

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 5 July 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Knightsbridge And Belgravia	
Subject of Report	Bolebec House, Lowndes Street, London, SW1X 9EU,		
Proposal	Erection of single storey extension at main roof level with roof terrace, alterations to fenestration, mechanical plant to rear elevation, all in connection with the enlargement of Flat 25.		
Agent	Miss Charlotte Handscomb		
On behalf of	Halkin Holdings Limited		
Registered Number	16/03997/FULL	Date amended/ completed	29 April 2016
Date Application Received	29 April 2016		
Historic Building Grade	Unlisted		
Conservation Area	Belgravia		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Bolebec House is an unlisted building located in the Belgravia Conservation Area. The building is predominantly six stories high. The building dates from the mid-20th century. It has been partially extended at roof level creating a penthouse to the northern corner on the building at the junction with West Halkin Street. The building is in residential use as flats with a commercial unit at ground floor level.

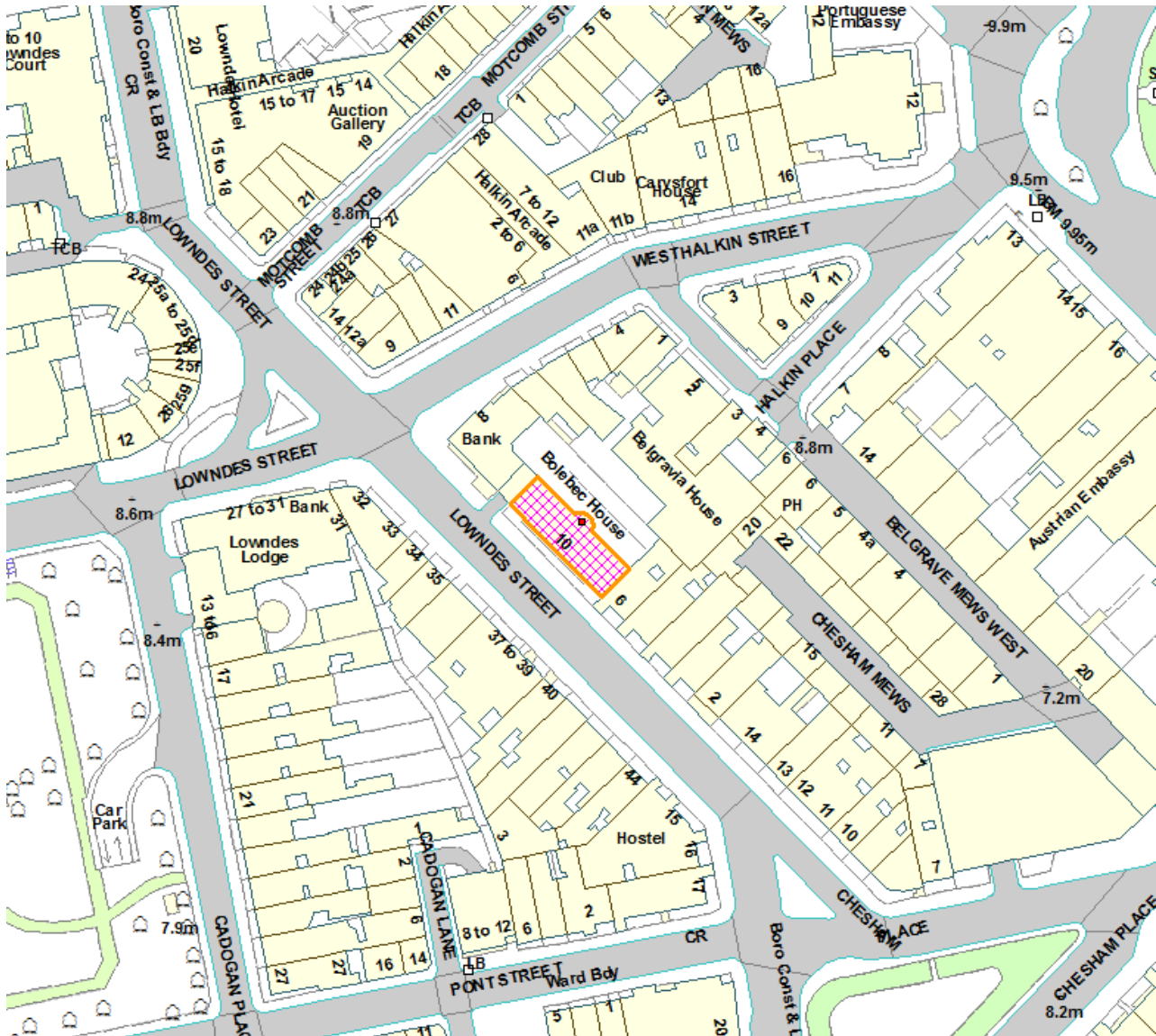
Planning permission is sought for a single storey extension at main roof level, the formation of a roof terrace to flat 25 and alterations to the fenestration to the existing flat to both the front and rear. The extension would be of a similar design to that existing to the northern corner of Bolebec House.

The main issues for consideration are:

- The impact of the proposed roof extension on the character and appearance of the building and the conservation area; and
- The impact of the proposed extension on the amenity of neighbouring residents.

The proposal is considered to comply with the Council's policies in relation to design, conservation and amenity as set out in Westminster's City Plan: Strategic Policies (the City Plan) and the Unitary Development Plan (UDP) and the application for planning permission is recommended for approval subject to the conditions set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of Bolebec House from junction of Lowndes Street and West Halkin Street



View of Flat 25 from Lowndes Street

5. CONSULTATIONS

AMENITY SOCIETY (Belgravia Residents Association):
No comment.

AMENITY SOCIETY (Belgravia Neighbourhood Forum):
No comment.

ENVIRONMENTAL HEALTH
No objection, subject to conditions.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED
No. Consulted: 174
Total No. of replies: 3
No. of objections: 3

Objections from neighbouring residents on some or all of the following grounds:

Design

- The proposed extension would be visually unacceptable because it would worsen the appearance of a building which is already incongruous.

Amenity

- The proposed extension would result in a loss of daylight and / or loss of sunlight for the occupants of the flats opposite and adjacent on Lowndes Street.
- The proposed extension and roof terrace would result in loss of privacy through overlooking of the flats opposite on Lowndes Street.

Parking

- The proposed extension would result in additional on-street parking stress in the area.

Construction

- The construction of the development would result in harmful noise, disturbance and construction traffic.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Bolebec House is an unlisted building located in the Belgravia Conservation Area. The building is predominantly six stories high. The building dates from the mid-20th century. It has been partially extended at roof level creating a penthouse to the northern corner on the building, at the junction with West Halkin Street. The building is in residential use as flats with a commercial unit at ground floor level.

6.2 Recent Relevant History

On 23 March 2006 permission was granted for the erection of single-storey extension and installation of railings at roof level in connection with the creation of 1x1-bedroom self-contained flat (Class C3).

On 30 July 2003 permission was refused for the erection of roof level extension to provide an additional 2-bedroom flat at 6th floor.

On 7 March 2002 permission was refused for the erection of extension at 6th floor roof level to create 2x 1 bedroom flats.

On 19 July 2001 permission was refused for the erection of 6th floor roof extension and installation of railings to create a terrace at roof level to provide 2 x 1 bed flats.

7. THE PROPOSAL

Planning permission is sought for a single storey roof extension and formation of a roof terrace to flat 25, including alterations to the fenestration of the existing flat to both the front and rear. The extension would be of a similar design to that existing to the northern corner of Bolebec House.

In the early 2000s a number of applications for an extension were refused, primarily on the grounds of an increased sense of enclosure for residents to the rear of the site (Belgravia House and Halkin Place). In 2006 planning permission was granted for an extension which addressed this concern - the extension was set back from both the front and rear and included a significant slope to the rear. This permission has now expired.

This application proposes a similar extension to that previously approved, but differs in following summarised ways:

- The proposed extension would be in connection with the enlargement of the existing flat (no. 25), rather than the creation of a new residential unit.
- The communal staircase is not proposed to be extended, thereby reducing the scale of the development compared to that previously approved.
- An air conditioning unit is proposed within the void space between the central communal stair and the extension.
- Additional alterations to existing fenestration.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The application property is a single residential unit; the additional residential floorspace that would be provided would enlarge this existing unit. In these circumstances the application does not raise any land use issues.

8.2 Townscape and Design

Concern has been raised regarding the visual acceptability of the proposal. Policy DES 6 considers, amongst other issues, the appropriateness of new roof extensions, including their height and design. The roof extension would be set back from both the front and rear building lines and the development would be similar to the existing extension and roof terrace on the northern part of the building. The height of the proposed extension would match the existing and would not be highly visible from public vantage points which is similar to the existing extension and terrace. The significant setbacks ensure that the extension would not dominate the existing building. In this form, the extension would successfully integrate into the host property, improving the roofscape and contributing positively to the townscape and setting of the conservation area and nearby listed buildings.

There are other minor alterations proposed including the replacement of windows with sliding doors, and the removal of existing satellite dishes. These changes would not harm the character or appearance of the building.

Subject to the recommended conditions to ensure the materials used match those of the existing extension, the proposal would be consistent with Policies S25 and S28 of the City Plan and Policies DES 1, DES 5, DES 6, DES 9 and DES 10 of the UDP.

8.3 Residential Amenity

Sunlight and Daylight

Objections have been received in relation to the potential loss of light from the proposed extension. UDP Policy ENV 13 seeks to protect existing premises, particularly residential, from a loss of daylight and sunlight as a result of new development. Permission would not normally be granted where developments result in a material loss of daylight or sunlight.

Regard is to be had to BRE's "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2011) ("the BRE Guide"). The BRE Guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

The applicant has submitted a Daylight and Sunlight Report to demonstrate compliance with the BRE Guide. This study has assessed neighbouring windows most likely to be affected by the new extension located to the front and rear of the application property. Following an objection, further analysis has been conducted on the impact on the proposal on the terrace / courtyard area to the rear of 6 Lowndes Street

Properties to the front and rear

The figures within the Daylight and Sunlight Report demonstrate that in terms of daylight and sunlight the extension would not result in any material loss for neighbouring residents to the front and rear of the property.

6 Lowndes Street

The daylight and sunlight report notes that the terrace / courtyard area at 6 Lowndes Street is substantially orientated into the northeast sky quadrant, and the development proposal respectively lies in the south west sky quadrant. This orientation combined with the scale of the existing buildings means the proposed extension would not add any shadow to present shadow experienced by those residents. In these circumstances, the proposal is not considered harmful to the amenity of the occupiers of 6 Lowndes Street.

Sense of Enclosure

The proposed extension would increase the height of the building and would increase its bulk. The increase would be relatively modest, would be set back significantly from the front and rear building lines and would match the height of existing extension at roof level. Further, the extension would be sloped to the rear elevation.

The properties opposite on Lowndes Street are approximately 22 horizontal metres away from the front elevation of the application building. This distance in combination with the proposed setback would result in the extension having no noticeable impact in terms of an increased sense of enclosure for the occupants of the residential properties on the opposite side of Lowndes Road.

Located to the rear is Belgravia House and other properties on Halkin Place whose elevations vary in distance from the application building, the shortest being approximately 16 horizontal metres away from the application building. Given the relatively modest height increase, the setback, significant rear slope and the separation distance between the proposed extension and the residential properties to the rear, the proposal would not result in a significant increased sense of enclosure for the occupants of the residential properties to the rear within Belgravia House and Halkin Place.

Privacy

Objections have been raised with regard to loss of privacy to neighbouring properties to those opposite on Lowndes Street. The proposed extension would be located above existing flats which already have an outlook toward other flats both to the front and rear of the application building. Furthermore, there is a relatively large distance within the proposed roof terrace and the properties opposite (22 horizontal metres) and the adjacent extension also has a similar roof terrace. In this context the proposed extension, and roof extension, would not result in a significant increase in overlooking in comparison to the existing situation and is therefore consistent with Policy ENV13 of the UDP and Policy S29 of the City Plan.

8.4 Transportation/Parking

Concerns have been raised with regard to increases in on-street car parking demand. The extension is for additional residential accommodation to an existing residential unit and therefore there would be no increase in the number of households. Further, the site benefits from an off-street car park. In these circumstances, it is not considered that the proposal would result in an increase in on-street parking demand.

8.5 Economic Considerations

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

8.6 Access

There are no access issues arising from this proposal.

8.7 Other UDP/Westminster Policy Considerations

In terms of the impact of noise from the proposed plant at the rear, an acoustic report has been submitted as part of the application and this has been assessed by Environmental Health officers, who conclude that the proposed mechanical plant is capable of according with Policies ENV6 and ENV7 in the UDP and Policy S32 in the City Plan. As such, subject to the recommended conditions set out in the draft decision letter appended to this report, the proposed plant would not be considered to result in any adverse impact upon the amenity of neighbouring residents.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

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

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

The proposals are of insufficient scale to require an environmental assessment and any environmental impact issues have been covered in section 8.7 of this report.

8.12 Other Issues

Construction impact

Concerns have been raised by neighbouring residents regarding noise and disturbance that could be generated by construction work.

Noise and disturbance during construction is an unwelcome and well understood consequence of allowing new development. In a densely developed urban environment, it must be accepted that such disturbance will inevitably occur as a result of building works. The City Council cannot refuse permission to develop on the grounds that building work will be noisy and disruptive. As a local planning authority, we can impose a restriction on the working hours and encourage contractors to be a member of the Considerate Constructors Scheme. To this extent it is recommended that the standard condition and

informative be added.

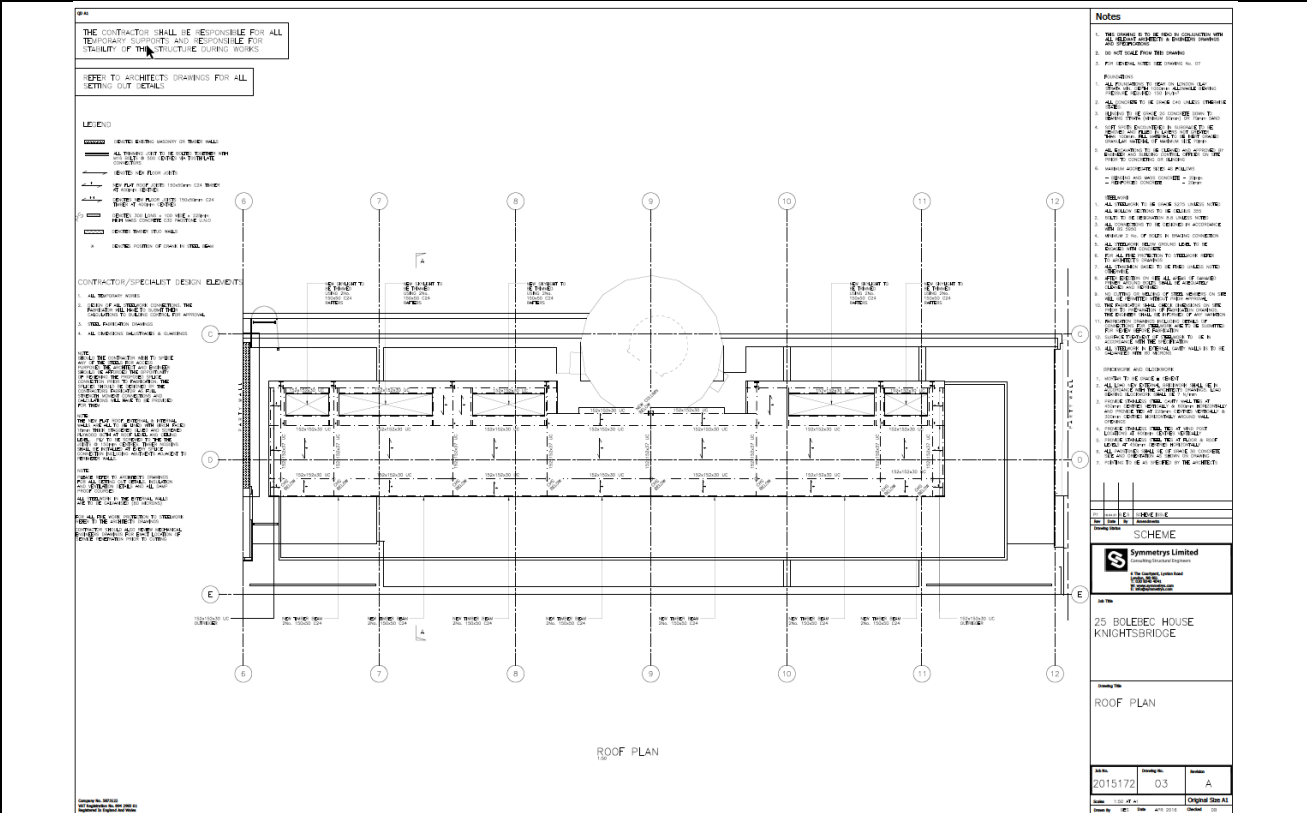
9. BACKGROUND PAPERS

1. Application form
2. Response from Environmental Health (Plant and Equipment), dated 25 May 2016
3. Letter from occupier of Flat 2, Carlton Lodge, dated 9 June 2016
4. Letter from occupier of Flat 1, 6 Lowndes Street, dated 26 May 2016
5. Letter from occupier of Flat 3, 37/39 Lowndes Street, dated 8 June 2016

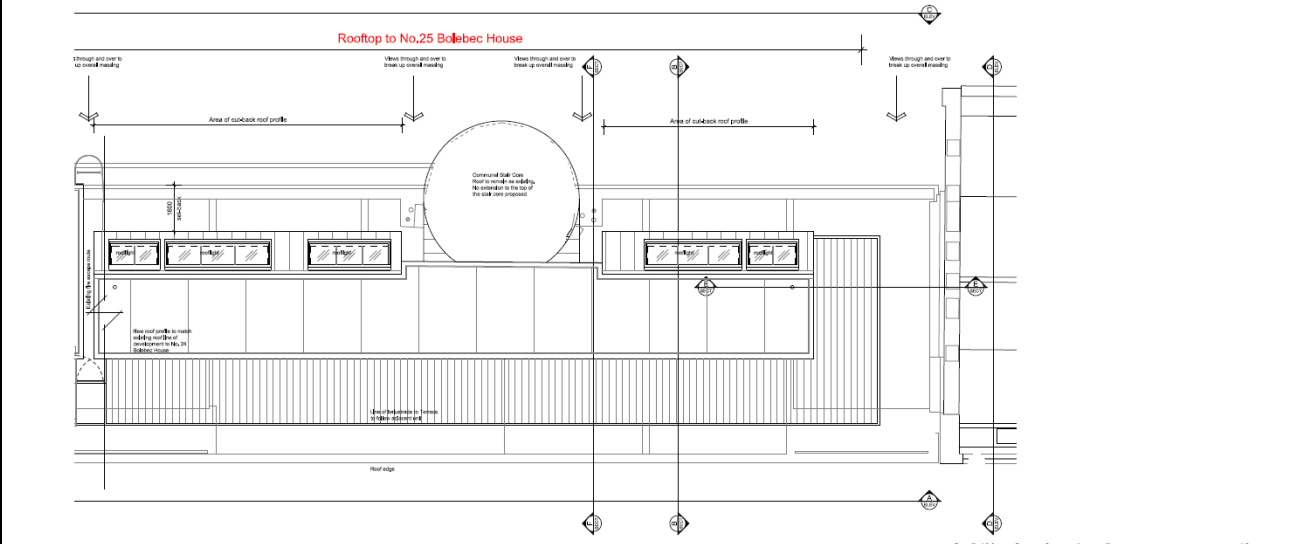
Selected relevant drawings

(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: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk



Existing and Proposed Roof Plan



03 Proposed Roof Plan (Part 2 of 2)
Scale 1:100

General Notes:

- No dimensions are to be scaled from this drawing.
- All errors, omissions or inconsistencies are to be reported to Architect immediately.
- All dimensions are to be checked on site prior to fabrication & construction.
- Drawings show design intent only, detail & fabrication design by specialist sub-contractor. Refer to design portion & specification.

Revision	Date	Comment
1	29.04.16	Planning Application

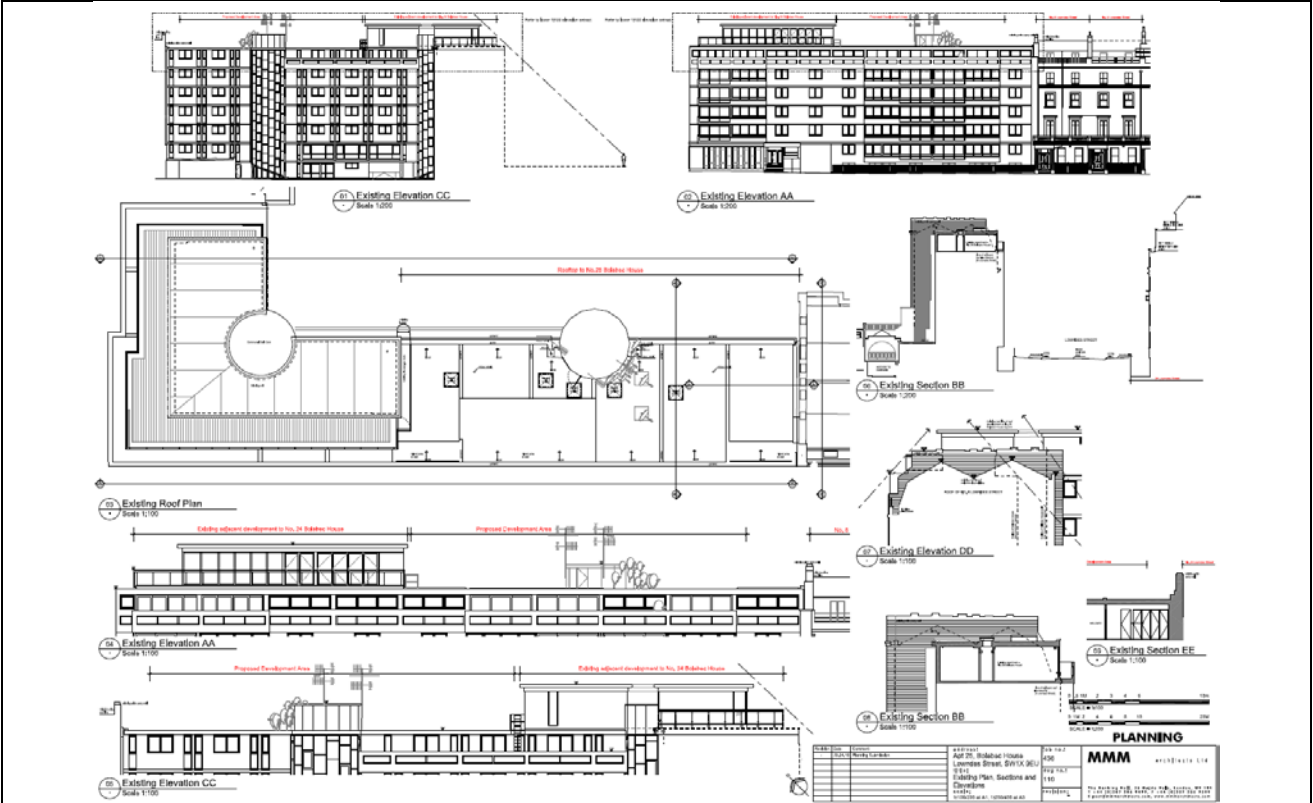
address:
Apt 25, Bolebec House
Lowndes Street, SW1X 9EU
title:
Proposed Roof Plan
to Apartment 25
scale:
1:100 at A3

job no.:
436
dwg no.:
111-4
revision:
-

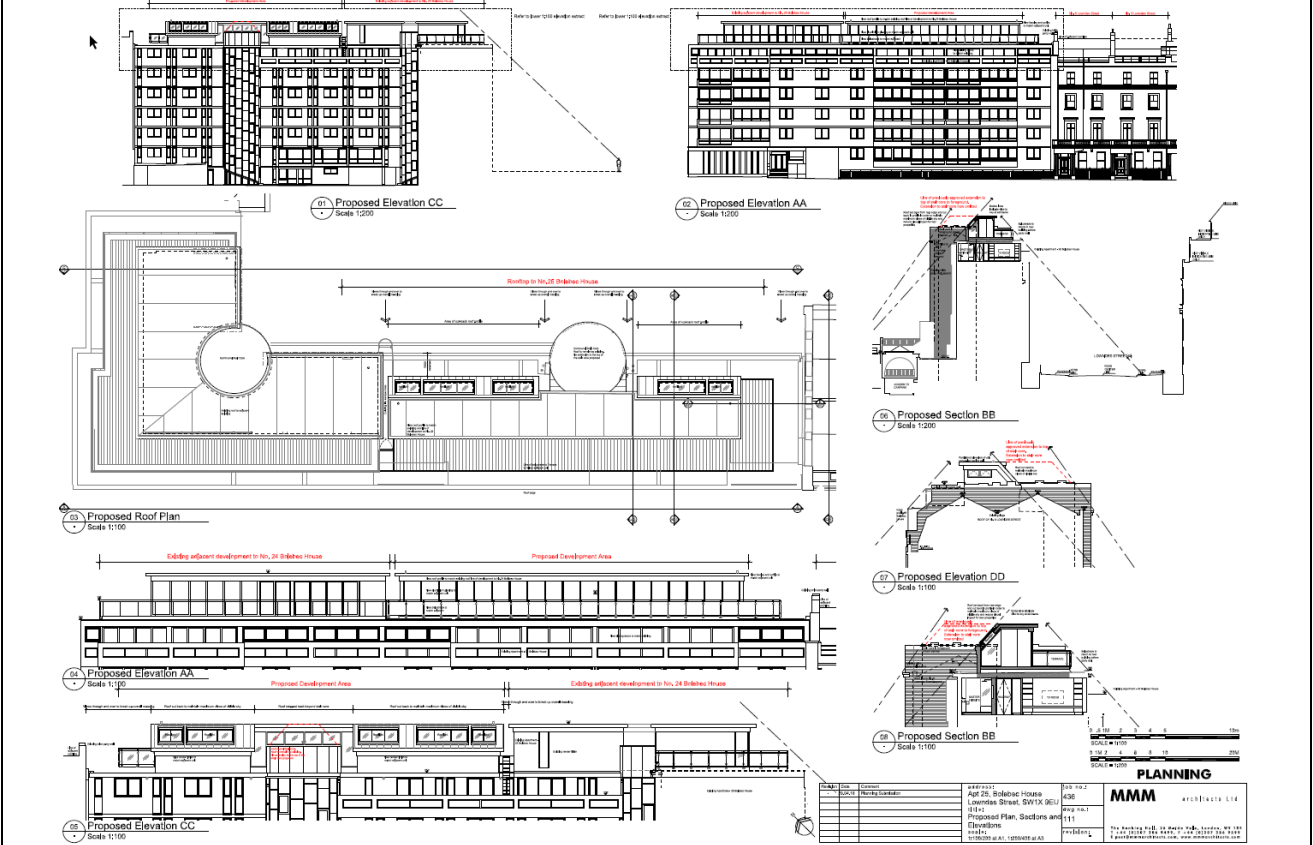
PLANNING

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Existing and Proposed Elevations and Sections



DRAFT DECISION LETTER

- Address:** Bolebec House, Lowndes Street, London, SW1X 9EU,
- Proposal:** Erection of single storey roof extension to provide two bedrooms, addition of skylights and terrace, alterations to fenestration and addition of AC unit in connection with enlargement of Flat 25.
- Reference:** 16/03997/FULL
- Plan Nos:** EX100, EX100-1, EX100-2, 01 rev:A, 02 rev:A, 03 rev:A, 04 rev:A, 110, 110-1, 110-2, 110-3, 110-4, 110-5, 110-6, 110-7, 110-8, 111, 111-1, 111-2, 111-3, 111-4, 111-5, 111-6, 111-7, 111-8, 112, 112-1, 112-3, 112-4, 112-5 112 ME001, Mechanical Electrical and Public Health Services Report (Optima BES Ltd), Noise Impact Assessment (Optima BES Ltd), Daylight and Sunlight Report including additional information (Jessop Associates), Planning Statement (Savills), Design and Access Statement (MMM Architects).

Case Officer: Joshua Howitt

Direct Tel. No. 020 7641 2069

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:

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

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All facing and roofing materials, doors and windows of the extension shall match those of the existing penthouse floor at Bolebec House.

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 Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 The new balustrade shall match the existing balustrade to the penthouse floor at Bolebec House. For the avoidance of doubt this shall include the use of obscure glazing.

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 Belgravia Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;

- (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
- (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
- (g) The lowest existing L A90, 15 mins measurement recorded under (f) above;
- (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
- (i) The proposed maximum noise level to be emitted by the plant and equipment.

Reason:

Because existing external ambient noise levels exceed WHO Guideline Levels, and as set out in ENV 6 (1), (6) and (8) and ENV 7 (A)(1) of our Unitary Development Plan that we adopted in January 2007, so that the noise environment of people in noise sensitive properties is protected, including the intrusiveness of tonal and impulsive sounds; and as set out in S32 of Westminster's City Plan: Strategic Policies adopted November 2013, 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.

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

Reason:

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

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.
- 2 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.