. (C43GA)

Reason:

To increase the biodiversity of the environment, as set out Policy 34 of the City Plan 2019 - 2040 (April 2021). (R43FC)

- 8 You must not use the roof of any part of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 9 The glass that you put in the rear windows of the extension at second floor level must not be clear glass, and you must fix it permanently shut or fit appropriate restrictors. You must apply to us for approval of a sample of the glass (at least 300mm square) and details of the proposed method restricting opening. You must not start work on the relevant part of the development until we have given our written approval for the sample. You must then install the type of glass we have approved and 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 Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 With regards to condition 4, you are advised that to discharge this condition, a photograph of the sample proposed shown in context with the constructed roof extension to the adjoining building at no. 4 Gloucester Mews West and confirming that it matches the finished appearance of the cladding to the extension at no. 4 would be required to allow for a positive recommendation to be made.
- 3 The building is in use as a single family dwelling and must remain in use as such.