

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 16 May 2017	Classification For General Release	
Report of Director of Planning		Ward involved Churchill	
Subject of Report	39 Westmoreland Terrace, London, SW1V 4AQ		
Proposal	Two storey infill extension at rear lower ground and ground floors with roof terrace at first floor level; extensions to closet wing at first and second floor levels; infill extension to front lightwell and lowering of basement vault.		
Agent	Yard Architects		
On behalf of	Mrs Canham		
Registered Number	16/12043/FULL	Date amended/ completed	20 December 2016
Date Application Received	20 December 2016		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

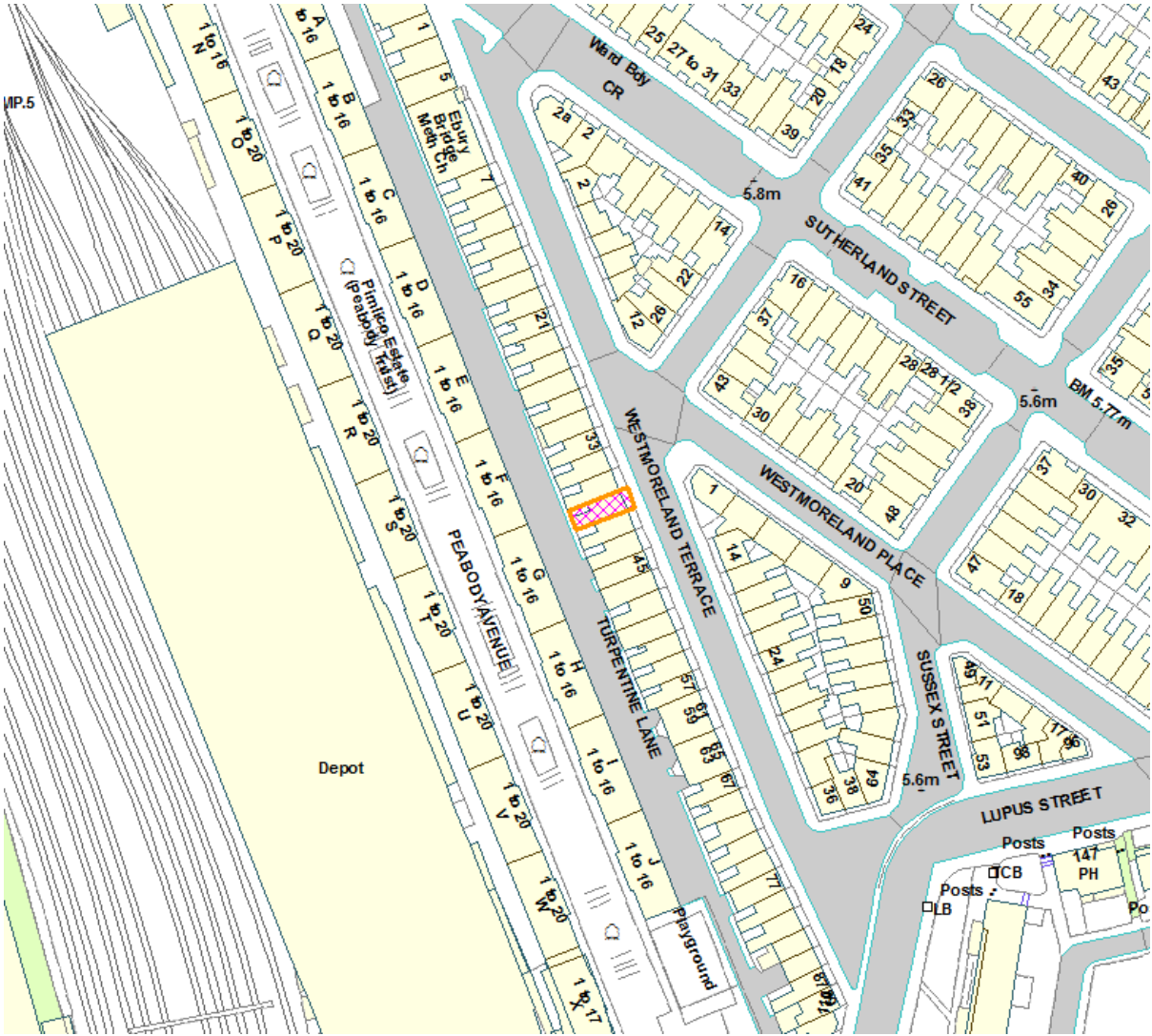
39 Westmoreland Terrace is an unlisted building located within the Pimlico Conservation Area. It is a single family dwellinghouse comprising four stories above lower-ground floor. Permission is sought for works to extend the dwelling which include a two storey infill at lower ground and ground floor levels with a roof terrace above at first floor level, extensions at first and second floor level to the rear closet wing and an infill extension to the front lightwell.

The key issues are:

- *Impact upon the appearance of the building;
- *Impact upon the character and appearance of the Pimlico Conservation Area;
- *Impact on neighbouring amenity.

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan (City Plan). As such, it is recommended that conditional planning permission is granted.

LOCATION PLAN



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3. PHOTOGRAPHS



Westmoreland Terrace



Turpentine Lane

4. CONSULTATIONS

WESTMINSTER SOCIETY

No objection.

BUILDING CONTROL

The new construction may require support to the highway. An informative should be included to remind the application to obtain Technical approval from the Council's highways engineers before beginning excavation.

TREE SECTION

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 23

Total No. of replies: 3

No. of objections: 3

PRESS ADVERTISEMENT / SITE NOTICE: Yes

Objections have been received from and on behalf of the residents of 41 and 41A Westmoreland Terrace on the following grounds:

DESIGN

-The proposals do not follow the pattern of existing rear extensions in terms of depth, width, height and detailed design.

AMENITY

- Extensions would result in a loss of light, increased sense of enclosure and loss of privacy.
- Roof terrace would result in increased noise.

OTHER

- Loss of light will affect green wall and plants within basement garden.
- Impact of construction noise.

5. BACKGROUND INFORMATION

5.1 The Application Site

39 Westmoreland Terrace is an unlisted building of merit within the Pimlico Conservation Area. It is a single family dwellinghouse comprising four stories above lower ground floor, property located on the west side of Westmoreland Terrace, backing onto Turpentine Lane.

5.2 Recent Relevant History

None relevant.

6. THE PROPOSAL

Planning permission is sought for a two storey infill extension at rear lower ground and ground floor levels in between the closet wing of the application site and the closet wing of No.37 Westmoreland Terrace. A roof terrace is sought at first floor level above the new infill extension. An extension to the closet wing is sought at first floor level in place of an existing roof terrace and a side extension to the existing shallow section of closet wing is sought at second floor level. A small infill extension is proposed within the front lightwell at lower ground floor level and minor excavation is sought one of the front basement vaults.

7. DETAILED CONSIDERATIONS

7.1 Land Use

The extension would enlarge the existing dwelling house. In land use terms the creation of a larger single family dwelling house is considered to be acceptable in accordance with Policy H3 of the UDP and Policy S14 of the City Plan.

7.2 Townscape and Design

An objection has been received from the residential occupier of 41 Westmoreland Terrace stating that the proposals do not follow the pattern of existing rear extensions in the surrounding area in terms of depth, width, height and detailed design.

Although the proposed two storey infill extension at the rear would normally be contrary to policy, there are a number of similar extensions to the rear along the terrace. The rear wall of the infill extension would be set back from the rear wall of the closet wing by 100mm at lower ground and ground floor levels which is considered acceptable in design terms.

The vertical extension to the closet wing is acceptable in design terms. The choice of concrete lintels and casement windows at rear lower ground floor level is unfortunate; however they would represent a design improvement over the existing condition. The design would reflect treatments at the rear of a number of properties along this terrace and are therefore considered acceptable in this instance.

With regard to the side extension to the existing shallow section of closet wing at first and second floor levels, this is considered acceptable. The principle of this form of development has been established with similar extensions exhibited along the terrace.

With regard to the small infill extension within the front lightwell, although the side light is not of an appropriate detailed design for a property of this period and style, given that the proposed door represents an improvement over the existing condition and that the side light would not be readily visible from the public realm it is considered, on balance, that it would have a neutral impact on the conservation area.

Subject to conditions, the proposals comply with policies in the NPPF and policies S25 and S28 of the City Plan, DES 1, DES 5, DES 6 and DES 9 of the UDP and the Pimlico Conservation Area Audit.

7.3 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment of surrounding properties.

Objections have been received from the adjoining residential occupiers at 41 and 41A Westmoreland Terrace on the grounds that the proposals would result in a loss of light, increased noise disturbance, sense of enclosure and loss of privacy.

The applicant has carried out an assessment on surrounding properties based on the various numerical tests laid down in the Building Research Establishment (BRE) guide "Site Layout Planning for Daylight and Sunlight: a guide to good practice".

The BRE guidelines suggest that a 27% Vertical Sky Component (VSC) is indicative of a 'good level' of daylight. The BRE guidelines state that daylight levels may be adversely affected if the VSC measured at the centre of an existing main window is less than 27% and more than a 20% reduction in its former value. Should windows achieve sufficient levels of VSC they are seen as compliant in terms of daylight.

Two windows within 41 Westmoreland Terrace that serve habitable rooms would experience more than a 20% reduction in VSC. Both of these windows are located at ground floor level. The first serves an open plan kitchen / living area and would experience a reduction of 22%. This is considered to be a marginal transgression and the room is dual aspect, served by an unaffected window at the front of the property. The second window serves a library and would experience a reduction of 55%. This is a small window within the flank of the closet wing. The room is served by an unaffected window to the rear of the closet wing. The existing light level received by this window is low and as such any reduction would be perceived as high in percentage terms. In real terms the transgressions are considered insufficient to justify withholding planning permission on the grounds of loss of daylight.

In respect of sunlight, the BRE guide suggests that if a living room has a main window facing within 90 degrees of due south then the sunlighting of the existing dwelling may be adversely affected if it receives less than 25% of annual probable sunlight hours or less than 5% of annual probable sunlight hours between September and March and receives less than 0.8 times its former sunlight hours during either period and has a reduction in sunlight received over the whole year greater than 4% of APSH. All relevant windows which face within 90 degrees of due south have been tested and found to be fully compliant with BRE guidance.

The proposed vertical closet wing extension at first floor level is likely to be noticeable from the rear kitchen window at ground floor level and first floor bedroom window at 41 Westmoreland Terrace. Both the kitchen and bedroom are dual aspect. The resulting relationship with the raised closet wing is not uncommon form of development across the city and along the application terrace itself. It is considered that the proposals would not lead to an unacceptable increase in enclosure and refusal for this reason could not be sustained.

The existing terrace at first floor level measures 11.6sqm. The proposed terrace at first floor level would measure approx. 6sqm and would be separated from the objectors property by the proposed first floor extension. It is considered that the terrace would not increase noise to the objector's upper floor bedrooms or result in a loss of privacy to neighbouring occupiers. In addition, due to the orientation and distance of the windows within the extensions, the proposal will not result in an unacceptable loss of privacy to neighbouring occupiers.

On balance the proposals are acceptable in amenity terms and are considered to comply with Policies S29 of the City Plan and ENV13 of the UDP.

7.4 Transportation/Parking

The enlargement of the dwelling would not have a material impact on traffic generation or on-street parking pressure in the area.

7.5 Economic Considerations

This development does not generate a Mayor CIL or WCC CIL payment.

7.6 Access

The proposals will not alter the access arrangements of the single family dwelling.

7.7 Other UDP/Westminster Policy Considerations

None relevant.

7.8 London Plan

This application raises no strategic issues.

7.9 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.

7.10 Planning Obligations

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

7.11 Environmental Impact Assessment

Environmental Impact Assessment is not required for a scheme of this size.

7.12 Other Issues

Construction Impact

Whilst sympathetic to the concerns raised, disruption from building works is not justifiable grounds for refusing planning permission. A condition has been added restricting any

building work which can be heard at the boundary of the site to 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. In addition any works of excavation or demolition should only be undertaken between Monday to Friday at the same times. An informative has been added to ask for the construction manager to keep residents informed about unavoidable disturbance.

Rights to Light

Rights to light are not a material planning consideration.

Impact on adjacent planting

The green wall at 41 Westmoreland Terrace is on the rear south west boundary of the property. The orientation and the path of the sun suggest that the proposed extension is unlikely to materially affect direct sunlight reaching the green wall or plants within the rear yard area.

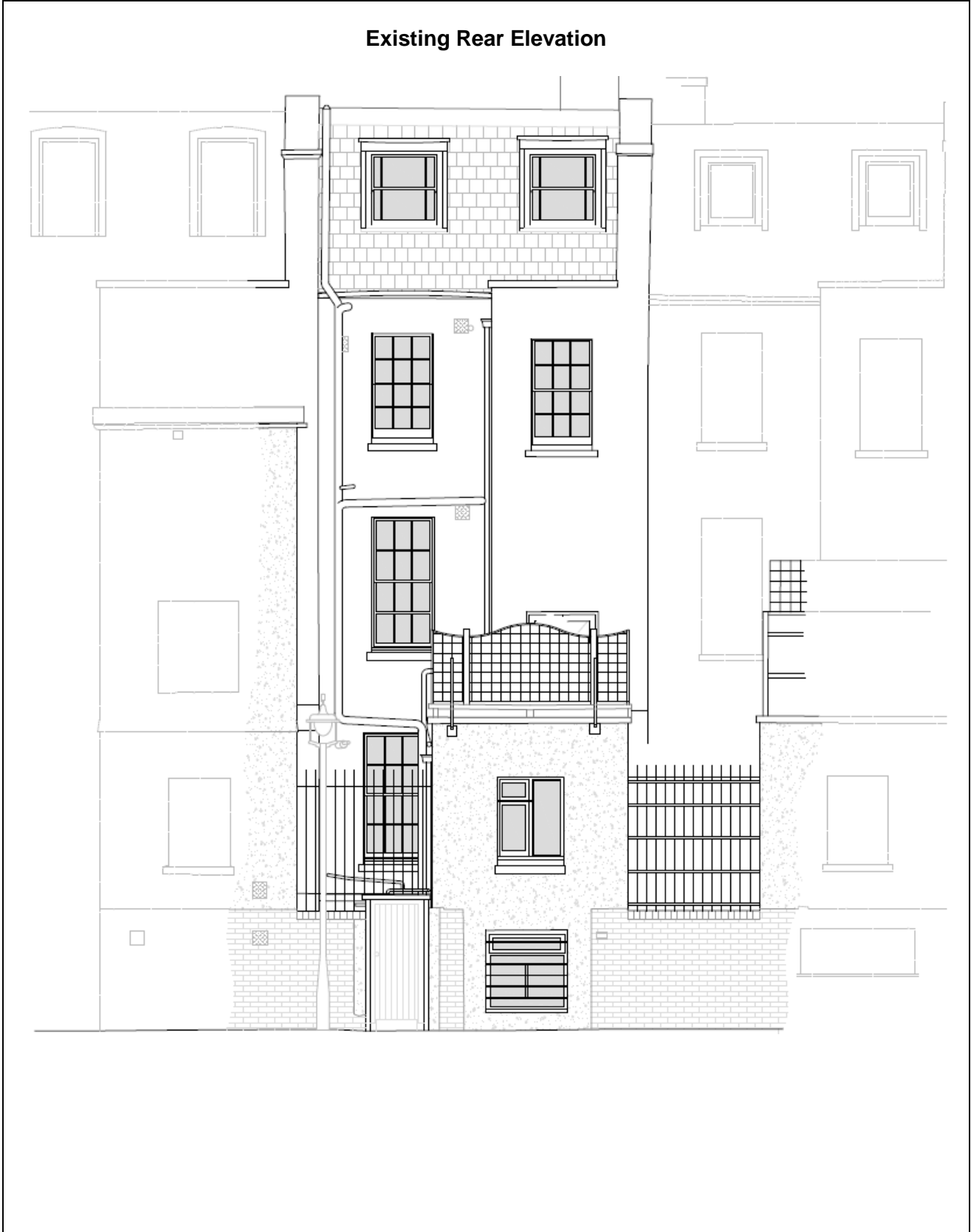
8. BACKGROUND PAPERS

1. Application form.
2. Response from Westminster Society dated 10 January 2017.
3. Response from Building Control dated 14 March 2017.
4. Response from Tree Section dated 20 April 2017.
5. Letter from occupier of 41A Westmoreland Terrace, dated 3 January 2017.
6. Letters from occupiers of 41 Westmoreland Terrace dated 17 January, 23 January and 2 February 2017.
7. Letter from Right of Light Consulting dated 11 April 2017.
8. Letter from Daylight and Sunlight Ltd dated 20 April 2017.

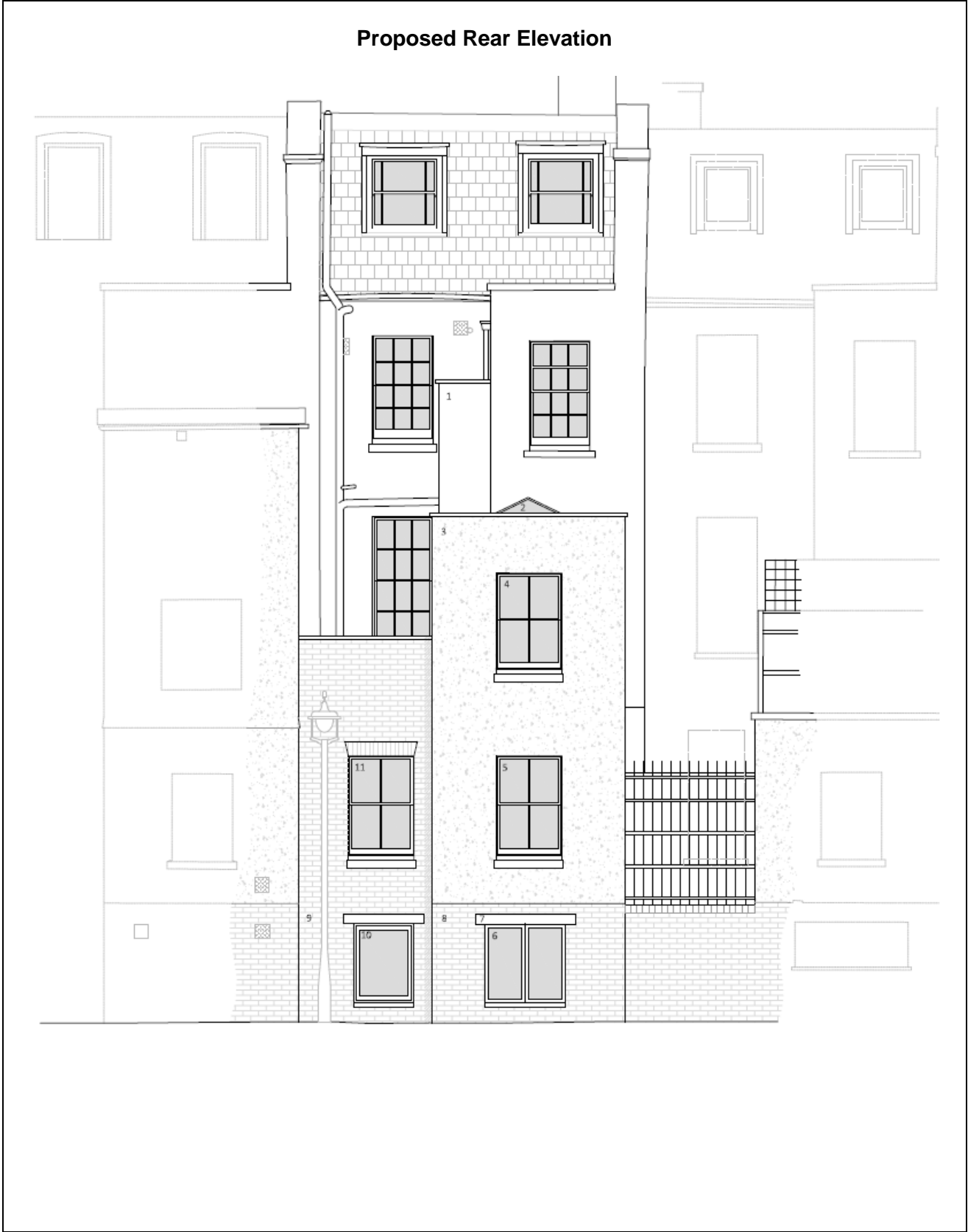
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: VINCENT NALLY BY EMAIL AT vnally@westminster.gov.uk

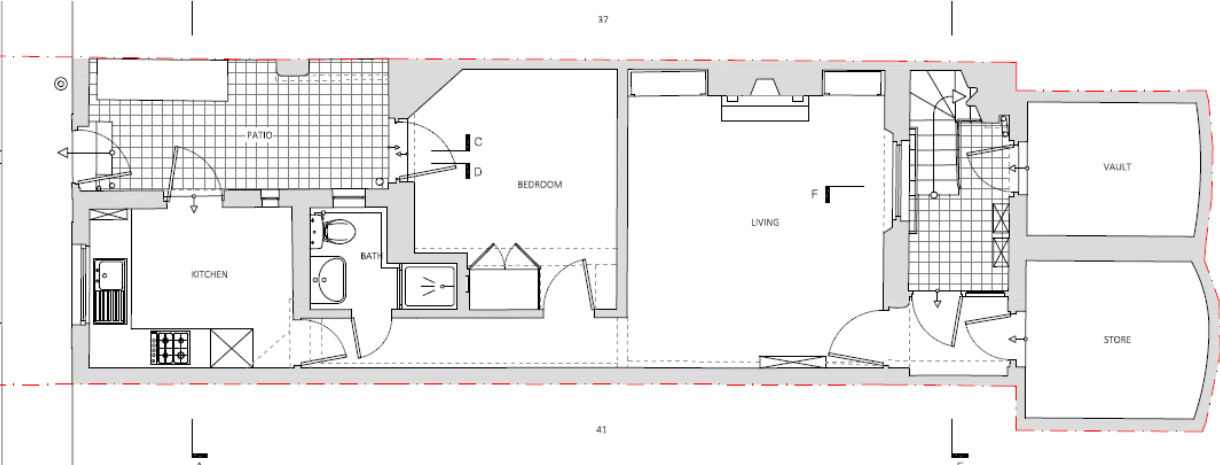
Existing Rear Elevation



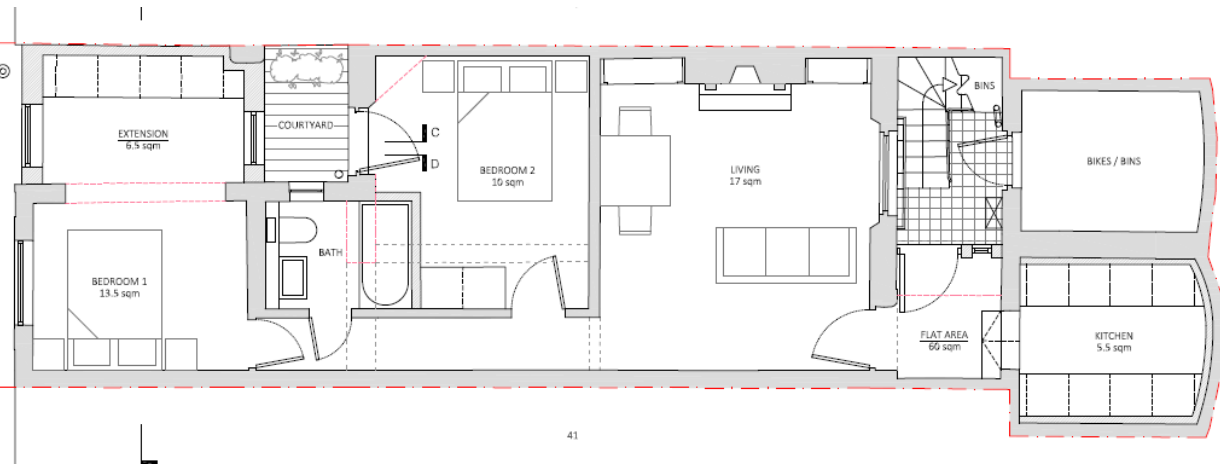
Proposed Rear Elevation



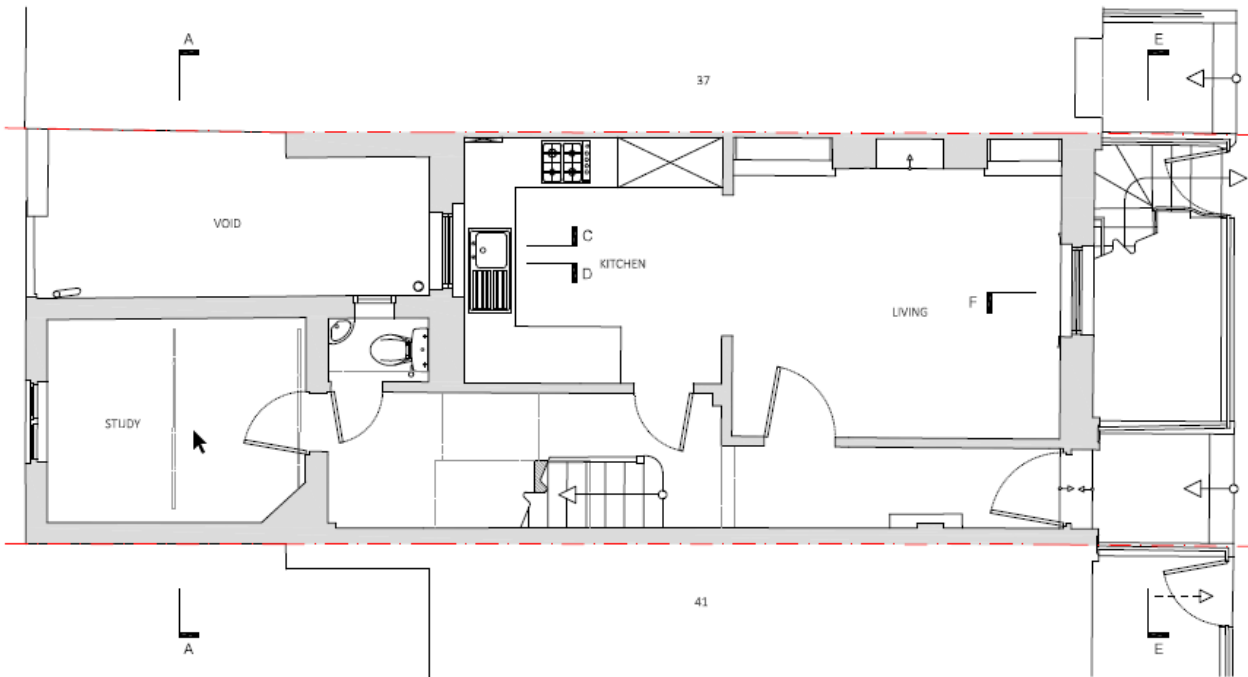
Existing Basement Plan



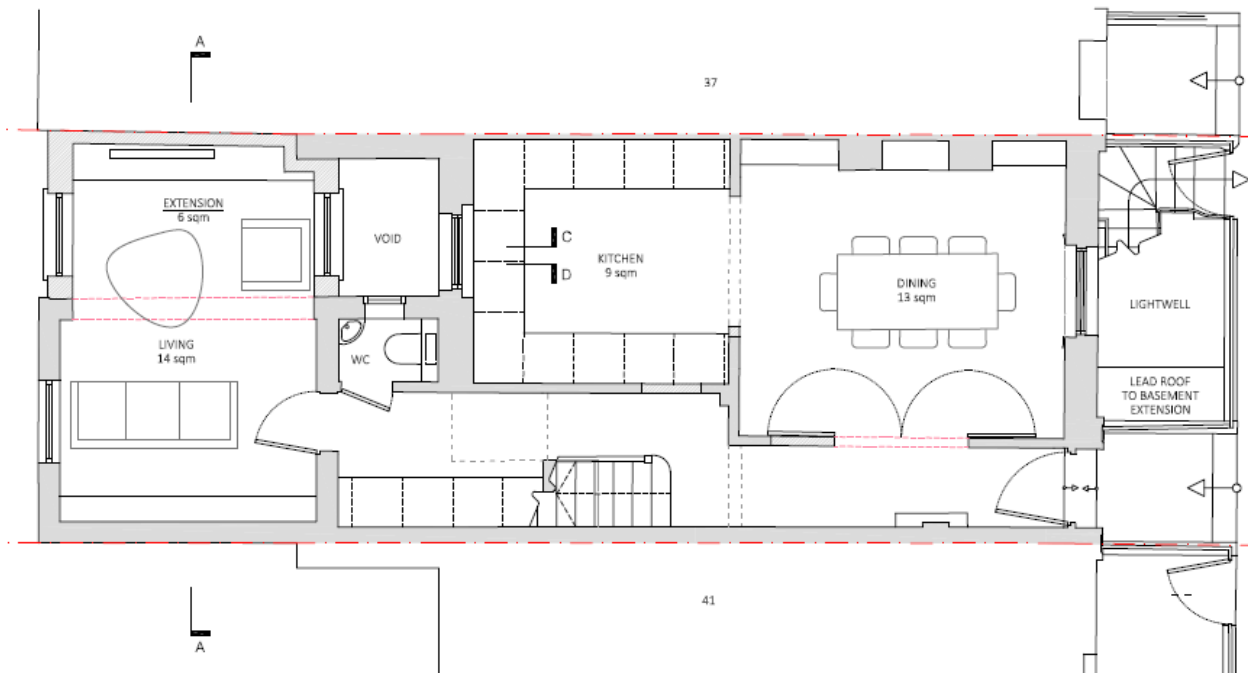
Proposed Basement Plan



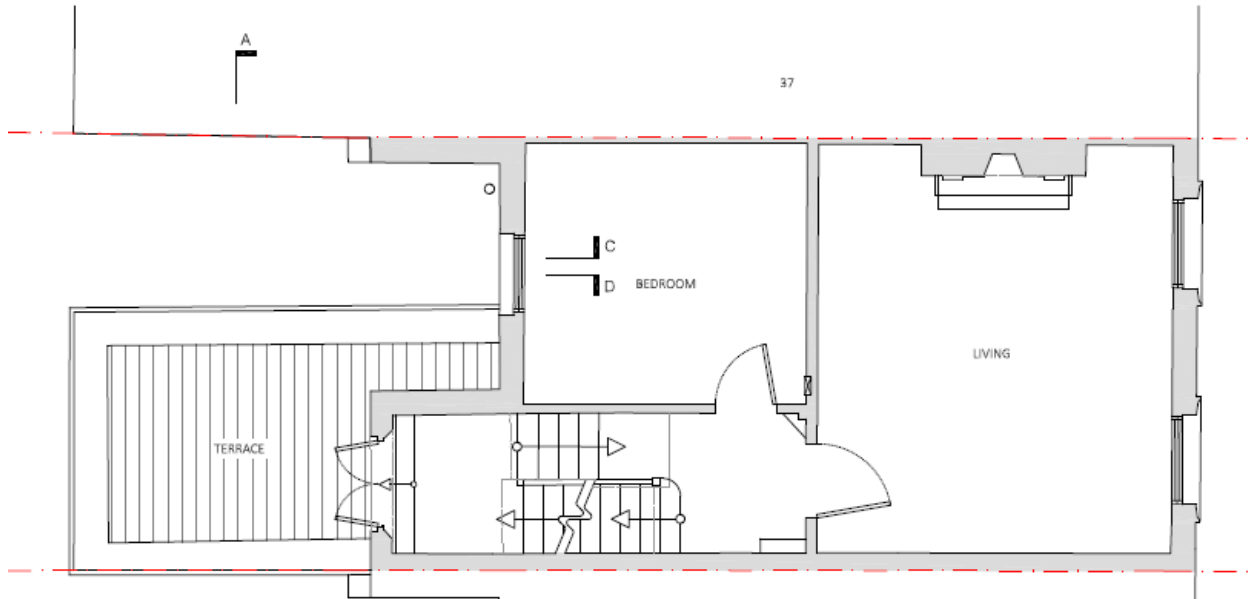
Existing Ground Floor Plan



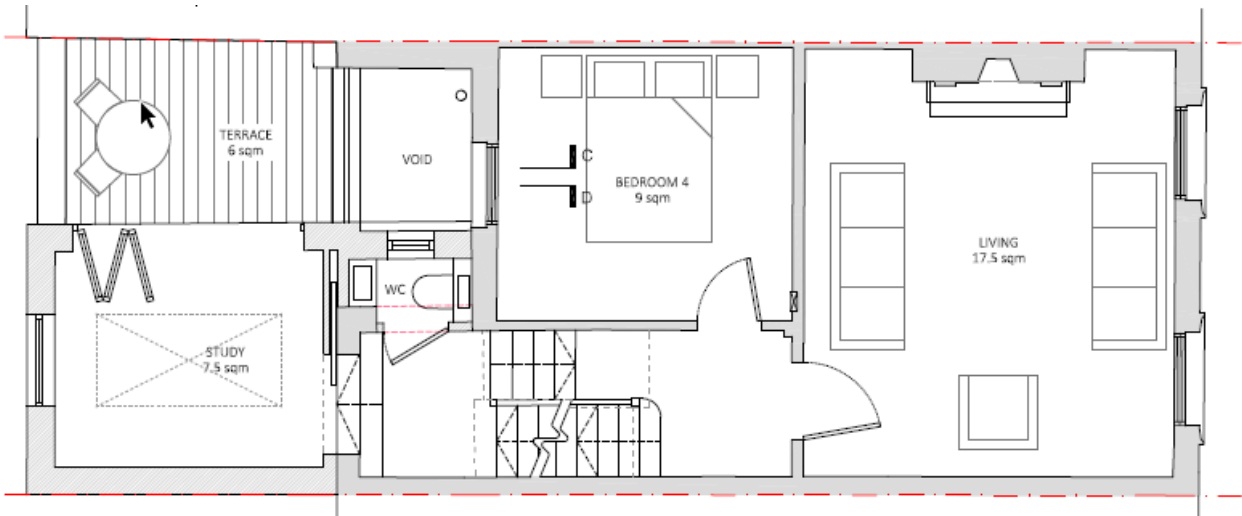
Proposed Ground Floor Plan



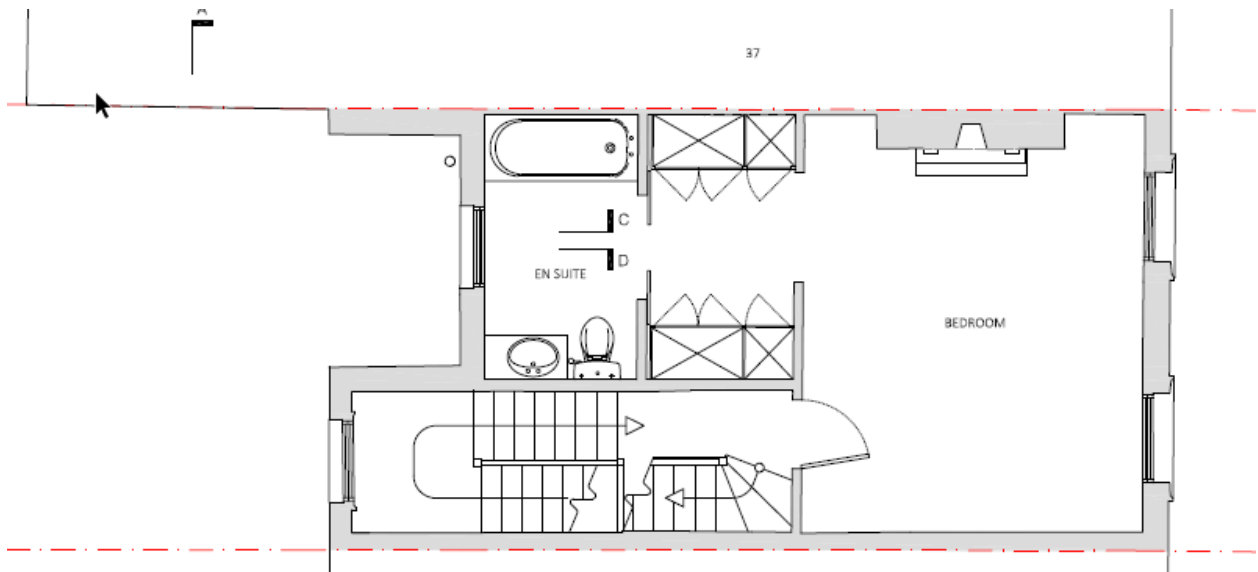
Existing First Floor Plan



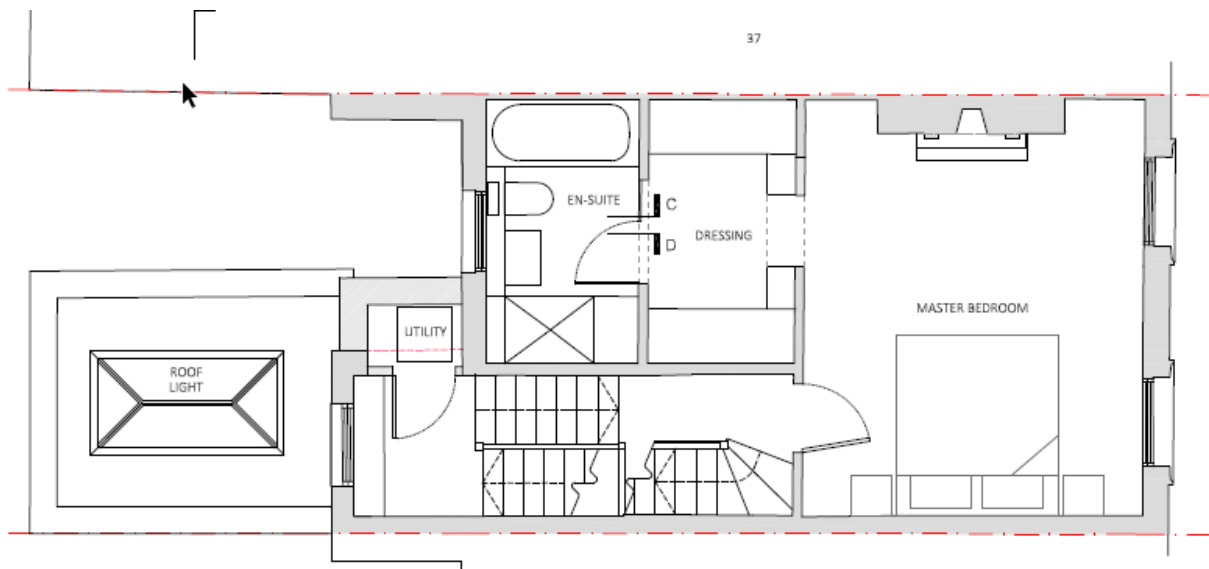
Proposed First Floor Plan



Existing Second Floor Plan



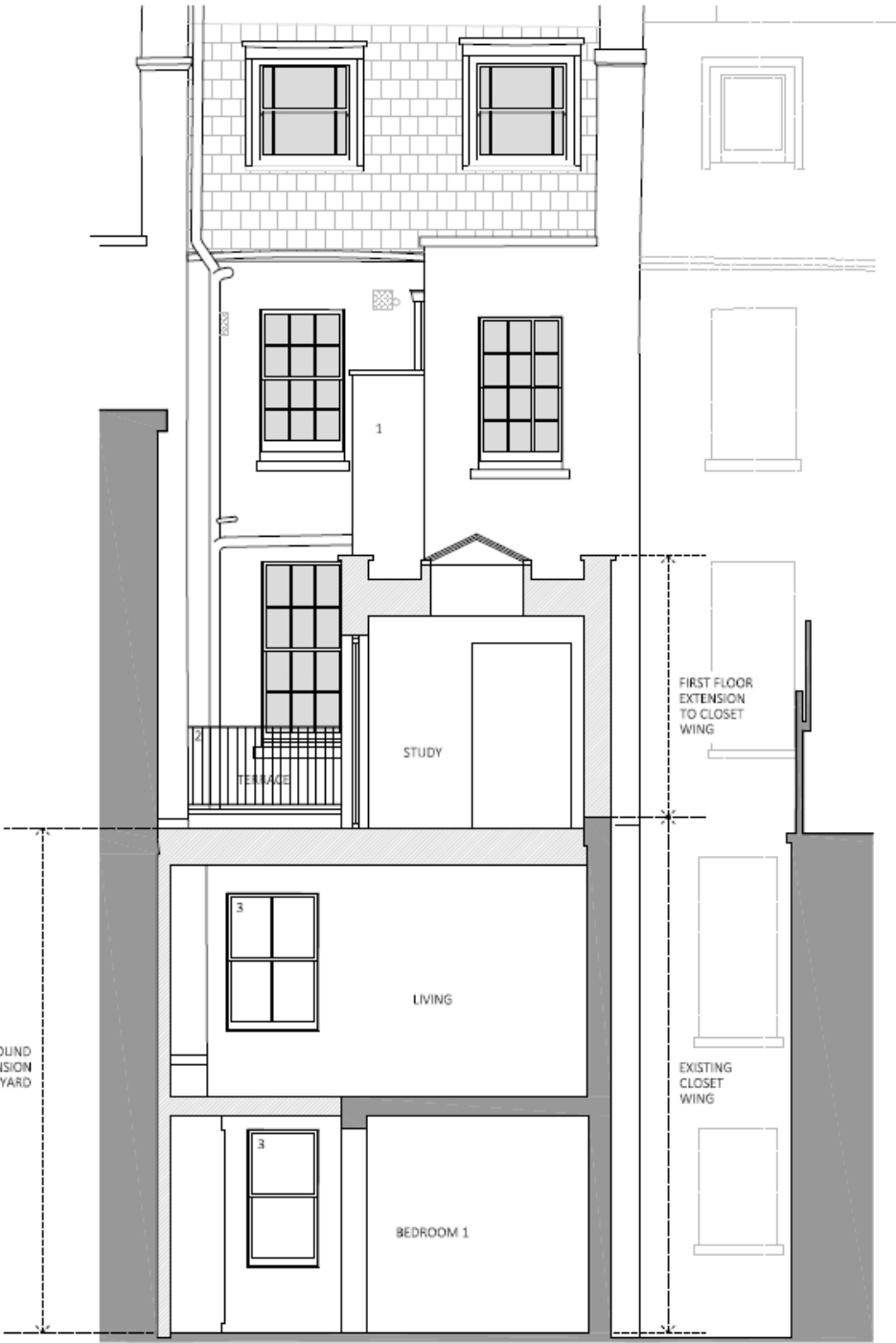
Proposed Second Floor Plan



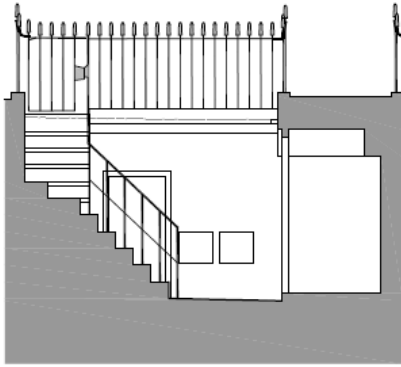
Existing Section A-A



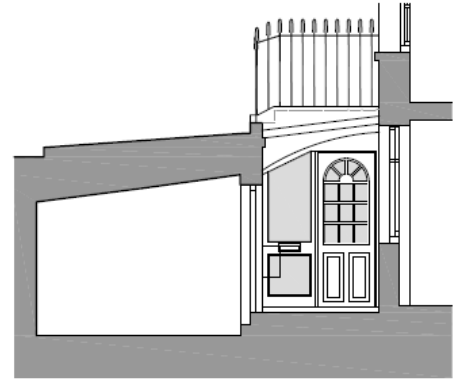
Proposed Section A-A



Existing Sections front lightwell

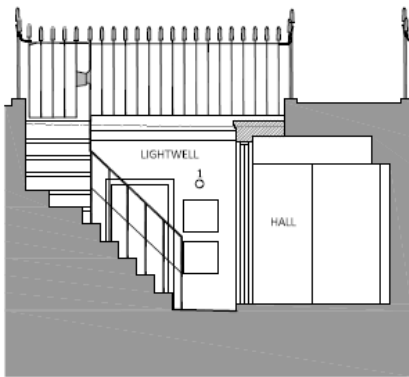


SECTION EE

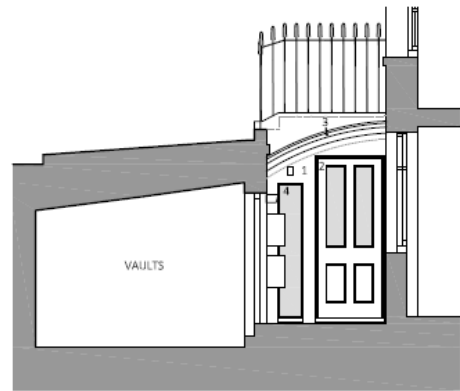


SECTION FF

Proposed Sections front lightwell



SECTION EE



SECTION FF

DRAFT DECISION LETTER

Address: 39 Westmoreland Terrace, London, SW1V 4AQ

Proposal: Two storey infill extension at rear lower ground and ground floors with roof terrace at first floor level; extensions to closet wing at first and second floor levels; infill extension to front lightwell and lowering of basement vault.

Reference: 16/12043/FULL

Plan Nos: PP-01; PP-02 Rev. A; PP-03 Rev. A; PP-04; PP-05; PP-06; PP-07; PP-08; PP-09 Rev. B; PP-10 Rev. A; PP-11; PP-12 Rev. A; PP-13;

For information:

Structural Engineer's Statement for Planning Approval dated 8 March 2017; Design & Access Statement dated December 2016; Flood Risk Assessment dated December 2016; Daylight and Sunlight Report dated 3 March 2017; Letter from Daylight & Sunlight (UK) Ltd dated 20 April 2017; Updated DD Table received 20 April 2017; Updated VSC Table received 20 April 2017.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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 (November 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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings.

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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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 All new external windows and doors must be made out of timber painted white and maintained in that colour.

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 Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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)

- 7 You must apply to us for approval of detailed drawings of the following parts of the development - all new external windows and doors, including plans and elevations at 1:20 or 1:10 and sections at 1:10 or 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 this part of the Pimlico Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 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)

- 8 You must not use the roof of the first floor extension 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, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

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 (November 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 Please be advised that the Council would encourage the use of integral or true glazing bars for any new double hung sliding sash windows (where the units are double-glazed and have glazing bars), however, simulated or applied glazing bars would be acceptable with white spacers given that the sash rails and glazing bars are of a matching profile to those on the existing windows. Where any of the proposed window units include external drip bars or weatherbars and associated trickle vents, these should be concealed.
- 3 You will need technical approval for the works to the highway (supporting structure) prior to commencement of development. You should contact Andy Foster (afoster1@westminster.gov.uk) in Westminster Highways Infrastructure and Public Realm to progress the application for works to the highway.

- 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, perhaps by issuing regular bulletins about site progress.

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.