

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 10 March 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved West End	
Subject of Report	4 and 5 Chesterfield Hill, London, W1J 5BL		
Proposal	Demolition behind retained facades, demolition of rear extensions at 4 Chesterfield Hill at lower ground and ground floor level to create an enlarged ground floor terrace, and conversion to provide two lateral residential units (Class C3), replacement windows, creation of a terrace at rear ground floor at No.5, erection of lift overrun, repairs to the façade and associated alterations.		
Agent	Stanhopegate Architecture		
On behalf of	Yogesh Mehta		
Registered Number	19/08536/FULL	Date amended/ completed	4 November 2019
Date Application Received	4 November 2019		
Historic Building Grade	Unlisted		
Conservation Area	Mayfair		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application involves two residential unlisted buildings on the eastern side of Chesterfield Hill close to the junction of Hays Mews. The site lies within the Mayfair Conservation Area.

Permission is sought to convert the buildings to provide two flats split laterally across the two buildings. Works include demolition behind the retained facades, demolition of rear extensions to create an enlarged terrace at lower ground floor, replacement windows and other associated works. The proposal has been amended to omit an originally proposed roof terrace.

The key issues for consideration are:

- The impact of the proposed alterations on the character and appearance of the Mayfair conservation area;
- The acceptability of the proposals in land use terms;
- The impact on residential amenity.

Objections have been received on the grounds that the proposal results in the loss of two single family dwellings and that the creation of terraces and Juliet balconies would result in the loss of residential amenity.

The proposal retains two family sized residential units and, with the omission of the roof terrace, it is not considered that the proposals would adversely impact on residential amenity. The alterations proposed are also considered acceptable in design terms. The application is considered to accord with adopted policies in the Unitary Development Plan (UDP), Westminster's City Plan (City Plan) and the Mayfair Neighbourhood Plan, and accordingly the application is recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



5. CONSULTATIONS

RESIDENTS SOCIETY OF MAYFAIR & ST. JAMES'S

Any response to be reported verbally.

MAYFAIR RESIDENTS' GROUP

Any response to be reported verbally.

ADJOINING OWNERS / OCCUPIERS AND ANY OTHER REPRESENTATIONS

No. of original consultees: 55

No. of objections: 7; No. of support: 2

Seven objections have been received from neighbouring properties. The objections relate to:

- Increased noise and overlooking from outdoor terraces and balconies
- Loss of houses for lateral living flats
- Increased overlooking from replacement larger windows

Two letters of support have also been received from neighbouring properties.

During the course of the application, the description of development has been amended to clarify the amount of demolition, and to remove reference to an originally proposed roof terrace. As the changes were relatively minor, it was not considered necessary to re-consult neighbours.

PRESS ADVERTISEMENT AND SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

4 and 5 Chesterfield Hill comprise unlisted buildings situated in the Mayfair Conservation Area. They form two four-storey terraced townhouses with mansard accommodation above and basement levels below. They were built as part of the late-eighteenth century development of Mayfair and positively contribute to its character.

The site adjoins residential properties at 3 and 6 Chesterfield Hill. The rear of the site is in close proximity to 16 Charles Street and 14 Hays Mews, both of which are currently in use as office accommodation.

6.2 Recent Relevant History

An application for No, 5 was withdrawn in 2015 for the creation of a sheer storey at fourth floor level and erection of a mansard roof extension above. Removal of roof and roof light at rear ground floor level, infilling of rear lightwell and alterations to balcony at rear first floor level and associated external alterations; all in association with continued use as a single family dwelling (Class C3).

An application for No. 4 was also withdrawn in 2016 for the demolition of the building behind its retained front facade. Infilling of rear lightwell at ground and basement level to create additional floorspace. Installation of a balcony at first floor level of front elevation, installation of louvres and air condenser unit within front basement lightwell and associated external alterations. Works in association with continued use of the property as a single family dwelling (Class C3).

7. THE PROPOSAL

Permission is sought for the conversion of 4 and 5 Chesterfield Hill behind retained façades to provide two lateral residential units (Class C3). The proposal includes the demolition of existing extensions at rear lower ground and ground floor level at 4 Chesterfield Hill to create an extended courtyard terrace measuring 19sqm. A small terrace, with walk on roof lights is also proposed at rear ground floor level at 5 Chesterfield Hill. The proposal also includes Juliet balconies to the rear elevation, a lift overrun and new rooflights at roof level and associated replacement and new windows and repairs to the façade.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Objectors raise concerns regarding the loss of two residential houses to lateral style flats. City Council Policy S14 seeks protect all residential uses and floorspace and states that proposals that result in a reduction in the number of residential units will not be acceptable (other than in exceptional circumstances). The Mayfair Neighbourhood Plan (MNP) policy MRU2.3, similarly, seeks to resist the net loss of residential units. In this case, the proposal maintains two family sized residential units with a 3-bedroom property at lower ground to first levels and a 4-bedroom property at second floor to fourth floor levels.

MNP Policy MRU2.2 also supports developments which provide for a mix of residential unit size which are in keeping with the scale, character and context of Mayfair. Both units provide, and retain, family sized residential units and it is considered that the proposals are acceptable in land use terms.

8.2 Townscape and Design

4 and 5 Chesterfield Hill are unlisted buildings situated in the Mayfair Conservation Area. They form two four-storey terraced townhouses with mansard accommodation above and basement levels below. They were built as part of the late-eighteenth century development of Mayfair and positively contribute to its character and appearance.

Piecemeal development at the rear of the buildings has resulted in the loss of open courtyard spaces, however, the upper part of the original rear wall of no. 5 remains exposed. No 4 has been extended with a full-height canted bay at the rear. The front facades have also been altered through the replacement of windows and addition of cementitious render.

This application seeks planning permission for the demolition of 4 and 5 behind retained facades to provide two lateral residential units. Works also include the replacement of most windows, removal of render and external pipework, repairs to the façade and demolition of vaults/extensions at the rear to provide an enlarged external courtyard space.

The proposals have been negotiated. The demolition of the roof and the party wall at main roof level, and the proposed roof terrace, have been removed from the application. These were considered harmful to the character and appearance of this part of the Mayfair Conservation Area.

The party wall between the two buildings will now be retained and a structural report has been provided which shows the intention to retain facades throughout the demolition and reconstruction process. The proposed floor plans and section drawings reflect the original room proportions and will have no impact on any glimpsed views into the building at night once completed, as required by saved policy DES 9 of the UDP, outlined in paragraph 10.113.

The amended drawings show the lift overrun sitting lower than the adjacent chimney stack. While it will result in additional bulk to the roof form, it will be under 1m tall and is considered a minimal change which is appropriate within the context of the roofscape. A condition has been added to ensure that it is finished and maintained grey to further reduce any visual impact. The proposed alterations to the roof form are, therefore, considered compliant with saved policy DES 6 of the UDP.

On the front facades, the removal of cementitious render and paint from first floor upwards, removal of security railings, installation of new traditional sash windows and pipework are welcomed. This will enhance the appearance of the buildings and the contributions that they make to the character and appearance of the streetscape and conservation area, in compliance with saved Policy DES 9 C of the UDP.

The rear façade of the buildings has been subject to piecemeal extensions and alterations in the past and, much like the front elevation, contains a mix of window types. This application will see the removal of security bars, removal of large vents, replacement of windows with matching sash windows and the replacement of balcony railings with uniform metal railings. Three sash windows will be added to the chamfered elevations of 4 Chesterfield Hill and the windows to the closet wings of 5 will be relocated. These alterations will better balance the fenestration and provide a more uniform and tidy façade. These works are, therefore, compliant with saved policy DES 9 of the UDP.

Two letters of support have been received relating to the benefit the proposals will bring to the overall appearance of the two buildings.

Two of the letters of objection received raise concerns regarding the loss of two historic townhouses in the Mayfair Conservation Area. These buildings are unlisted and, therefore, do not benefit from statutory protection, as a listed building would. Further information has been provided to demonstrate the intended retention of external facades and to show that the internal floor levels will not impact on window openings and a two-cell plan form is retained. This reduces any detrimental impact on glimpsed views into

the buildings from street level, where a disregard for window openings could be harmful to the contribution this building makes to the conservation area.

In light of the above, this application will preserve the character and appearance of the Mayfair Conservation Area and complies with saved policies DES 1, DES 5, DES 6 and DES 9 of the UDP and policies MD1, MD2, MD3 and MD4 of the 'Mayfair Neighbourhood Plan (2018-2038)'.

8.3 Residential Amenity

The site adjoins residential properties at 3 and 6 Chesterfield Hill. The rear of the site is in close proximity to 16 Charles Street and 14 Hays Mews, both of which are currently in use as office accommodation.

Seven letters of objection have been received on the grounds of noise and loss of privacy from the roof terrace. In response to the concerns raised by the neighbouring residents, the application has been amended to omit the originally proposed roof terrace.

Objectors also raise concerns regarding noise and overlooking from the extended and additional terrace, the proposed balcony and Juliet balconies, and from the increased size of window openings. Most of the objections are from residents within Rosebery Court, a residential building which lies some 15m to the east of the site. There is also an intervening office building, No. 14 Hay's Mews, which separates the site from Rosebery Court.

With regard to concerns relating to the terraces, these are located at ground (no.5) and at lower ground floor (no. 4) where small lightwells currently exist. Both are located in sufficiently discreet locations, and as such it is not considered that they would result in any adverse overlooking concerns. One of the objectors refers to the fact that these areas of outdoor living will adversely impact on noise levels in the area and that a decision should not be made until a full acoustic report has been undertaken. However, there is no formal requirement for the submission of acoustic reports for domestic terraces, and such applications are rarely accompanied by noise reports. In addition, the ground floor terrace at no.5 is only 4sqm in area, and whilst the existing lower ground floor courtyard at no.4 is to be doubled in size (from 9sqm to 19sqm), it is unlikely that the noise levels associated with this proposal would be so significant as to justify refusal. The terraces are modest in size and it is unlikely that significant numbers of people could be accommodated in either area. Further, there are a number of other terraces in the area, including a first-floor terrace at 3 Chesterfield Hill and a roof terrace at 15 Hay's Mews, and there is no evidence of noise nuisance having been reported from these terraces. As such, it is considered that the proposal is unlikely to create noise nuisance which would significantly harm the amenity of the adjoining residential occupiers.

A balcony is shown at first floor at no. 4, however, this is smaller than the existing accessible balcony in this location. Juliet balconies are also shown at ground floor at no. 4 and at first and second floors at no. 5. Other than the ground floor Juliet balcony, which is located within an enclosed lightwell, the other Juliet balconies replace existing French windows which are set behind external safety railings. In this regard, it is considered that the Juliet balconies are unlikely to give rise to any greater degree of noise or overlooking.

The minor increase in size of window openings is likewise not considered to result in any harmful increase in overlooking.

8.4 Transportation/Parking

The proposal does not raise any transportation issues.

Cycle parking is shown for each unit within the basement vaults.

8.5 Economic Considerations

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

8.6 Access

The access arrangements to the property remain unchanged.

8.7 Other UDP/Westminster Policy Considerations

None relevant

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this time.

8.9 Neighbourhood Plans

The Mayfair Neighbourhood Plan includes policies on a range of matters including character, heritage, community uses, retail, offices, housing, cultural uses, transport and the environment. It has been through independent examination and supported at referendum on 31 October 2019, and therefore now forms part of Westminster's statutory development plan. It will be used alongside the council's own planning documents and the Mayor's London Plan in determining planning applications in the Mayfair Neighbourhood Area. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these are discussed elsewhere in this report.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.12 Planning Obligations

Planning obligations are not relevant in the determination of this application and the proposal is not CIL-liable.

8.13 Environmental Impact Assessment

The scheme is of insufficient scale to require an Environmental Impact Assessment.

8.14 Other Issues

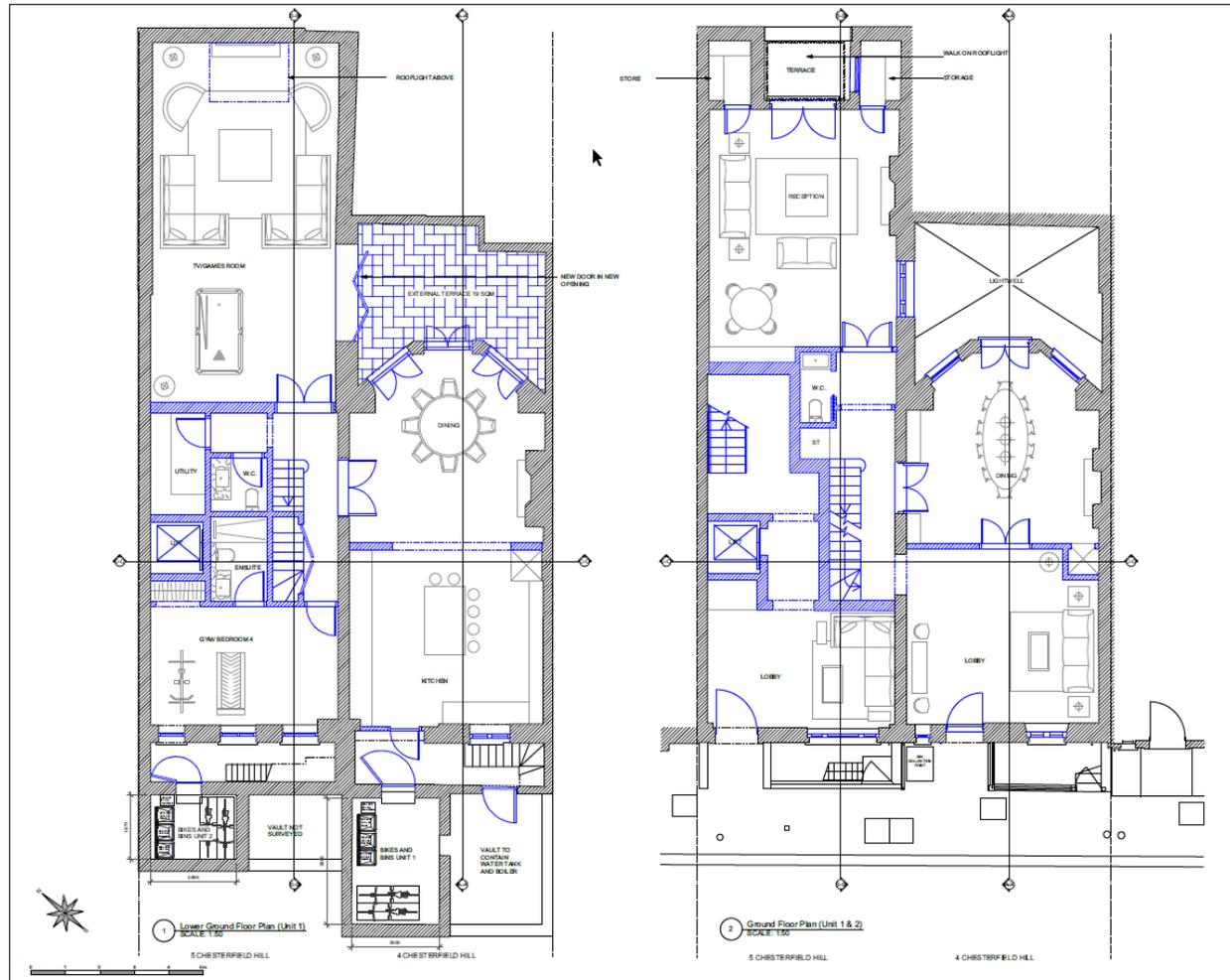
None relevant

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

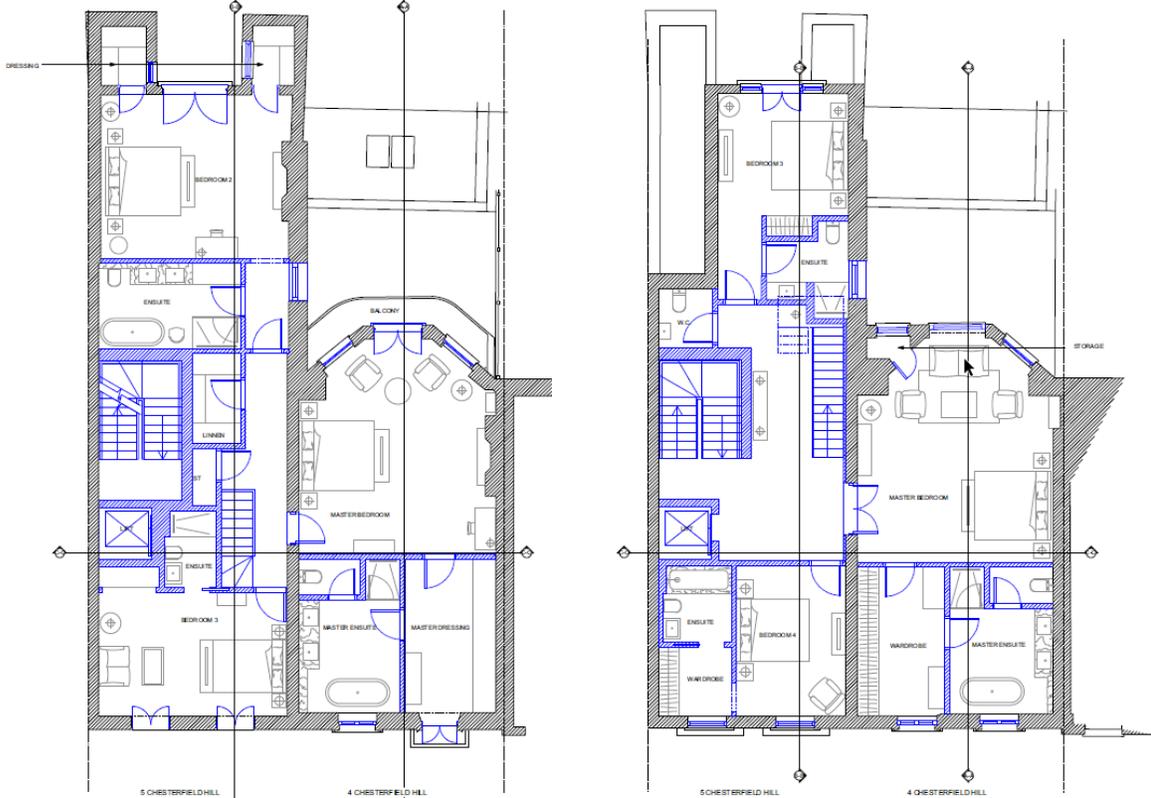
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JO PALMER BY EMAIL AT jpalme@westminster.gov.uk

KEY DRAWINGS

Lower ground and ground floor proposed plans



First and second floor proposed plans

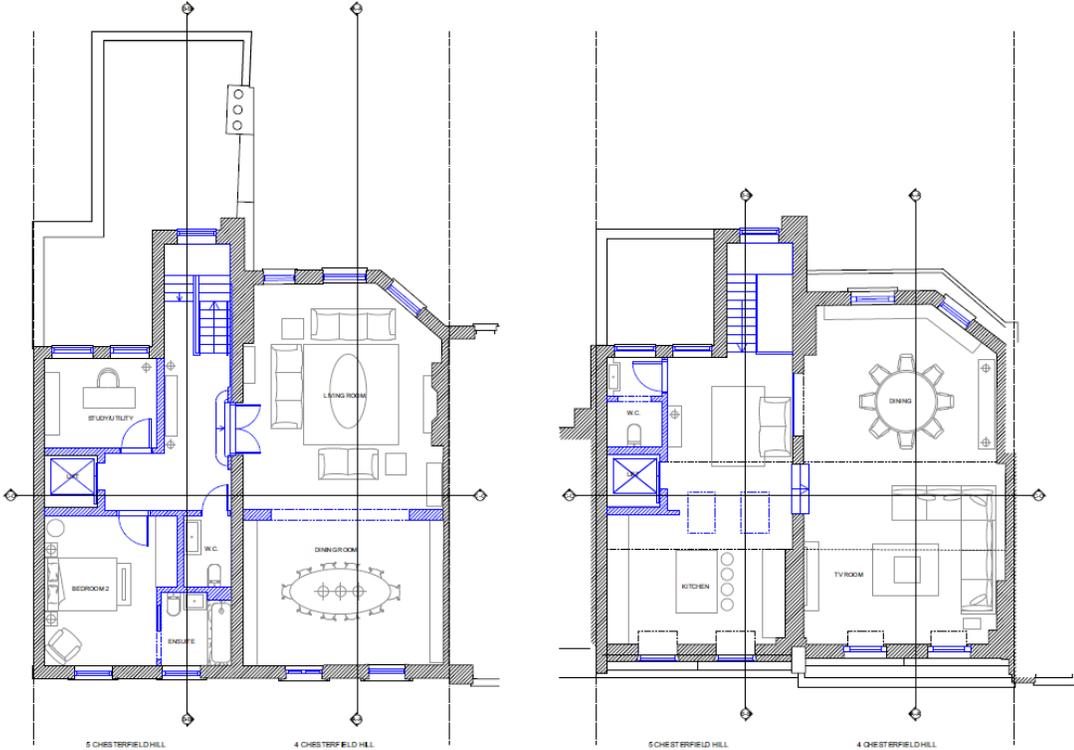


1 First Floor Plan (Unit 1)
SCALE: 1:50

2 Second Floor Plan (Unit 2)
SCALE: 1:50



Third and Fourth Floor proposed plans



1 Third Floor Plan (Unit 2)
SCALE: 1/50

2 Fourth Floor Plan (Unit 2)
SCALE: 1/50



Navigation and utility icons including a file icon, a print icon, a back arrow, a forward arrow, a page indicator '1 / 1', a zoom in icon, a zoom out icon, and a search icon.

Existing and Proposed rear elevation



1 EXISTING EAST ELEVATION



2 PROPOSED EAST ELEVATION

DRAFT DECISION LETTER

Address: 4 Chesterfield Hill, London, W1J 5BL

Proposal: Demolition behind retained facades, demolition of existing roofs and out-buildings at rear lower ground floor level, and redevelopment to provide two lateral residential units (Class C3), replacement of mansard roofs, windows and repairs to the façade.

Reference: 19/08536/FULL

Plan Nos: Proposed Plans:
PL-07 A, PL-08 A, PL-09 A, PL-10 A, PL-11 A, PL-12 A, PL-14 A, PL-16 B, PL-17 B, PL-18 B, PL-19 A, PL-20 A

Demolition Plans:
PL-21, PL-22, PL-23, PL-24, PL-25, PL-26, PL-27

Case Officer: Shaun Retzback **Direct Tel. No.** 07866 039589

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:
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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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 Mayfair 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 You must apply to us for approval of detailed (1:5) drawings; of the following parts of the development -

- i) new windows;
- ii) new doors;
- iii) rooflights; and

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 make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 4 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26DD)

- 5 The new lift over-run shall be finished and maintained a slate grey colour. You must then carry out the work according to these drawings. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Mayfair 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, neighbourhood plan (where relevant), supplementary planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.