

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 3 July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bayswater	
Subject of Report	BASEMENT , 2 ST STEPHEN'S CRESCENT, LONDON, W2 5QT		
Proposal	Erection of a single storey extension at rear basement level.		
Agent	Mr Antony Lyons		
On behalf of	Mr & Mrs Satow		
Registered Number	18/00065/FULL	Date amended/ completed	16 March 2018
Date Application Received	4 January 2018		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

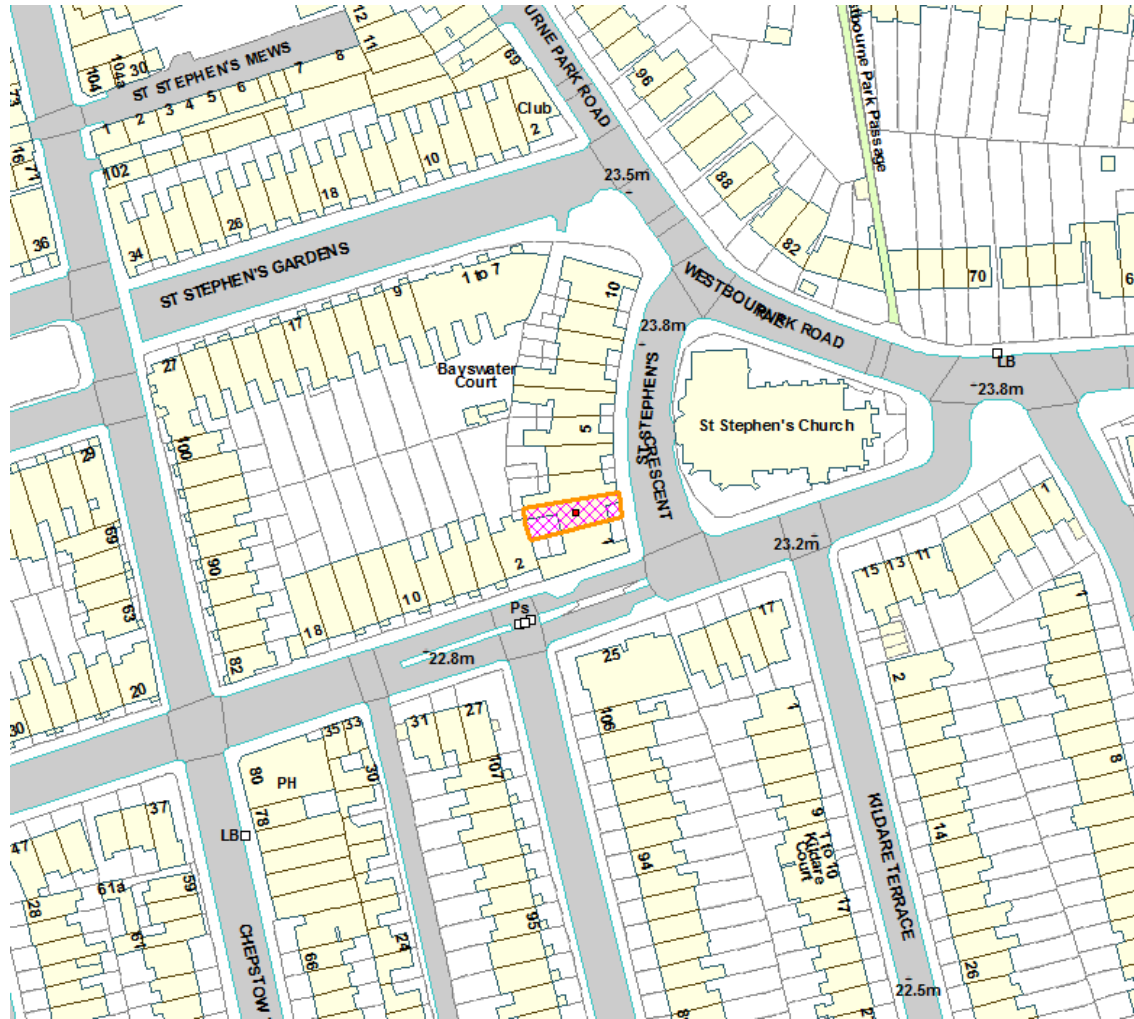
Permission is sought for the erection of an extension within the existing rear courtyard to enlarge the existing flat. Representation of objection has been received from the Nottinghill East Neighbourhood Forum and occupiers of an adjoining property, together with three representations of support.

The key considerations are:

- Impact on the character and appearance of the building
- Impact on the amenity of neighbouring properties

The proposal is considered acceptable and accords with our Unitary Development Plan and City Plan policies. Accordingly, it is recommended that conditional permission is granted.

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 2 St Stephen's Crescent



View of Rear Elevation from Courtyard



View of Courtyard from Second Floor, No. 1 St Stephen's Crescent



5. CONSULTATIONS

NOTTING HILL EAST NEIGHBOURHOOD FORUM:

Objection. The development as 'unacceptable intensification'

WESTBOURNE NEIGHBOURHOOD FORUM:

Any response to be reported verbally.

THAMES WATER:

No objection. Advise the applicant to install a non-return valve or pumped device to avoid back flow

ENVIRONMENTAL HEALTH:

No objection. The extension in the basement is acceptable for habitable as the new room is to an existing residential premises to be used with the rest of the premises as part of a single family dwelling. If this new room in the basement was to be used as separate rental accommodation this would then not be considered as single family dwelling use but would be regarded as separate use

BUILDING CONTROL:

No adverse comments

ADJOINING OWNERS / OCCUPIERS:

- No. of total consultees: 32
- No. in support: 3
- No. of objection: 1 (a number of responses from the same property).
- No. of neutral responses: 0

Objection

Design:

- Permanent loss of most of the original courtyard
- Permanent change to the character of the building
- Intensifies density of an already exploited building
- Detailed design would harm the appearance of the building

Amenity:

- Noise, artificial light and fumes are already produced in the garden, which will be worsened by the proposal
- New windows will be installed that will closely face back towards to building
- Noise will be created from having rain bouncing off the rooflights
- Light pollution through non-obscured glazed rooflights

Other:

- Depreciates the monetary value of the building
- Permanently altering views
- Believe the built height will have to be higher than shown on the submitted drawings
- Will set a precedent for other yards nearby
- Raise concerns about the property being used for short-term letting

- Would like a maintenance contract to ensure the sedum roof is maintained
- The area is too enclosed for a sedum roof to thrive
- Length of residence should not give special rights on other residents either
- No details about how existing downpipes will be adjusted
- No details about how the rainwater goods will be connected to drainage

Support

- The existing courtyard is not interesting or useful
- The existing courtyard suffers from overlooking
- A 3-bedroom unit would enable the long-term residents stay at the property to accommodate their family
- Complimentary and sympathetic materials
- Some courtyards nearby have been completely built over this proposal retains half the courtyard
- Any additional noise or fumes will be minimal

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No.2 St Stephen's Crescent is unlisted mid-terrace building formed of 5 upper stories plus a basement .located in the Westbourne Conservation area. The building has been subdivided into flats both vertically and laterally through into adjacent buildings. This application specifically relates to the basement flat

6.2 Recent Relevant History

None relevant.

7. THE PROPOSAL

Planning permission is sought for the erection of a single storey extension to infill approximately half of the existing rear courtyard .Three of the elevations of the proposed infill extension will abut the walls that form the courtyard or part of an existing extension. Subsequently the extension will only have one open elevation. This elevation will face backwards towards the main rear elevation of 2 St Stephens Crescent and will contain one window and a pair of fully glazed door French doors. The roof of the extension will contain two rooflights and will be finished in sedum. It is intended that the extension will provide the flat with an additional bedroom and shower room.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed extension is an addition to an existing flat and is to contain a bedroom and shower-room. These works are in accordance with policy H3 of the Unitary Development

Plant (UDP) and S14 of the City Plan which seek to optimise housing and supports the enlargement of existing housing. The extension is to increase the amount residential floor space within the property by approximately 14.1 sqm. Upon a site visit on the 9th February 2018, it was confirmed that the existing property contains two bedrooms as shown on the submitted drawings. Through the proposed extension intending to provide an additional bedroom, it will therefore as a result consequently make the property contain three bedrooms.

The increase in the provision of a new bedroom is considered to accord with Policy H5 UDP that seeks to increase the amount of family sized dwellings. Family sized dwellings are defined as properties containing 3 or more bedrooms. Given the above, the proposal is considered acceptable in land use terms through the proposal being in accordance with policy H3 and H5 of the UDP and s14 of the City Plan.

Whilst an objector has raised concern over the potential for the use of the extension for short term lets, this is not proposed. The proposal seeks to extend the existing permanent residential accommodation of this flat.

8.2 Townscape and Design

Extensions in conservation areas are permissible under Policy DES 5 and DES 9 of the UDP. These policies advise that a proposed extension must be confined to the rear, not visually dominate the building, be in scale with, reflect the style and also use materials in keeping with the existing building as well as help either preserve or enhance the surrounding conservation area.

The extension is single storey and will enclose half of the rear courtyard (14m²), with a flat sedum roof with two rooflights and French doors and window to its elevation. Given its small scale, height, footprint, and location within an enclosed lightwell, it is considered to remain subordinate to the building, maintaining half of the existing courtyard and is of an appropriate subdued detailed design. It would not be visible from the public domain and only partially visible (mainly its sedum roof) from upper floors of neighbouring properties. As such, it is considered that the extension would preserve the character and appearance of the building and this part of the Westbourne Conservation Area in accordance with Policies DES 1, DES 5 and DES 9 of the Unitary Development Plan and S25 and S28 in the City Plan. The objection from the Nottinghill East Neighbourhood Forum and one neighbouring property on design and conservation grounds is not supported by officers.

8.3 Residential Amenity

The extension is single storey and confined to the rear courtyard with a flat sedum roof. Its height is comparable with the height of the existing boundary walls, which encloses the courtyard. As such, it would not result in any significant impact on daylight or sunlight or sense of enclosure to occupiers of surrounding properties. Given the location of the fenestration (doors and window facing back to the rear of the main building) and two

small rooflights, the proposal is not considered to result in any significant overlooking to neighbouring properties. The objection raises on this ground is therefore not supported. Whilst a neighbour of an adjacent property has also raised concern with respect to fumes, light pollution and noise from the extension. Given the proposed domestic use, location, and size of fenestration, their concerns are not supported by officers.

For the reasons set out above, the proposal is considered acceptable in amenity terms in accordance with policy ENV13 of our Unitary Development Plan and S29 of our City Plan.

8.4 Transportation/Parking

No transportation / parking considerations are applicable for a development of this size.

8.5 Economic Considerations

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

8.6 Access

The access to the site will remain as existing from St Stephen's Crescent.

8.7 Other UDP/Westminster Policy Considerations

8.7.1 Other

Matters relating to the extension depreciating the value of other flats in the building is not a planning consideration. Details about how the rainwater pipes will be connected to drains as raised in the objections are a building control matter. Similarly the objection believing that the built height will have to be higher than shown on the submitted drawings, based upon there not being any excavation proposed and required ceiling height standards or under layers account for under the sedum roof is not a planning matter and that the extension will only be permitted to build as per the approved drawings. The request by an objector for a maintenance contract to be produced to ensure the sedum roof is appropriately maintained is not considered reasonable.

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 consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

Not applicable.

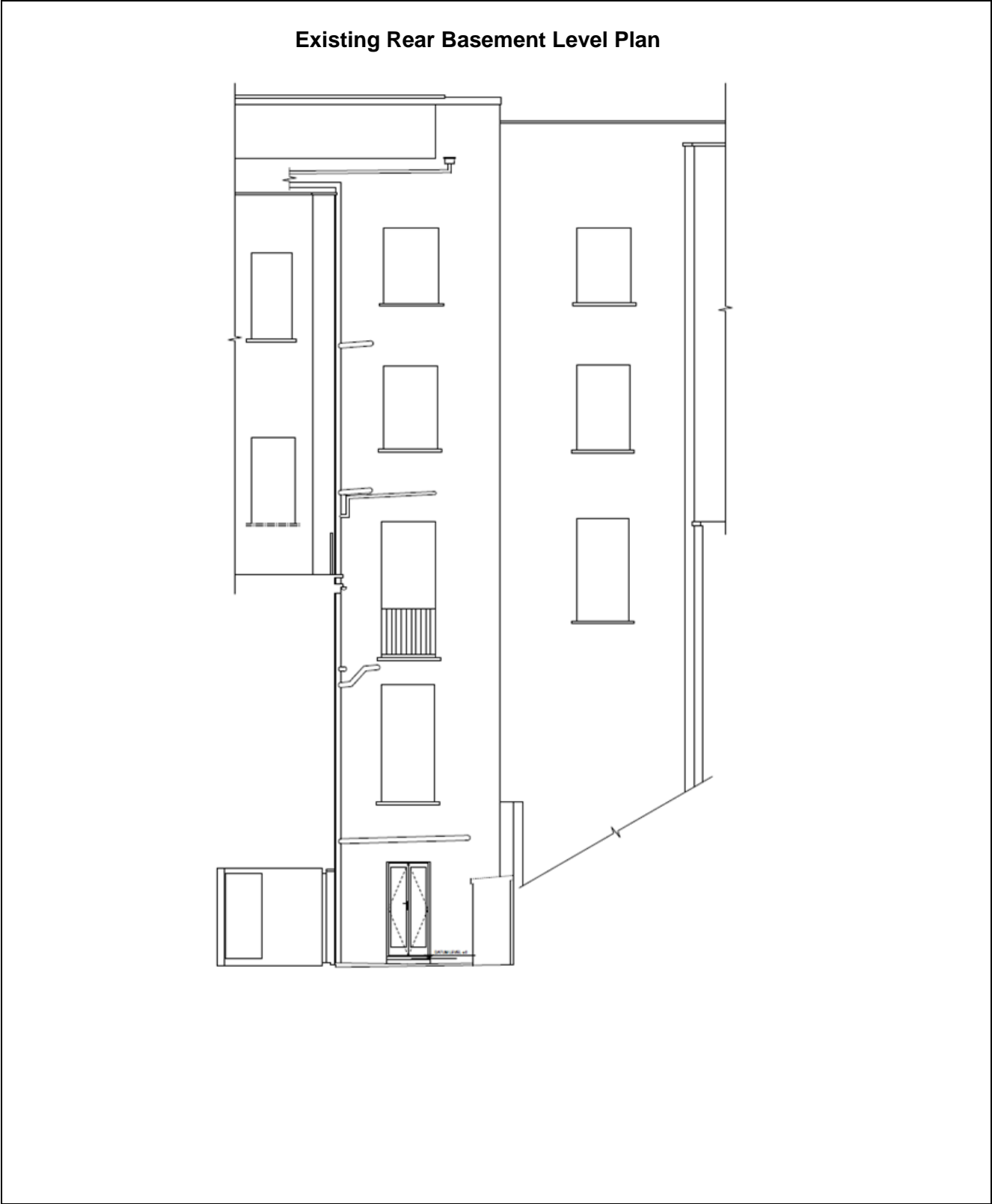
8.11 Environmental Impact Assessment

Not applicable.

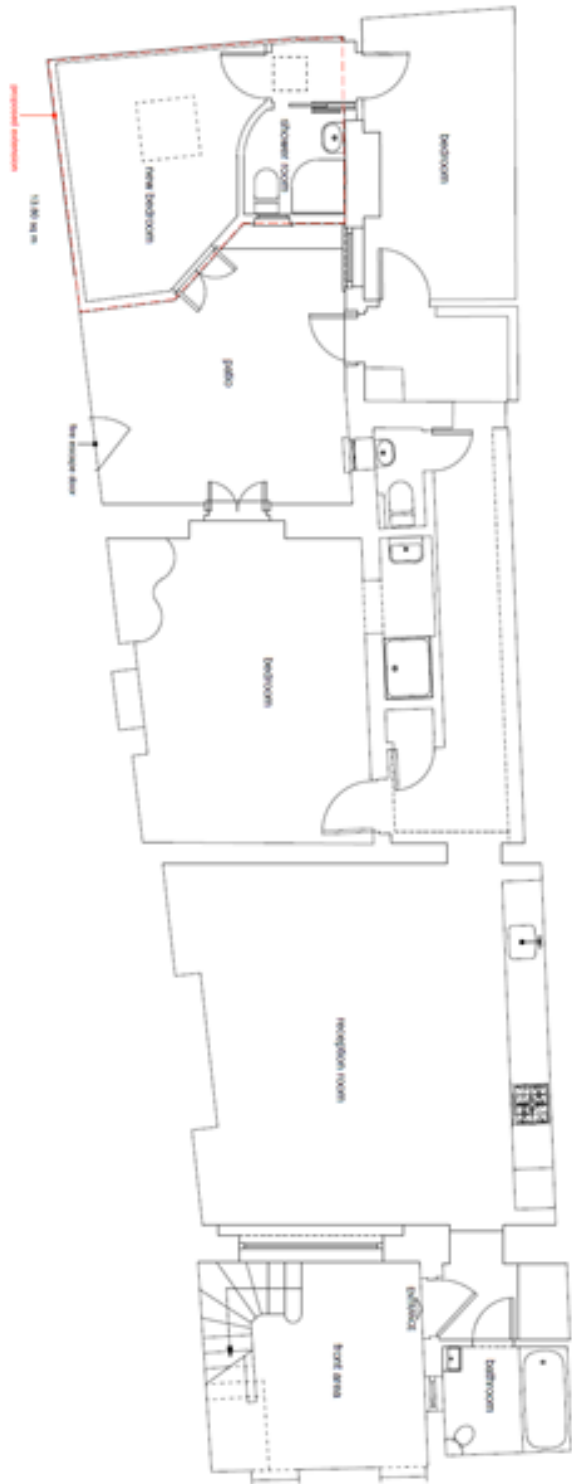
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT SWHITNALL@WESTMINSTER.GOV.UK
--

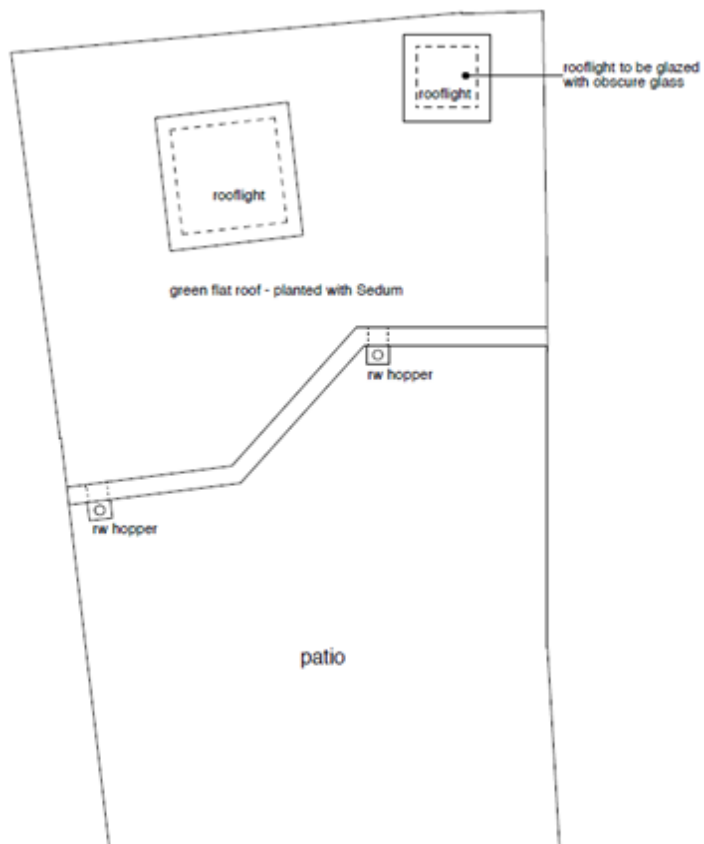
9. KEY DRAWINGS



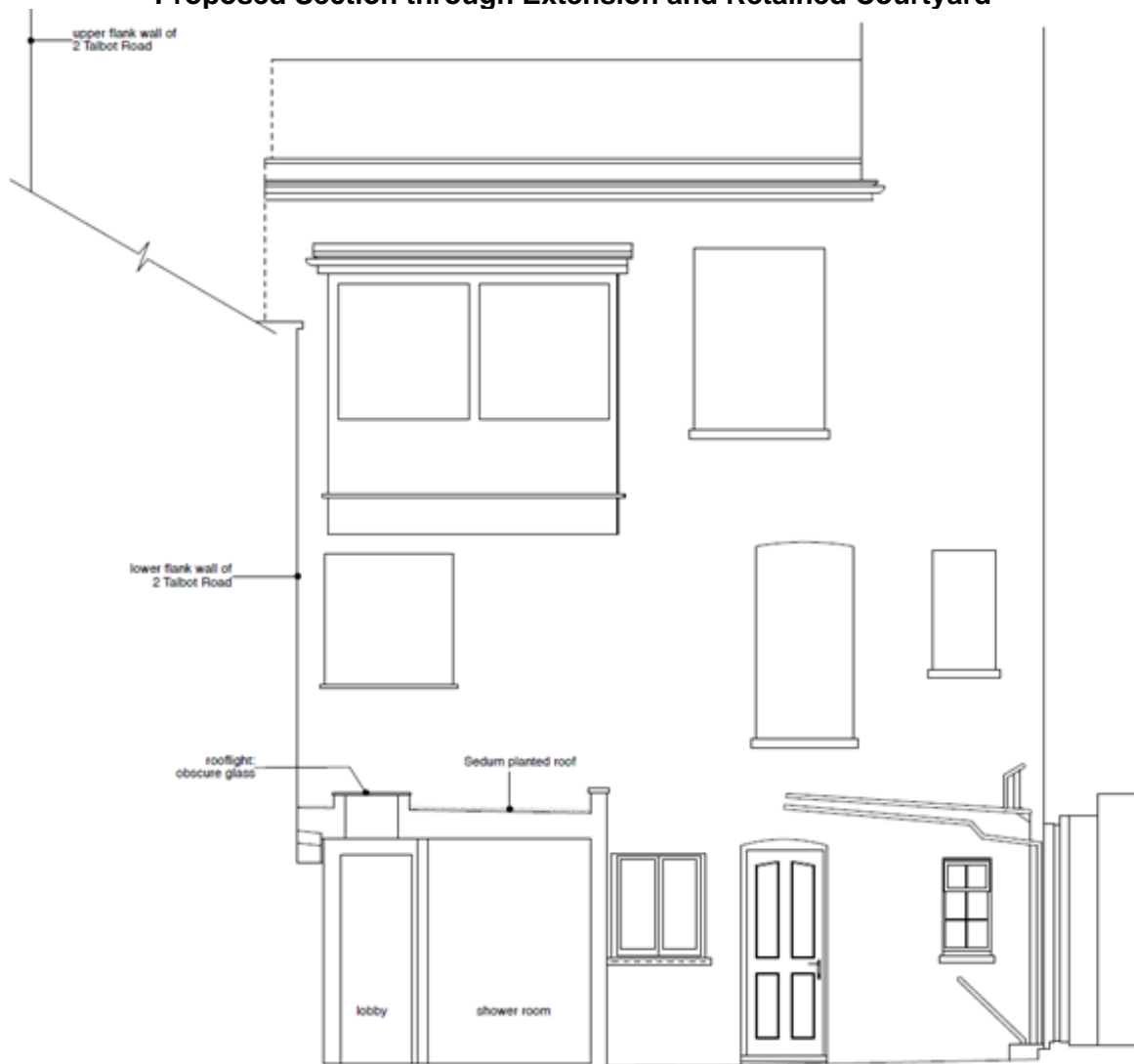
Proposed Basement Level Plan



Proposed Roof Plan of Extension and Retained Courtyard



Proposed Section through Extension and Retained Courtyard



DRAFT DECISION LETTER

Address: Basement , 2 St Stephen's Crescent, London, W2 5QT

Proposal: Erection of a single storey extension at rear basement level.

Reference: 18/00065/FULL

Plan Nos: 292 S01, 292 S02, 292 S03, 292 S04, 292 S05, 292 P01, 292 P02, 292 P03 and Design & Access Statement.

Case Officer: Harry Berks

Direct Tel. No. 020 7641 3998

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 Westbourne 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)

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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560.
- 3 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.
- 4 The new room in the basement is to be used in connection with the rest of premises as part of a single family dwelling and not for use as a separate dwelling. Due to the lack of adequate natural light to and a reasonable view from this room any separate use may fail standards as required under the Housing Act 2004.
- 5 The design and structure of the development shall be of such a standard that the dwelling is free from the 29 hazards listed under the Housing Health Safety Rating System (HHSRS). However, any works that affect the external appearance may require a further planning permission. For more information concerning the requirements of HHSRS contact: , Residential Environmental Health Team, 4th Floor East, Westminster City Hall, 64 Victoria Street, London SW1E 6QP, www.westminster.gov.uk, Email: res@westminster.gov.uk, Tel: 020 7641 3003 Fax: 020 7641 8504.

- 6 Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.

As you are redeveloping a site, there may be public sewers crossing or close to your development. If you discover a sewer, it's important that you minimize the risk of damage. We'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>.

'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.

Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.",

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.