

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 4 October 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Westbourne	
Subject of Report	20-22 Blomfield Villas, London, W2 6NH,		
Proposal	Use of basement as three bedroom flat (Class C3), installation of windows to the front and rear elevations and installation of stair within front lightwell.		
Agent	Lambert Smith Hampton		
On behalf of	City West Homes Limited		
Registered Number	16/05510/COFUL	Date amended/ completed	16 June 2016
Date Application Received	13 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 comprises two unlisted mid-terrace buildings located within the Maida Vale Conservation Area. Permission is sought to create a three bedroom flat by laterally converting the existing unused lower ground floor level spaces. Installation of windows on the front and rear elevations, alterations to the staircase within the front lightwells and alterations to the front boundary treatment are also proposed.

Objection has been received in relation to the development proposals on the grounds of overlooking to the existing private garden of No.22A Blomfield Villas.

The key issues in this case are:

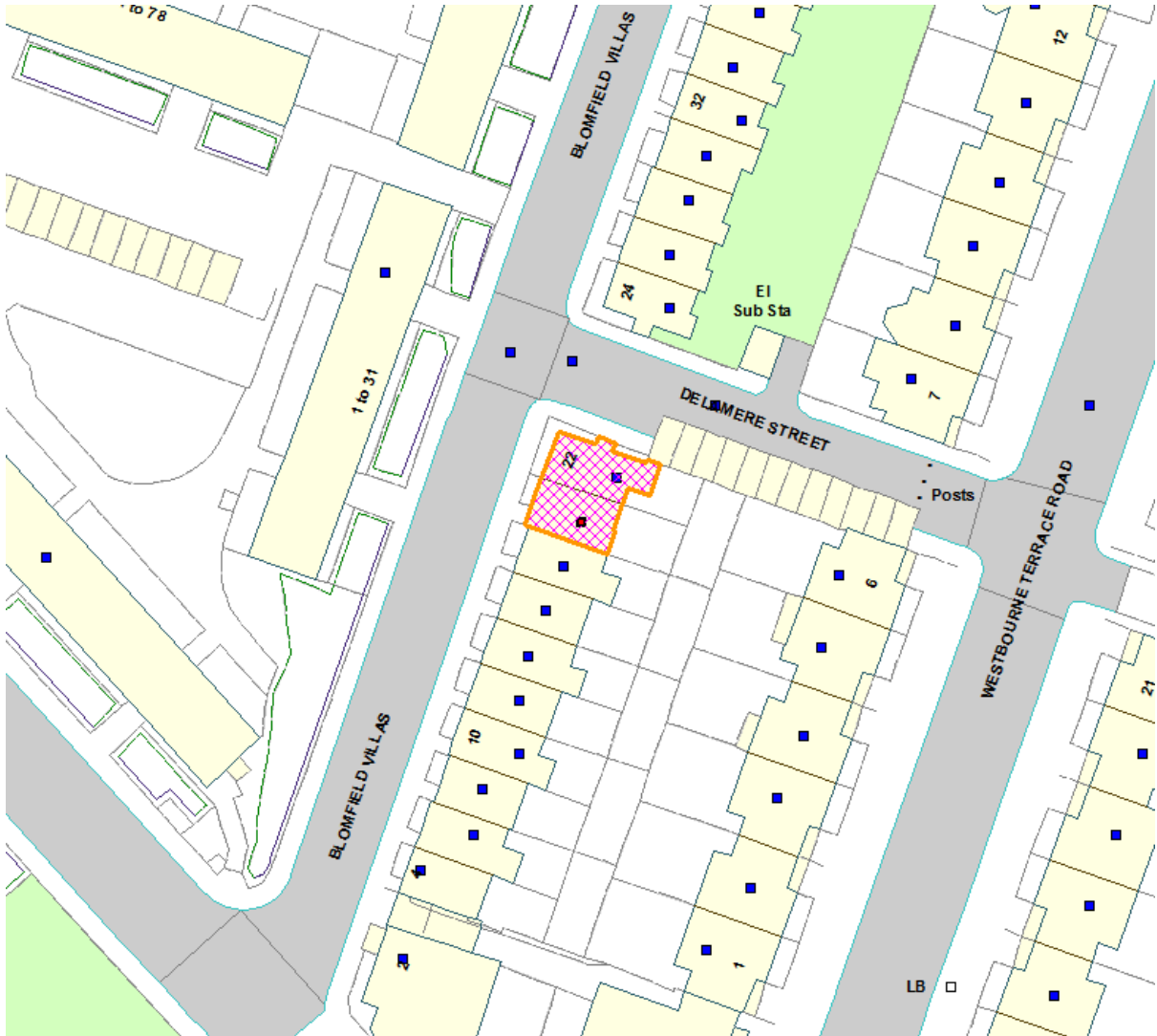
*The impact of the development on the amenity neighbouring properties

*The impact of the development on the character and appearance of the building and the Maida Vale Conservation Area, specifically alterations to the front lightwell including provision of new railings and

finials, the and the introduction of windows within the lightwell.

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 of Nos.20-22 Blomfield Villas.



Basement of No.28 Blomfield Villas (indicative of the size/state of all the basement spaces to be turned into 3 bedroom flats).



Basement of 32 Blomfield Villas (indicative of the size/state of all the basement spaces to be turned into 3 bedroom flats).

5. CONSULTATIONS

WARD COUNCILLORS FOR WESTBOURNE

Any response to be reported verbally.

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY

No objection in principle to the use of the basement as C3 use, however the detailed design of the window is unsympathetic with the host building and the replacement staircase should be solid.

HIGHWAYS PLANNING MANAGER

Acceptable on transportation grounds.

CLEANSING MANAGER

No objection.

ENVIRONMENTAL HEALTH

Object to lack of adequate provisions of escape in case of a fire.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 6.

Total No. of replies: 1.

No. of objections: 1.

No. in support: 0.

Object on the following grounds:

- Loss of privacy to private garden

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site comprises the basement floors of two three storey plus basement unlisted mid-terrace buildings located within the Maida Vale Conservation Area. The buildings are currently in use as flats on ground, first and second storey levels. The lower ground floor levels are not habitable spaces, although they appear to have historically been used as such. The spaces currently do not have any internal walls or flooring and a full internal fit out would be required to make them habitable.

6.2 Recent Relevant History

Planning permission was granted for the use of the basement and basement vaults of No.24 Blomfield Villas as a one bedroom flat on 12 December 2011 (11/08882/COFUL).

Planning permission was granted for the use of the basement and ground floors of Nos.38 and 40 Blomfield Villas as 2x2 bedroom maisonettes on 20 July 2012 (12/02453/COFUL and 12/02452/COFUL).

Planning permission was granted for the use of the basements of Nos.287, 36 and 42 Blomfield Villas as 3x1 bedroom flats on 12 September 2016 (16/06069/COFUL, 16/06070/COFUL and 16/06072/COFUL). These applications were reported to the Planning Applications Committee (No.5) on 30 August 2016 at which the Committee resolved to grant conditional permission.

7. THE PROPOSAL

Planning permission is sought to create a three bedroom flat (Class C3) at lower ground floor level. To achieve this, the lower ground floor spaces between Nos.20-22 will be laterally converted and external alterations undertaken to the buildings envelope, including the removal of the two staircases from the front lightwell and the installation of one replacement metal staircase. The installation of windows on the front and rear elevations is also proposed.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The provision of additional residential units is supported in principle by policy S14 in the City Plan') and policy H3 of the UDP.

The proposed unit would have a floor area of approximately 91m². This would meet the minimum floor area for a 3 bedroom 5 person flat (i.e. 86m²) set out in the Government's Technical Housing Standards and is considered to provide an acceptable standard of accommodation.

The proposed unit would provide a three bedroom unit, which the applicant advises is intended to be used to provide affordable housing.

8.2 Townscape and Design

The Paddington Waterways and Maida Vale 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 staircases to both Nos.20 and 22, which sit against the front elevation, and to introduce one replacement metal staircase against the front vault elevation to No.22 in order to insert windows on the front elevation. The new timber sash windows will sit directly below the windows at ground floor level. The comments from the local amenity society are noted. However, given that the windows are to be located on the most subservient level on the front elevation, the scale of the windows and the minimal architectural detailing surrounding them is considered to be appropriate for this location, preserving the character and appearance of the buildings within their setting of the Maida Vale Conservation Area. As proposed the windows are of an appropriate scale, reflect the architectural style and materiality of the host building and therefore are considered to be in accordance with UDP Policy DES 5.

Whilst the loss of solid staircases is regrettable, in order to achieve light into the lower ground floor levels the staircases need to be relocated away from the front elevation. During the course of the application the complete loss of one staircase was raised as a concern due to the disruption to the uniformity of the terrace, which is considered to contribute to the character and appearance of the Conservation Area. In order to address this concern the applicant suggested the insertion of a gate which is fixed shut a gate within the front boundary railings in order to indicate that an access point would have been in this location; an amending condition is recommended requiring this alteration to be made. Whilst the replacement of both staircases would have been considered as the most sympathetic approach, given the retention of the opportunity to install a staircase in the future and the ability to interpret the historic plan form from the gate in the railings, this alteration is not considered to be so harmful to the character and appearance as to warrant refusal on design grounds.

Whilst the 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 would be discreetly located within the lightwell of No.22 such that it would not detract from the overall uniformity of the terrace. Nevertheless a condition is recommended requiring the new staircase to be painted black and maintained as such in order to ensure it is in keeping with the metal work to the front boundary and on the elevation more generally. Furthermore, the principle of this alteration has previously been accepted on this street as part of a previous application to reintroduce habitable accommodation at basement level (RN: 11/08882/COFUL) and therefore a refusal would be difficult to sustain in design terms.

To the rear the alterations involve the insertion of windows to serve the kitchen, a bedroom and the bathroom; they are appropriately scaled and designed in relation to the hierarchy of levels. As the garden to the rear does not relate to the application site the windows are to be obscure glazed (see Section 8.3 of this report). These windows are not contentious in design terms.

The alterations would not harm the appearance of the building and would preserve the character and appearance of the Maida Vale Conservation Area. As such they are consistent with Policies S25 and S28 in the City Plan and Policies DES1, DES5 and DES 9 in 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, the windows to the front would provide views into the existing front lightwell, whilst the windows to the rear are to be obscure glazed and fixed shut to prevent overlooking to the rear gardens of the flats on the upper floors. A condition is recommended to ensure the fixing shut and obscure glazing of the windows and subject to this condition, the concerns of the objector would be met on overlooking grounds.

Given the above, the proposed development would be consistent with Policy S29 in the City Plan and Policy ENV13 in the UDP.

8.4 Transportation/ Parking

The Highways Planning Manager notes that the latest on-street parking survey indicates the sufficient on-street parking availability exists in the vicinity and the likely parking demand from the proposed development could be accommodated on-street. As such, the proposed development is consistent with Policy TRANS23 in the UDP.

Cycle parking is to be provided on-site in an existing basement vault and therefore the proposal would accord with Policy 6.9 in 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

Given the constraints of the existing building, it is not possible to provide step free access to the proposed basement level flat.

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

The estimated CIL payment is £18200, based on the floorplans submitted with the application.

8.10 Environmental Impact Assessment

Not applicable for development of this scale.

8.11 Other Issues

An objection to the loss of the private garden on the rear elevation was received. However no access to the private garden will be given from the proposed units and as set out earlier in this report, the rear windows proposed are to be obscure glazed and fixed shut.

Environmental Health have raised concerns regarding the internal layout of the proposed flat, as it would contain remote rooms, which require escape through a room containing a kitchen in the event of a fire. This concern can be resolved by amendment of the internal layout or specification of appropriate internal fire safety measures and as such, this is not a ground on

which to withhold planning permission. An informative is recommended drawing the concerns of Environmental Health to the applicant's attention.

9. BACKGROUND PAPERS

1. Application form.
2. Letter from the Paddington Waterways and Maida Vale Society dated 20 July 2016.
3. Memo from Highways Planning Manager dated 18 July 2016.
4. Memo from the Cleansing Manager dated 22 July 2016.
5. Memo from Environmental Health dated 25 July 2016.
6. Letter from occupier of 22A Blomfield Villas dated 19 July 2016.

Selected relevant drawings

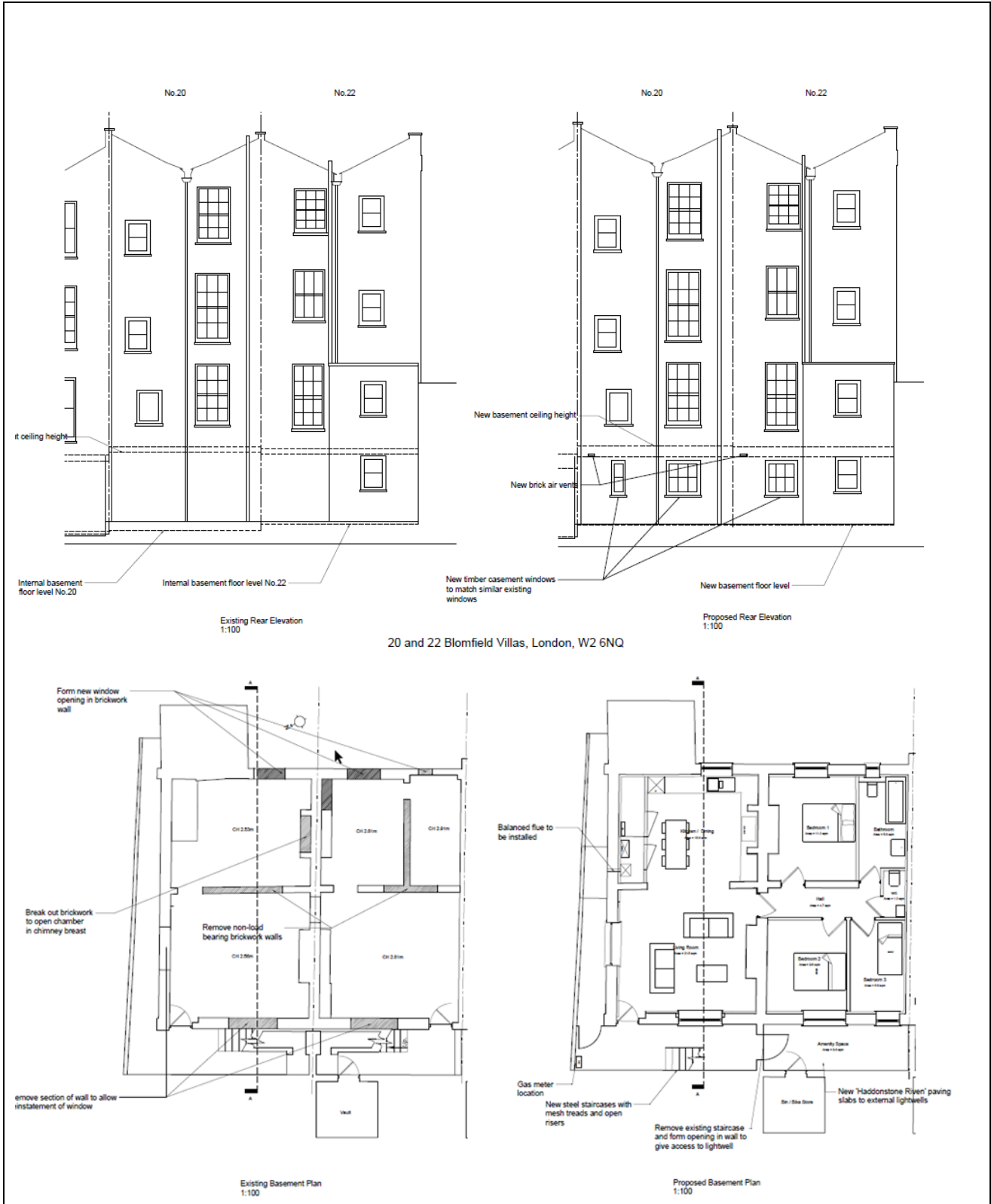
Existing and proposed plans and elevations.

(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: RUPERT HANDLEY BY EMAIL AT rhandley@westminster.gov.uk.

10. KEY DRAWINGS



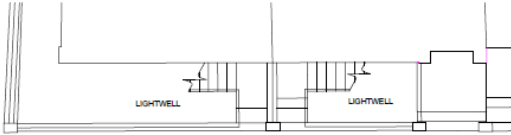




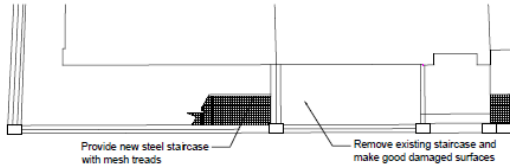
Existing Front Elevation (Street level)
1:100



Proposed Front Elevation (Street Level)
1:100



Existing front entrance and railing plan
1:100



Proposed front entrance and railing plan
1:100

DRAFT DECISION LETTER

Address: 20-22 Blomfield Villas, London, W2 6NH,

Proposal: Use of basement as three bedroom flat (Class C3), installation of windows to the front and rear elevations and installation of stair within front lightwell.

Plan Nos: 20/22-BP-001; 20 22-FE-001; 20 22-GE-001; 20/22-P-001/A; 20/22-RE-001; 20/22-S-001; 20/22-SE-001.

Case Officer: Heather Sevicke-Jones

Direct Tel. No. 020 7641 6519

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 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:

Item No.
5

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 20/22-P-001/A 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. (C14DC)

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.

- 8 You must apply to us for approval of further details of the following parts of the development:

Item No.
5

- (a) Proposed street elevation showing the insertion of a gate within the front railings.
- (b) detailed drawings and sections at a scale of 1:10 or 1:20 of the new railings/gate

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. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the 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)

- 9 The glass that you put in the rear windows in the south east elevation of the flat must not be clear glass, and you must fix them permanently shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit 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 S29 and S32 of Westminster's City Plan (July 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (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.
- 2 You are advised that as inhabitants of the bedrooms would have to pass through the kitchen area (highest risk area) to be able to gain a safe means of escape in case of fire you should redesign and/or reconfigure the internal layout of the proposed flat. For further advice on this matter please contact Environmental Health Officer Chris Banks on 020 7641 1650.

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.