Item	No.
1	

CITY OF WESTMINSTER				
PLANNING	Date	Classification		
APPLICATIONS SUB COMMITTEE	18 th September 2018	For General Rele	ase	
Report of		Ward(s) involved		
Director of Planning		Bryanston And Do	orset Square	
Subject of Report	11 Gloucester Place Mews, London, W1U 8BA			
Proposal	Erection of a two-storey rear extension and excavation of a new basement for use in association with the existing residential unit with associated internal alterations.			
Agent	Reading + West Architects			
On behalf of	Mr Andrew Polydor			
Registered Number	18/03277/FULL and 18/03278/LBC	Date amended/ completed	25 April 2018	
Date Application Received	23 April 2018			
Historic Building Grade	Grade II			
Conservation Area	Portman Estate			

1. RECOMMENDATION

- 1. Grant conditional planning permission
- 2. Grant conditional listed building consent
- 3. Agree the reasons for granting listed building consent as set out within informative 1 of the draft decision letter.

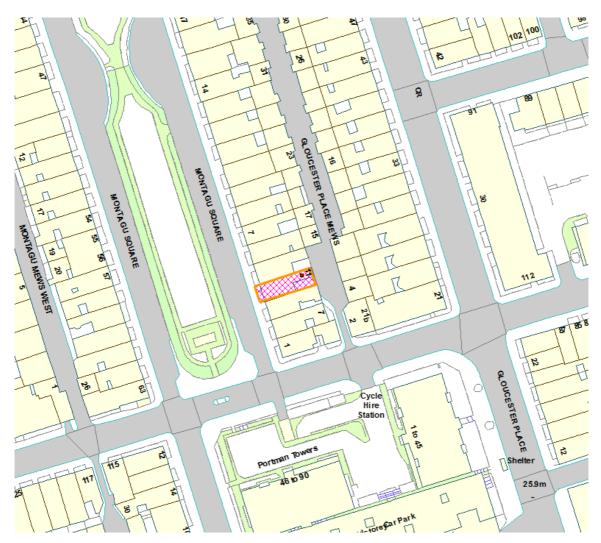
2. SUMMARY

This application was reported to the Planning Applications Sub-Committee on the 24th July 2018. Committee resolved to defer the application for a site visit and to allow the applicant to submit a Daylight and Sunlight report to assess the impact of the proposal on the levels of daylight and sunlight received by the adjacent flats at 5 Montagu Square. The Committee site visit is to take place on the 14th September 2018.

The applicant has commissioned a Daylight and Sunlight report to assess the impact of the proposal on the windows of the adjoining flats in 5 Montagu Square (Flat 1 at lower ground and ground floor levels and Flat 4 at first floor level). It is not considered the proposal would have implications for any other windows within neighbouring properties. The report demonstrates that the proposed development will not result in any noticeable impact on the assessed windows, with all windows experiencing little to no change in daylight levels and no change in sunlight levels. The scheme is therefore fully compliant with the BRE guidelines in terms of both daylight and sunlight effects and is reported back to committee for determination.

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3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

REPRESENTATIONS RECEIVED AND VERBALLY REPORTED TO THE COMMITTEE ON 24 JULY 2018

Email from neighbouring occupier requesting Committee visit the site and for the submission of a daylight and sunlight report.

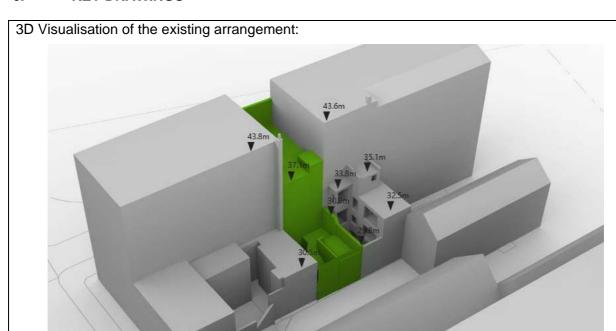
ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 1 Total No. of replies: 0

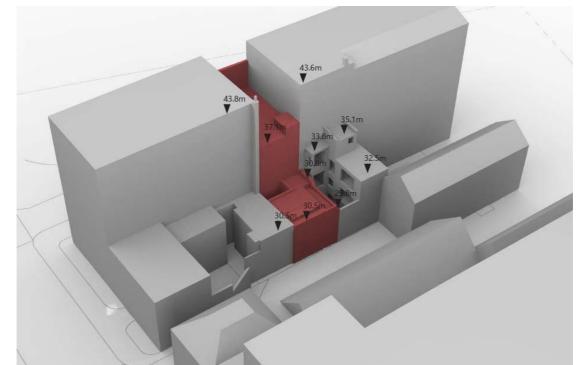
The occupier of Flat 1, 5 Montagu Square has been re-consulted following receipt of the submitted Daylight and Sunlight Report. Any response will be reported verbally at the committee meeting.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

6. KEY DRAWINGS



3D Visualisation of the proposed arrangement:



DRAFT DECISION LETTER

Address: 11 Gloucester Place Mews, London, W1U 8BA

Proposal: Erection of a two storey rear extension and excavation of a new basement for use in

association with the existing residential unit with associated internal alterations.

Reference: 18/03277/FULL

Plan Nos: Ground Investigation and Basement Impact Assessment (March 2018), Ground and

Water Desktop Study (March 2018), Structural Methodology Statement

(13.04.2018), Drawings: 95-156/P11 RevA, 95-196P10 RevA, 95-156/P13, 95-156/P14 RevA, 95-156/P15 RevA, 95-156/P16 RevA, 95-156/P17 RevA, 95-

156/P18 RevA, 95-156/P19.

Case Officer: Matthew Giles Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s)

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.

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: 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. You must carry out piling, excavation and demolition work only: between 08.00 and 18.00 Monday to Friday; and, 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)

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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES

- 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)
- You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- You must apply to us for approval of detailed drawings of the following parts of the development:
 - 1. New external windows and doors (1:20 and 1:5),
 - 2. Rooflights (1:20 and 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any

demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

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)

You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof to include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the property. (C14EC)

Reason:

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

Informative(s):

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 You are advised that under Condition 9 you would need to provide details of an intensive green roof as this provides additional biodiversity benefits when compared to sedum.
- You are advised there may be public sewers crossing or close to the site, you are advised to read the Thames Water guide to working near or diverting relevant pipes. This can be downloaded at the following link: www.developers.thameswater.co.uk/developing-a-large-site/planning-your-development/working-near-or-diverting-our-pipes
- 4 You are advised to install a non-return valve or other suitable device to avoid the risk of backflow should the sewagfe network discharge to ground level during storm conditions.
- A Groundwater Risk Management Permit from Thames Water will be required for discharging 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 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on-line via www.thameswater.co.uk/wastewaterquality.
- Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres / minute at the point it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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.

DRAFT DECISION LETTER

Address: 11 Gloucester Place Mews, London, W1U 8BA

Proposal: Erection of a two storey rear extension and excavation of a new basement with

associated internal alterations.

Reference: 18/03278/LBC

Plan Nos: Ground Investigation and Basement Impact Assessment (March 2018), Ground and

Water Desktop Study (March 2018), Structural Methodology Statement

(13.04.2018), Drawings: 95-156/P11 RevA, 95-196P10 RevA, 95-156/P13, 95-156/P14 RevA, 95-156/P15 RevA, 95-156/P16 RevA, 95-156/P17 RevA, 95-

156/P18 RevA, 95-156/P19.

Case Officer: Matthew Giles Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s)

The works 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.

All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- You must apply to us for approval of detailed drawings of the following parts of the development:
 - 1. New external windows and doors (1:20 and 1:5),
 - 2. Rooflights (1:20 and 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES

1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.
- You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and,
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents. It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.

Planning Applications Sub-Committee (2) Tuesday 24th July 2018

4 11 GLOUCESTER PLACE MEWS, LONDON, W1U 8BA

Erection of a two storey rear extension and excavation of a new basement for use in association with the existing residential unit with associated internal alterations.

A late representation was Mr Alan Bristow dated 20.7.2018 was tabled.

RESOLVED UNANIMOUSLY:

That consideration be deferred for a site visit and for a daylight and sunlight report to assess the impact on neighbouring properties to be submitted.

CITY OF WESTMINSTER				
PLANNING	Date	Classification		
APPLICATIONS SUB COMMITTEE	24 July 2018	For General Rele	ase	
Report of		Ward(s) involved		
Director of Planning		Bryanston And Dorset Square		
Subject of Report	11 Gloucester Place Mews, London, W1U 8BA			
Proposal	Erection of a two storey rear extension together with excavation of a new basement for use in association with the existing residential unit and associated internal alterations.			
Agent	Reading + West Architects			
On behalf of	Mr Andrew Polydor			
Registered Number	18/03277/FULL and 18/03278/LBC	Date amended/ completed	25 April 2018	
Date Application Received	23 April 2018			
Historic Building Grade	Grade II			
Conservation Area	Portman Estate			

1. RECOMMENDATION

- 1. Grant conditional planning permission;
- 2. Grant conditional listed building consent
- 3. Agree the reasons for granting listed building consent as set out within informative 1 of the draft decision letter.

2. SUMMARY

11 Gloucester Place Mews comprises two flats, one at lower ground and ground floor levels and the other at first and second floor levels. The property fronts on to Montagu Square to the west (4 Montagu Square) and Gloucester Place Mews to the east. Planning permission is sought for the demolition of the existing garage at rear lower ground floor level to allow an extension at lower ground and ground floor levels and the excavation of a new basement area, all to provide residential accommodation for use in association with the lower residential unit.

The key issues are:

- The impact of the proposed basement excavation on the amenity of nearby sensitive occupiers.
- The impact of the extension at ground and lower ground floor levels on the amenity of neighbouring residential occupiers.

Subject to conditions, the proposal is considered acceptable on highways, design, amenity and land use grounds and compliant with the relevant City Plan and Unitary Development Plan (UDP) policies.

It is therefore recommended that conditional planning permission and listed building consent are granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS





CONSULTATIONS

MARYLEBONE ASSOCIATION

Objection on the following grounds:

The rendered finish of the new elevation to Gloucester Place Mews is considered detrimental to the character of the mews and conservation area.

There is a large loss in the outdoor amenity space resulting from the development.

CLEANSING

No objection subject to conditions.

HIGHWAYS

Objection to the loss of the garage car parking space and the lack of cycle parking in the proposed scheme.

THAMES WATER

No objection.

BUILDING CONTROL

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 44; Total No. of replies: 6

No. of objections: 6, on some or all of the following grounds:

- Loss of daylight and sunlight to neighbouring properties resulting from the proposed extension.
- Structural implications for the building itself and neighbouring properties resulting from the proposed basement excavation.
- Detrimental impact upon neighbouring amenity during the construction process.
- Lack of consultation by the applicant with neighbouring occupiers prior to the submission of the application.
- The design of the rear wall fronting the mews is not consistent with the character of the remainder of the mews.
- Loss of 'trees'.
- The green roof does not provide the same biodiversity benefits as the potted plants in the courtyard.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

5. BACKGROUND INFORMATION

5.1 The Application Site

11 Gloucester Place Mews is a Grade II listed building located within the Portman Estate Conservation Area. The building is currently utilised as two flats, one at lower ground and ground floor levels and the other at first and second floor levels. The property fronts on to Montagu Square to the west (4 Montagu Square) and Gloucester Place Mews to the east. The neighbouring properties are all in residential use

5.2 Recent Relevant History

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Planning Permission and Listed Building Consent were granted on the 30th May 2002 for 'Part infill of front basement lightwell to Montagu Square frontage, erection of replacement screen to Gloucester Place Mews frontage and erection of railings around perimeter of existing roof terrace at ground floor level.'

Planning Permission and Listed Building Consent were granted on the 21st April 2009 for 'Internal alterations including demolition and rebuilding of wall at lower ground floor level. Replacement of three windows and alterations to one window opening. Replacement of three windows and alterations to one window opening and installation of new.'

6. THE PROPOSAL

Planning permission and listed building consent are sought for the demolition of the existing garage fronting the mews and the erection of a two storey extension at lower ground and ground floor levels and the excavation of a new basement level, all for use in association with the existing residential unit on the ground and lower ground floor levels. A green roof will be installed on top of the proposed extension and a lightwell will be created between the new extension and the original rear wall of the main property, which extends to new basement level to allow the creation of a small courtyard area.

7. DETAILED CONSIDERATIONS

7.1 Land Use

Residential use

The proposed extension to the dwelling will increase the residential floorspace by 98.5m² (GIA). This accords with Policy H3 of the UDP and Policy S14 of the City Plan, both of which encourage the increase in residential floorspace at suitable locations within Westminster. Given this modest increase, there is no policy requirement for the provision of affordable housing.

7.2 Townscape and Design

The building is positioned mid- terrace within a Grade II listed group. However, it is notably different to the others in the group in terms of height and design. Historic maps included in the heritage statement demonstrate that the building was badly damaged during World War II. It is evident from visual inspection, particularly from the rear of the site, that the building was substantially rebuilt during the post-war period and lacks the original Georgian detailing evident in other buildings within the group.

The Council's policies contain a presumption against full width extensions, particularly to listed buildings. DES 10 (Listed Buildings) of the Council's Unitary Development Plan states that 'rear extensions which span the full width of the building will rarely be acceptable, except in some circumstances at basement level.' The Council's Supplementary Planning Guidance titled 'Development and Demolition in Conservation Areas' also states, 'if the building has an L-shaped plan form at the rear then this should normally be retained... Generally, full width extensions are not acceptable, except in certain circumstances at basement level.'

The proposal for a two storey, full width wrap- around extension between the rear of the building and the boundary wall to Gloucester Place Mews is contrary to these policies. However, given that this building is largely a post- war reconstruction, the special interest of this part of the building appears to be limited. The interior at lower ground and ground floor level is entirely modern (other than the lower ground floor front vaults which appear to pre-date the above ground construction) and the rear elevation has also evidently been entirely rebuilt. The garage structure to the rear is also modern. The proposed extension will result in the demolition of this garage structure, which is uncontentious. A lightwell is incorporated which separates the new addition from the original building line, ensuring this remains legible. The treatment to the rear of this group of listed buildings is varied and inconsistent. Overall therefore, it is considered that the proposed two storey extension will not harm the special architectural or historic interest of the building or the group value of the terrace and will preserve the character and appearance of this part of the conservation area. Given these circumstances the proposed extension is considered acceptable in principle.

The proposed basement storey is positioned to the rear of the site beneath the courtyard and part of the footprint of the main building. The excavation in this area will not affect the historic vaults or any fabric of interest. The historic hierarchy and plan form of this post- war building makes a limited contribution to its special interest. It is therefore considered that the proposal to excavate another level beneath the rear courtyard will not adversely affect the significance of the listed building. Neighbours have objected to the potential structural implications for neighbouring listed buildings, but this matter will be dealt with by the Council's Building Control officers and is not a planning consideration.

Internally, alterations are proposed throughout, including reorganisation of the internal plan form with new door openings proposed. The proposed alterations will only affect modern fabric which is not of interest. The internal alterations are therefore considered uncontentious in listed building terms.

The local amenity society have objected to the application on the basis that the detailed design is inappropriate. Following negotiations, the drawings have been amended in response to these comments to clarify that a stock brick to match the existing adjacent properties is to be used for the rear wall. The imposition of a condition to secure a sample brick panel is recommended to ensure the materials relate sensitively to the palette of the mews. The design of the rear solid door originally proposed has also been amended to match the existing adjacent example, with a brick arch detail above. It is therefore considered that these comments have been addressed.

The local amenity society and neighbours have also objected on the grounds that the proposed rear wall lacks animation. However, the solid to void ratio of the new wall is typical of the rear boundary walls in this mews, where the size of window and door openings are small. Given that the design of the door opening has been amended to match the adjacent example, it is considered that the proposed design for the rear wall is not uncharacteristic of this part of the mews and these objections cannot be supported.

Overall, the revised scheme is considered compliant with DES 5, DES 9 and DES 10 of the Council's UDP and will preserve the special interest of the listed building and the character and appearance of this part of the conservation area subject to relevant conditions.

7.3 Residential Amenity

The party walls with the neighbouring properties to the north and south are retained at the existing height, with the proposed extension at lower ground and ground floor levels fully contained behind the party walls. The party wall with the neighbouring property to the north is higher towards the main rear walls of the properties than it is closest to the mews. The proposal includes a skylight over a stair adjacent to the lower section of the wall to ensure that the party wall does not need to be increased in height and will not impact upon the neighbouring property. It is proposed the front elevation to Gloucester Place Mews would be raised to be slightly higher than the existing wooden fence to match the existing height of the neighbouring wall on the property to the south.

Sunlight and Daylight

Objections have been received to the application concerned that the proposal will result in a loss of daylight and sunlight to the residential maisonette at lower ground and ground floor levels within the adjoining building to the north (5 Montagu Square). As detailed above the proposal does not include any increase in the height of the party wall between these properties and the extension behind the party wall will be completely hidden from the lower ground floor windows of this property. The only part of the proposal which could be partially visible is the very top of the new wall fronting the mews.

A letter has been received as part of the objection from the occupier within 5 Montagu Square from a rights to light consultant, commenting on the impact of the proposal on the levels of daylight and sunlight that the bedroom windows at lower ground floor level will receive. It would appear from the letter that the application has been misinterpreted, as it seems to imply that there is an increase in the height of the party wall between the two properties. This is not the case and as detailed above only a small section of the end wall would be visible from part of the lower ground floor. It is not considered that this would have any material impact on the levels of daylight and sunlight received by neighbouring properties and in this instance it is not considered necessary for the applicant to submit their own daylight and sunlight assessment for the proposal. Taking into account the built form of the proposal and the lack of visibility from neighbouring properties, consent could not be reasonably withheld on these grounds.

Sense of Enclosure

The proposal will not result in an increased sense of enclosure to neighbouring properties as the extensions are contained within the area behind the party walls. The proposal is therefore considered to comply with the requirements of Policies ENV12 of the UDP and S29 of the City Plan.

7.4 Transportation/Parking

The existing property includes a garage car parking space accessed off Gloucester Place Mews. No conditions have been applied to any previous planning consent relating to the property seeking the retention of the garage for the parking of motor vehicles. Therefore it would not constitute development to utilise the garage as part

of the residential accommodation. Whilst the Highways Planning Manager has objected to the proposal on the basis of the loss of the off-street car parking, the application cannot be reasonably refused on these grounds as there is no specific condition seeking its retention for this purpose.

No cycle parking has been shown on the submitted drawings, and it is considered that if the occupiers wished to have a bike they could store it within the property, as it has direct ground floor access to the mews. It is not considered necessary to condition drawings to show space for cycles within the property considering this application is for the extension of an existing dwelling and would not result in an increase in the number of residential units.

7.5 Economic Considerations

No economic considerations are applicable for a development of this size

7.6 Access

No changes are proposed to the existing access arrangements for the property.

7.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

Suitable waste and recycling storage were no indicated on the submitted drawings and therefore a condition is included requiring the submission of revised drawings to show the appropriate storage facilities.

Biodiversity

An objection has been received to the application on the grounds that the proposed green roof will not provide the same biodiversity benefits as the existing vegetation. However, the existing vegetation is mainly in containers and small planting areas and could be removed by the occupier should they wish. The green roof area will be conditioned to be provided and maintained as part of any permission and therefore will provide sustained biodiversity benefits. Permission could not be reasonably withheld on these grounds. An informative had been included to advise the applicant that the green roof should be an intensive green roof as opposed to sedum due to the increased biodiversity benefits this affords.

Amenity Space

The local amenity society has objected to the 'near total' loss of the outdoor amenity space for the applicant's flat. The proposal would retain a small courtyard within the new lightwell, and also the front basement lightwell, as outdoor amenity space. There is no specific policy requirement for residential units to provide external amenity space and the proposed flat will provide satisfactory accommodation. Arguably, it is also the applicant's decision to replace the external terraces for improved internal accommodation.

Other

A number of informatives have been requested by Thames Water with regard water pressure, the installation of non-return valves and the process for relocation of any Thames Water pipes. These informatives have been included as requested.

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 Other Issues

An objector has commented on the lack of prior discussion between the applicant and themselves with regard the submission of the application. Whilst discussions between the parties could have been useful in alleviating some of the concerns raised it is not a requirement and the City Council has carried out all required consultation on the application. The objection on these grounds is not therefore sustainable.

Basement

The proposal includes the excavation of a new basement level under part of the existing courtyard area and part of the main property to provide a new bedroom, utility room and store. As the proposal includes the excavation of a new basement area the application must be considered against Policy CM28.1 of the City Plan.

As the site is a residential building, Parts A, B and C of the policy are all applicable. The applicant is required to demonstrate account has been taken of the site-specific conditions, drainage and water environment of the area. A structural methodology statement and flood risk assessment are required and the applicant is required to confirm (by submitting a signed 'proforma Appendix A') that they will comply with the City Council's Code of Construction Practice. Additionally, the basement excavation must not affect the structural stability of the existing or nearby buildings, or exacerbate flood risk, and must minimise the construction impact of the development and safeguard archaeological deposits.

To accord with Part B of the policy, appropriate landscaping should be provided (where necessary). The scheme should not result in the loss of trees, must employ energy efficient measures and sustainable drainage measures, must protect the character of the building and garden, safeguard heritage assets and be protected from sewer flooding. Part C of the policy also stipulates that the basement cannot extend beneath more than 50% of the garden and, where the distance from the building to the site boundary is less than 8m, the basement can only extend 4m in that direction. It also states that basement excavation should 'not involve the excavation of more than one storey below the lowest original floor level 'unless in exceptional circumstances'. The garden area is defined within the City Plan as being 'the site area excluding the footprint of the original building'.

The submitted structural methodology statement has been reviewed by the Building Control Officer who has confirmed they are satisfied with the information provided. They also confirm that the likelihood of local flooding or adverse effects on the water tables are negligible. Objections have been received concerned about the structural implications of the proposal for the building and neighbouring properties. However,

the submitted information is considered to demonstrate that the proposed construction methodology is acceptable.

The applicants have also confirmed they will sign up to the City Council's Code of Construction Practice to mitigate construction impacts upon the highway and amenity within the vicinity. The Code of Construction Practice was published in July 2016 and is designed to monitor, control and manage construction impacts on construction sites throughout Westminster. A condition is proposed to secure this commitment.

The City Council has adopted a Supplementary Planning Document which relates to basement extensions in Westminster. This identifies areas of the borough as being more susceptible to surface water flooding and where applications for basements will need to be accompanied by additional information relating to rainwater infiltration. As this site is located outside of the identified 'Surface Water Risk Hotspots' no further information is required with regard this issue.

The property is located outside of the Areas of Special Archaeological Priority as designated by Historic England and the impact of the basement upon the heritage asset is addressed above in section 7.2 above and has been considered acceptable.

The 'garden' area of the property including the area within the front basement lightwell and the courtyard area to the rear currently measures 25.3m² whilst with the basement the retained 'garden' area would be 13.2m² which is over 50% of the garden area being retained as such. The proposed basement does not extend over 4m from the rear elevation of the property and as detailed would not extend over more than 50% of the length of the garden.

Whilst objections have been received to the loss of 'trees' resulting from the development, the existing foliage on the site is within pots / containers or small planting areas and none of the vegetation could be described as actually being a tree, therefore the loss is considered complaint with the policy.

In view of the above, the proposed excavation of the new basement level in the proposal is therefore considered compliant with the relevant requirements of Policy CM28.1 of the City Plan.

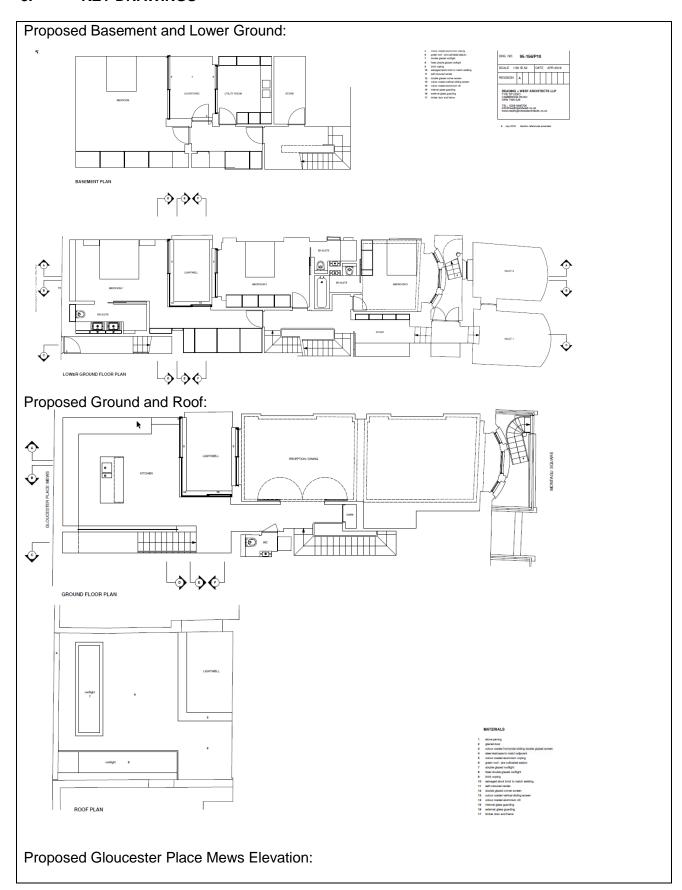
Construction impact

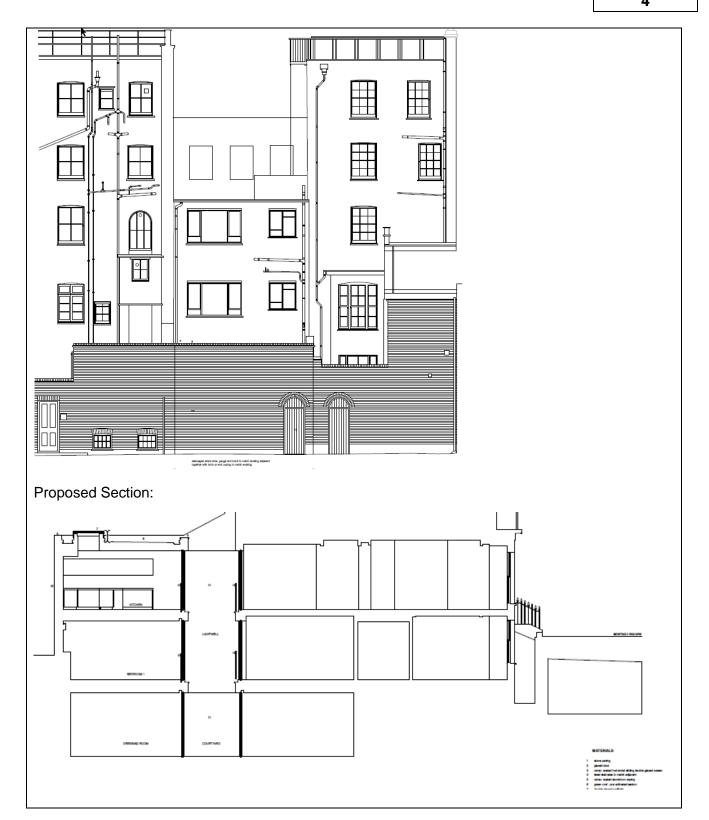
Concerns have been raised by neighbouring occupiers with regard potential disruption and disturbance during building works. As detailed above, the applicants have agreed to sign up to the Code of Construction Practice which will be monitored by the Environmental Inspectorate. This will ensure all appropriate measures are included to deal with construction vehicle movements, dust, and cleaning of the highway. This will also ensure that no construction vehicles block access to any surrounding properties during the construction process. With these controls in place it is not considered the objections on these grounds could be supported. The standard building hours' condition is also recommended to safeguard residents' amenity.

Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: PAUL QUAYLE BY EMAIL AT pquayle@westminster.gov.uk

8. KEY DRAWINGS





DRAFT DECISION LETTER

Address: 11 Gloucester Place Mews, London, W1U 8BA

Proposal: Erection of a two storey rear extension and excavation of a new basement for use in

association with the existing residential unit with associated internal alterations.

Reference: 18/03277/FULL

Plan Nos: Ground Investigation and Basement Impact Assessment (March 2018), Ground and

Water Desktop Study (March 2018), Structural Methodology Statement

(13.04.2018), Drawings: 95-156/P11 RevA, 95-196P10 RevA, 95-156/P13, 95-156/P14 RevA, 95-156/P15 RevA, 95-156/P16 RevA, 95-156/P17 RevA, 95-

156/P18 RevA, 95-156/P19.

Case Officer: Matthew Giles Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s)

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.

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: 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. You must carry out piling, excavation and demolition work only: between 08.00 and 18.00 Monday to Friday; and, 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)

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 protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation

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Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- You must apply to us for approval of detailed drawings of the following parts of the development:
 - 1. New external windows and doors (1:20 and 1:5),
 - 2. Rooflights (1:20 and 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

Prior to the commencement of any demolition or construction on site the applicant shall submit an approval of details application to the City Council as local planning authority comprising evidence that any implementation of the scheme hereby approved, by the applicant or any other party, will be bound by the council's Code of Construction Practice. Such evidence must take the form of a completed Appendix A of the Code of Construction Practice, signed by the applicant and approved by the Council's Environmental Inspectorate, which constitutes an agreement to comply with the code and requirements contained therein. Commencement of any

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demolition or construction cannot take place until the City Council as local planning authority has issued its approval of such an application (C11CB)

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)

You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

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)

9 You must apply to us for approval of detailed drawings and a bio-diversity management plan in relation to the green roof to include construction method, layout, species and maintenance regime. You must not commence works on the relevant part of the development until we have approved what you have sent us. You must carry out this work according to the approved details and thereafter retain and maintain in accordance with the approved management plan.

Reason:

To increase the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43FB)

10 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the property. (C14EC)

Reason:

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

Informative(s):

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

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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 under Condition 9 you would need to provide details of an intensive green roof as this provides additional biodiversity benefits when compared to sedum.
- You are advised there may be public sewers crossing or close to the site, you are advised to read the Thames Water guide to working near or diverting relevant pipes. This can be downloaded at the following link: www.developers.thameswater.co.uk/developing-a-large-site/planning-your-development/working-near-or-diverting-our-pipes
- 4 You are advised to install a non-return valve or other suitable device to avoid the risk of backflow should the sewagfe network discharge to ground level during storm conditions.
- A Groundwater Risk Management Permit from Thames Water will be required for discharging 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 020 3577 9483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on-line via www.thameswater.co.uk/wastewaterquality.
- Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres / minute at the point it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

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.

DRAFT DECISION LETTER

Address: 11 Gloucester Place Mews, London, W1U 8BA

Proposal: Erection of a two storey rear extension and excavation of a new basement with

associated internal alterations.

Reference: 18/03278/LBC

Plan Nos: Ground Investigation and Basement Impact Assessment (March 2018), Ground and

Water Desktop Study (March 2018), Structural Methodology Statement

(13.04.2018), Drawings: 95-156/P11 RevA, 95-196P10 RevA, 95-156/P13, 95-156/P14 RevA, 95-156/P15 RevA, 95-156/P16 RevA, 95-156/P17 RevA, 95-

156/P18 RevA, 95-156/P19.

Case Officer: Matthew Giles Direct Tel. No. 020 7641 5942

Recommended Condition(s) and Reason(s)

The works 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.

All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and paragraph SPG/HB1-3 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

4 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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 using the approved materials. (C26BC)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

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. (C27CA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- You must apply to us for approval of detailed drawings of the following parts of the development:
 - 1. New external windows and doors (1:20 and 1:5),
 - 2. Rooflights (1:20 and 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 drawings. (C26DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

You must apply to us for approval of a sample panel of brickwork which shows the colour, texture, face bond and pointing. You must not start work on this part of the development until we have approved what you have sent us. You must then carry out the work according to the approved sample. (C27DB)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance of the Portman Estate Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., The City Council decided that the proposed works would not harm the special architectural and historic interest of this listed building., In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan and DES 10 including

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paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.3 and 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:, ,
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and,
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents. It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (I59AA)

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.