

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 30 August 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Westbourne	
Subject of Report	28 Blomfield Villas, London, W2 6NQ,		
Proposal	Use of basement as dwellinghouse (Class C3), installation of windows to the front and rear elevations, installation of stair within front lightwell, creation of lightwell to rear and installation of railing around lightwell to rear elevation.		
Agent	Lambert Smith Hampton		
On behalf of	City West Homes		
Registered Number	16/06069/COFUL	Date amended/ completed	28 June 2016
Date Application Received	28 June 2016		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission under Regulation 3 of the Town and Country Planning General Regulations 1992.

2. SUMMARY

The application site is an unlisted mid-terrace building located within the Maida Vale Conservation Area. Permission is sought to create a one bed flat within the existing unused lower ground floor level space. Installation of windows on the front and rear elevations, replacement of the staircase in the front lightwell and the creation of a lightwell against the rear elevation are also proposed.

Objections have been received in relation to the development proposals on the grounds of its impact on the structural integrity of the building, detailed design, and parking issues.

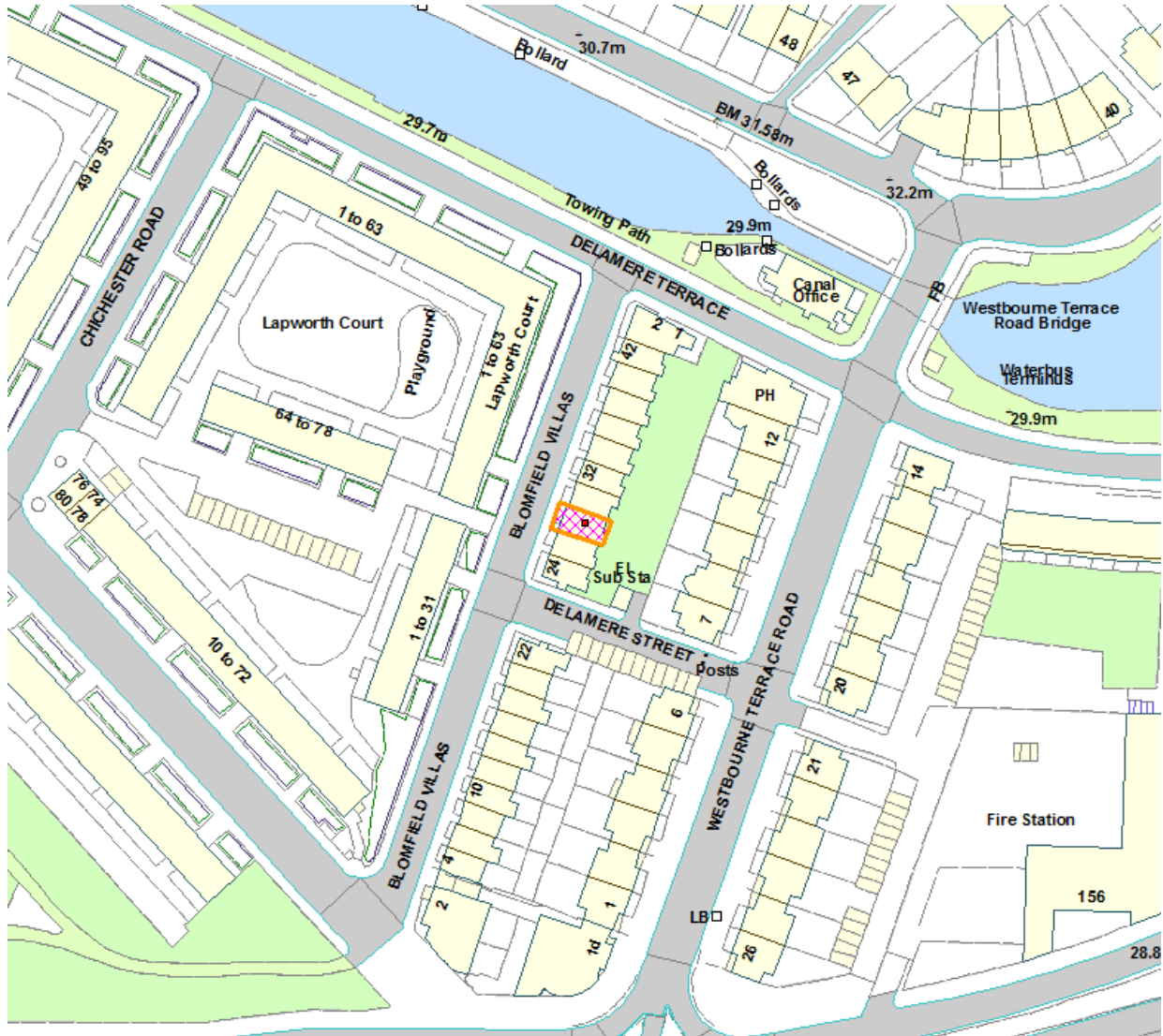
The key issues in this case are:

- *The impact of the development on the amenity of neighbouring properties
- *The impact of the development on the character and appearance of the building and the Maida Vale Conservation Area
- * The impact of the development on parking pressure in the area.

The proposals are considered to be acceptable in land use, amenity, design and highways terms and comply with the policies set out in the Unitary Development Plan (UDP) and Westminster's City Plan:

Strategic Policies (the City Plan).

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front Elevation



Front Lightwell



Rear Elevation



5. CONSULTATIONS

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

No objection in principle to the use of the basement as flat. However the detailed design of the window is unsympathetic with the host building and the replacement staircase should be solid.

CLEANSING

No objection raised.

HIGHWAYS PLANNING

Acceptable on transportation grounds.

ENVIRONMENTAL HEALTH

Objection raised on the grounds that the plans show a poor means of escape arrangement.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 9

No. of objections: 2

Total No. of replies: 2

Object on the following grounds:

- Concern over available parking spaces
- Construction issues such as noise and contractor access
- Structural condition of the building needs attention prior to the works taking place.
- Potential structural effect on the existing building
- Application does not state whether the site will provide accommodation for private occupants or Council tenants.
- More people will have access to private garden.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site is a basement plus three storey unlisted mid-terrace building located within the Maida Vale Conservation Area. The building is currently in use as flats on ground, first and second storey levels. The lower ground floor level is not habitable space, although it appears to have historically been used as such. The space currently does not have any internal walls or flooring and a full internal fit out would be required to make it habitable.

6.2 Recent Relevant History

None

7. THE PROPOSAL

Planning permission is sought to create a one bed flat (Use Class C3) at lower ground floor level. To achieve this, external alterations to the buildings envelope, including the creation of a lightwell to the rear of the building, the replacement of the staircase within the front lightwell and the installation of windows on the front and rear elevations are proposed.

During the course of the application an additional section drawing was submitted showing the rear elevation from within the rear lightwell. Additionally amended plans were submitted showing a change to the flooring material in the rear lightwell and the relocation of the meters on the front elevation.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The provision of additional residential units is supported in principle by policy S14 of the City Plan (adopted July 2016) (“the City Plan”) and policy H3 of the Unitary Development Plan (adopted 2007) (“the UDP”).

The proposed unit would have a floor area of approximately 46 square metres (sqm). This would exceed the minimum floor area for a 1b1p flat (i.e. 39 sqm) but fall below the minimum floor area for a 1b/2p flat (i.e. 50 sqm) set out in the Nationally Described Space Standard and policy 3.5 of the London Plan (FALP 2015). Given the marginal nature of this shortfall, the proposed flat would still provide an acceptable standard of accommodation and refusal on this basis would not be sustainable.

8.2 Townscape and Design

The local amenity society have commented that the proposed window is unsympathetic with the host building, causing harm to the character and appearance of the Conservation Area. Additionally they state the replacement stairs should be solid rather than metal.

On the front elevation it is proposed to remove the existing solid staircase which sits against the front elevation, introduce a replacement metal staircase against the front vault elevation and to insert a window on the front elevation. The new timber sash window sits directly below the window at ground floor level. The comments from the local amenity society are noted. However, given that the window is to be located on the most subservient level on the front elevation, the scale of the window and the minimal architectural detailing surrounding it is considered to be appropriate for this location, preserving the character and appearance of the building within its setting of the Maids Vale Conservation Area. As proposed the window is of an appropriate scale, reflects the architectural style and materiality of the host building and therefore is considered to be in accordance with UDP Policy DES 5.

Whilst the loss of a solid staircase is regrettable, in order to achieve light into the lower ground floor level the staircase had to be relocated away from the front elevation. Whilst its replacement with a solid stair would be welcomed, it would be difficult to achieve this within a lightwell of this scale where access to the vaults is required. The staircase is lightweight, subservient in scale and design and maintains the interpretation of the proportionality of the building as a mid-terrace house and consequently the uniformity of the streetscene. Nevertheless a condition is recommended requiring the new staircase to be painted black and maintained as such in order to ensure it is keeping with the metal work to the front boundary and on the elevation. Furthermore the principle of this alteration has previously been accepted on this street (RN: 11/08882/COFUL) and therefore a refusal would be difficult to sustain in design terms.

To the rear the alterations involve the excavation of a lightwell, the depth of which does not project beyond the rear elevation of the shallow closet wings. Railings will be introduced around the lightwell and a window is to be inserted on the rear elevation. During the course of the application the treatment within the lightwell has been amended to stone following concerns raised with the suitability and durability of timber decking; this alteration is acceptable. The detailed design and scale of these alterations are in keeping with the existing arrangement to some of the rear elevations of the buildings within this terrace and therefore they are not contentious in design terms.

The alterations would preserve the character and appearance of the Maida Vale Conservation Area and are consistent with policies S25 and S28 of the City Plan and policies DES1, DES5 and DES 9 of the UDP.

8.3 Residential Amenity

The proposed flat would be located within the building envelope of the existing building and would therefore not result in material loss of light or sense of enclosure for the occupants of neighbouring properties.

Whilst new windows to the front and rear elevations are proposed, these would have outlook over the existing lightwell and communal garden only. Accordingly, these windows would not result in loss of privacy for the occupants of neighbouring properties.

Given the above, the proposed development would be consistent with policy S29 of the City Plan and policy ENV 13 of the UDP.

8.4 Transportation/Parking

An objection has been raised to the potential impact of the new unit on on-street parking. No off-street parking is proposed as part of this development.

The Highways Planning Manager notes that the latest on-street parking survey indicates the sufficient on-street parking exists for the likely parking demand associated with this development. Accordingly, the proposed development is consistent with policy TRANS23 of the UDP.

Sufficient cycle parking has been provided on-site, in accordance with policy 6.9 of the London Plan (FALP 2015). A condition is recommended to secure this cycle parking.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Not applicable for a development of this scale.

8.7 London Plan

This application raises no strategic issues.

8.8 National Policy/Guidance Considerations

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

8.9 Planning Obligations

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

The estimated CIL payment would be £9420.

8.10 Environmental Impact Assessment

Not applicable for development of this scale.

8.11 Other Issues

An objector notes concerns with noise, dust and damage from the works. However, it is longstanding principle that planning permission cannot be refused due to the impact of construction given its temporary nature and the ability to control it via condition. A condition has been recommended to limit construction hours.

An objector is also concerned that the proposal will cause subsidence. However, structural issues are a matter for building regulations and this is not a material planning consideration in this instance.

An objector has queried what tenure the proposed flat will be. The applicant has confirmed that this flat will be for private sale.

While the objection from Environmental Health is noted, means of escape is a building regulations matter and permission cannot be refused on this basis.

9. BACKGROUND PAPERS

1. Application form

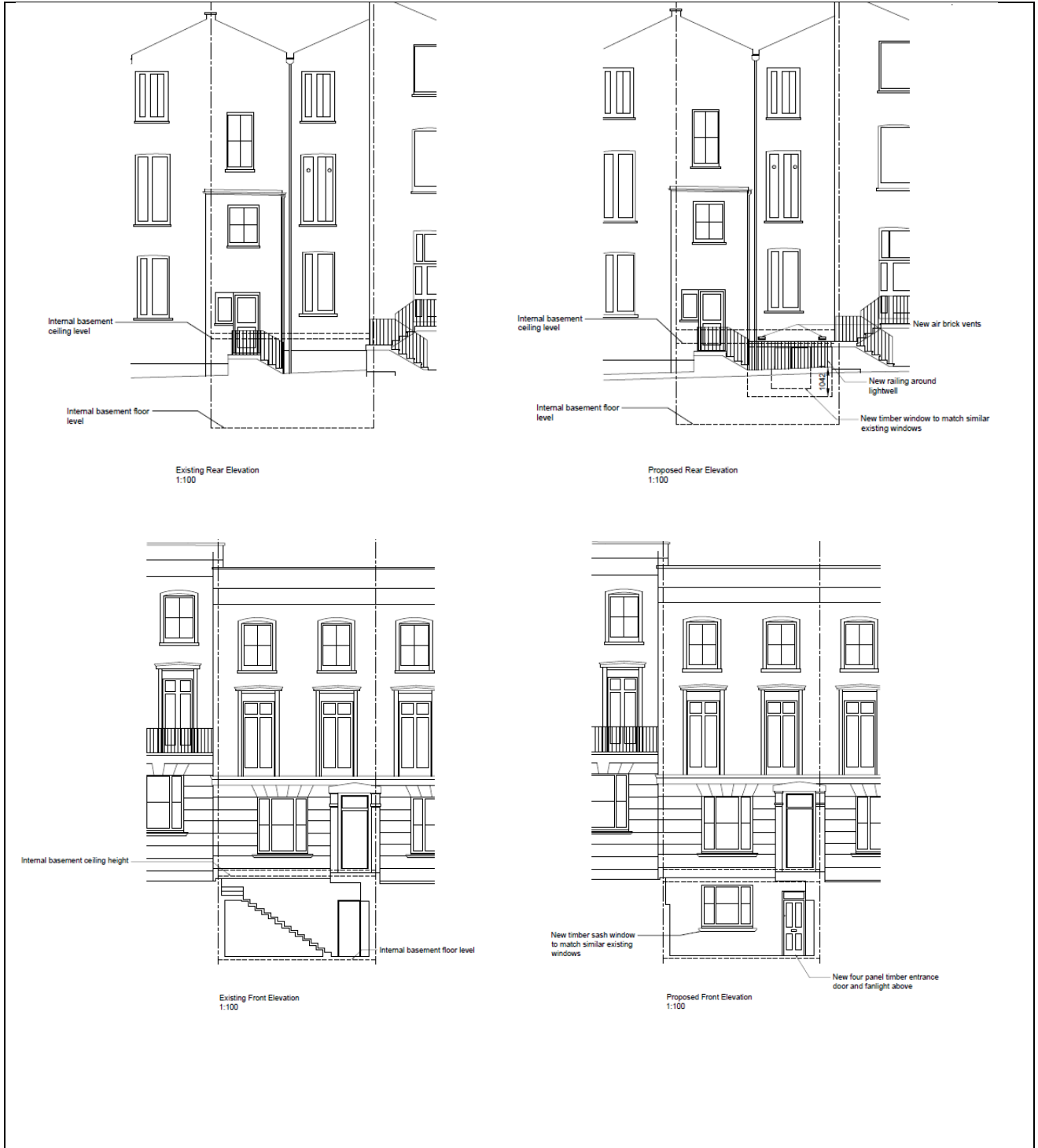
2. Response from Project Officer (Waste), dated 20 Jul 2016
3. Response from Environmental Health Officer, dated 21 July 2016
4. Response from Highways Planning Manager, dated 18 July 2016
5. Letter from occupier of 26a Blomfield Villas, London, dated 27 July 2016
6. Letter from occupier of 28c Blomfield Villas, London, dated 28 July 2016

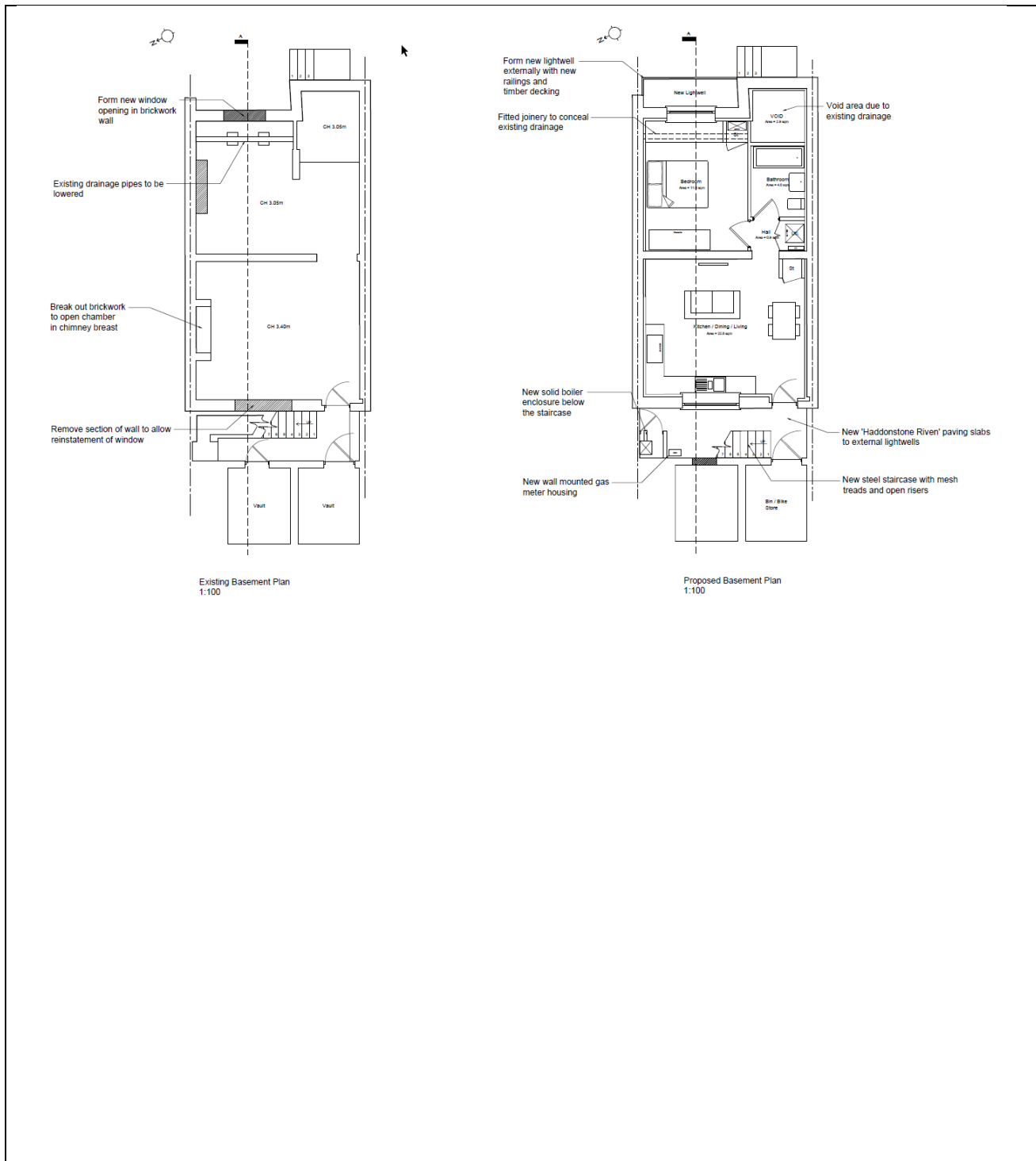
Selected relevant drawings

(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: NATHAN BARRETT BY EMAIL AT nbarrett@westminster.gov.uk .
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10. KEY DRAWINGS





DRAFT DECISION LETTER

Address: 28 Blomfield Villas, London, W2 6NQ,

Proposal: Use of basement as dwellinghouse (Class C3), installation of windows to the front and rear elevations, installation of stair within front lightwell, creation of lightwell to rear and installation of railing around lightwell to rear elevation.

Reference: 16/06069/COFUL

Plan Nos: Design and Access Statement, 28-BP-001, 28-RE-001, 28-FE-001, 28-P-001, 28-S-001, 28-SE-001.

Case Officer: Heather Sevicke-Jones

Direct Tel. No. 020 7641 6519

Recommended Condition(s) and Reason(s):

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

Reason:

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

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

(C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

(R26BE)

- 4 Notwithstanding details shown on the approved drawings the new metal staircase and the new railings shall be painted black and maintained as such hereafter.

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 Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

(R26BE)

- 5 Notwithstanding details shown on the approved drawings the new windows hereby permitted shall be white painted timber and maintained as such.

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 Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (July 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007.

(R26BE)

- 6 You must provide the waste store shown on drawing 28-P-001 before anyone moves into the property. You must clearly mark it and make it available at all times to everyone using the flat. You must store waste inside the property and only put it outside just before it is going to be collected. You must not use the waste store for any other purpose.

Reason:

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

- 7 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 as set out in Policy 6.9 (Table 6.3) of the London Plan 2015.

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 (July 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

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