

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS COMMITTEE</b>	<b>Date</b> 4 October 2016	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Westbourne	
<b>Subject of Report</b>	<b>12-14 Blomfield Villas, London, W2 6NH,</b>		
<b>Proposal</b>	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.		
<b>Agent</b>	Lambert Smith Hampton		
<b>On behalf of</b>	City West Homes Limited		
<b>Registered Number</b>	16/05489/COFUL	<b>Date amended/ completed</b>	22 June 2016
<b>Date Application Received</b>	13 June 2016		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	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.

Objections have been received in relation to the development proposals on the grounds of loss of privacy to the existing rear gardens, increased pressure on on-street parking, increased flooding risk and concerns regarding the impact on the structure of the building.

The key issues in this case are:

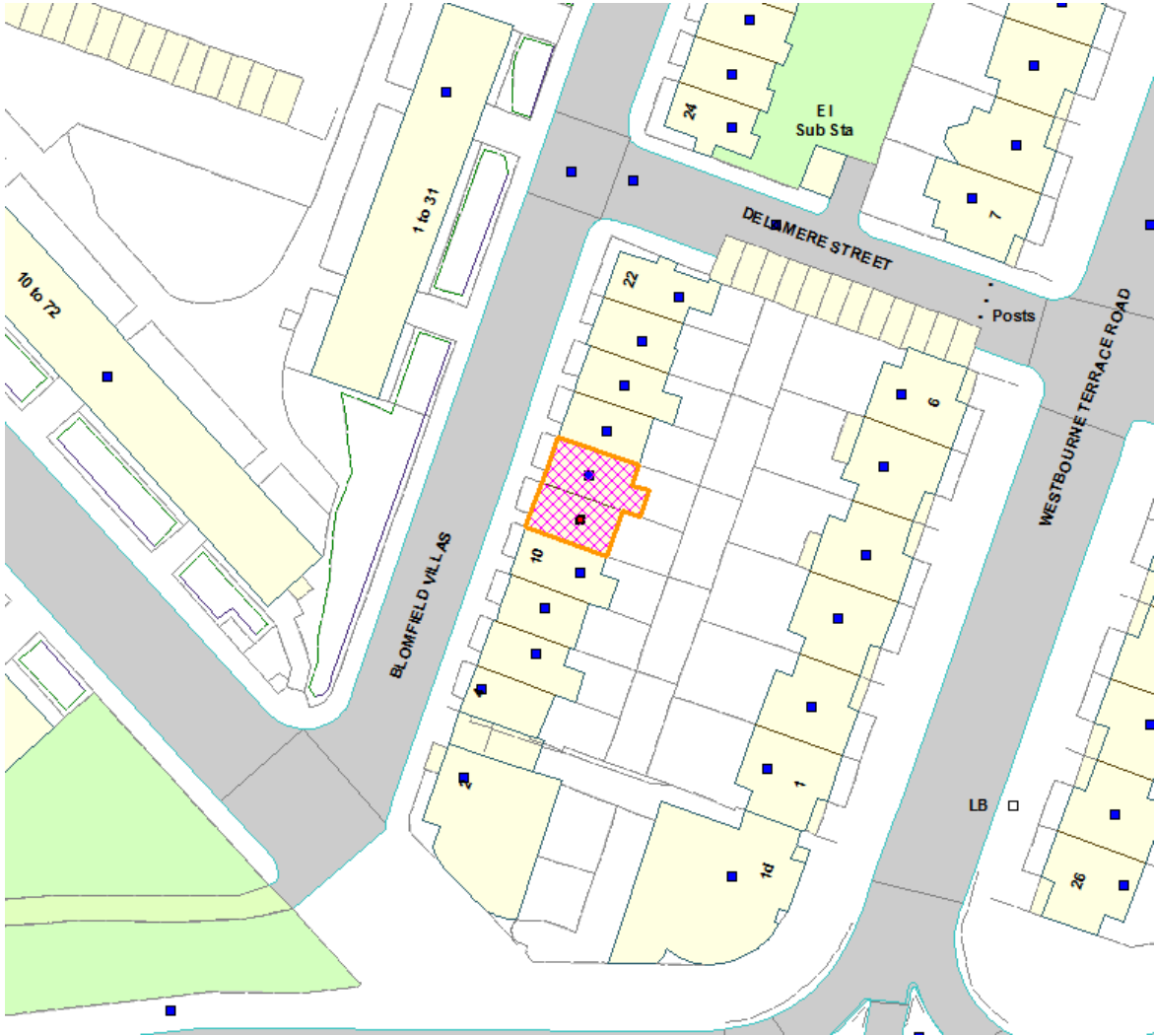
\*The impact of the development on the amenity neighbouring properties

\*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



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and /or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



Front elevation of Nos.12-14 Blomfield Villas.



Basement of 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

Acceptable on transportation grounds.

### CLEANSING

Submitted drawings show provisions of a bin store but these are not detailed. A revised plan indicating recycling and waste bins should be provided.

### ENVIRONMENTAL HEALTH

No objection.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 10.

Total No. of replies: 5.

No. of objections: 5.

No. in support: 0.

8 letters/ emails from 5 respondents raising objections on all or some of the following grounds:

#### Amenity

- Loss of privacy and loss of private garden.

#### Transport/ Parking

- Impact on parking provisions in the area and associated traffic noise.

#### Other Issues

- The basements are in poor condition with rising damp and cracking and crumbling brickwork.
- Concerned about the impact the works on the building structure.
- Concern the block is subsiding.
- Overcrowding concerns.
- Concern about basement flats flooding.
- City West Homes have not addressed the structural concerns.

PRESS ADVERTISEMENT/ SITE NOTICE: Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises the basements of these three storey plus basement level 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 it 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 bed flat (Use Class C3) at lower ground floor level. To achieve this, the lower ground floor spaces between no.s 12-14 will be laterally converted and external alterations undertaken to the buildings envelope, including the removal of the 2no staircases in the front lightwell and the installation of 1no replacement metal staircase and the installation of windows on the front and rear elevations are 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 91m<sup>2</sup>. This would meet the minimum floor area for a 3 bedroom 5 person flat (i.e. 86m<sup>2</sup>) 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.12 and 14, which sit against the front elevation, and to introduce one replacement metal staircase against the front vault elevation to No.14 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 objectors 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

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 and the objections raised on parking grounds cannot be supported as a ground on which to withhold permission.

Cycle parking is proposed on-site within the basement vaults, in accordance with policy 6.9 of the London Plan (FALP 2015). A condition is recommended to secure this cycle parking.

The Cleansing Manager is seeking a revised drawing showing the location of waste and recycling bins within the bin store shown indicated. However, the size of the store proposed is considered to be sufficient to accommodate the waste and recycling generated by the new residential unit without the need for this additional level of detail. A condition is recommended requiring the permanent provision of the proposed waste and recycling store.

### 8.5 Economic Considerations

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

### 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

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

## 8.10 Environmental Impact Assessment

Not applicable for development of this scale.

## 8.11 Other Issues

Concerns have been raised over the structural stability of the building. However, structural issues are a matter for building regulations and this is not a material planning consideration in this instance and are not a ground on which to withhold planning permission.

The site is located within a low risk area for flooding and as such, concerns that the proposed basement accommodation would be susceptible to flooding in future are not grounds on which to withhold planning permission.

## 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 6 July 2016.
4. Memo from the Cleansing Manager dated 22 July 2016.
5. Memo from Environmental Health dated 25 July 2016.
6. Letters and emails from the occupier of 14A Blomfield Villas dated 20 July 2016 (x2) and 27 July 2016.
7. Email from the occupier of 12B Blomfield Villas dated 20 July 2016.
8. Emails from the occupiers (x2) of 12C Blomfield Villas both dated 20 July 2016.
9. Emails from the occupier of 16B Blomfield Villas both dated 20 July 2016.

### Selected relevant drawings

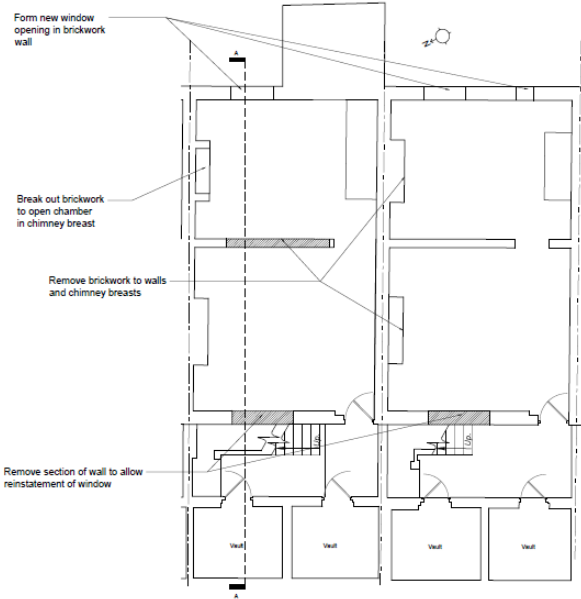
Existing and proposed plans and elevations.

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

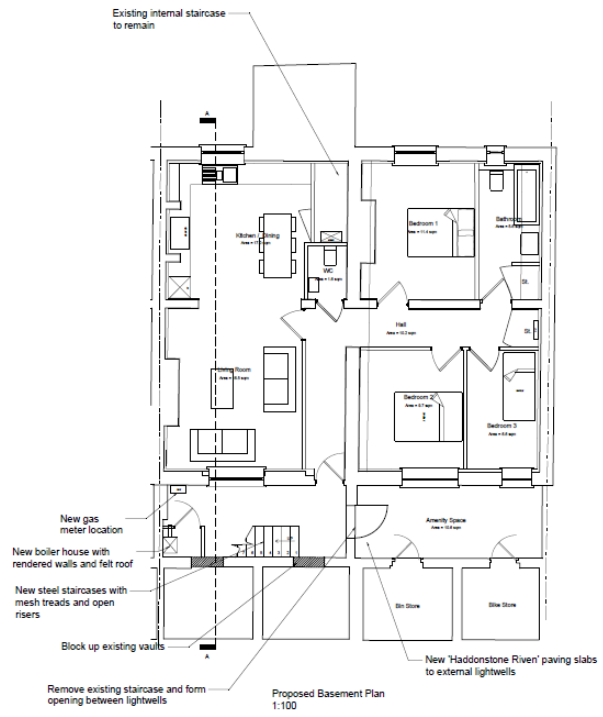
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RUPERT HANDLEY BY EMAIL AT [rhandley@westminster.gov.uk](mailto:rhandley@westminster.gov.uk).

# 10. KEY DRAWINGS





Existing Basement Plan  
1:100



Proposed Basement Plan  
1:100

**DRAFT DECISION LETTER**

**Address:** 12-14 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:** 16/18-BP-001, 12 14-FE-001, 12/14-P-001, 12/14-RE-001, 12/14-S-001, 12/14-SE-001, Design and Access Statement and Planning Statement.

**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:

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 12/14-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. (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:

(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.

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.