

Item No.
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CITY OF WESTMINSTER		
PLANNING APPLICATIONS SUB COMMITTEE	Date 9 June 2020	Classification For General Release
Report of Director of Place Shaping and Town Planning		Ward(s) involved St James's
Subject of Report	Flat 17, Vale Royal House, 36 Newport Court, London, WC2H 7PS	
Proposal	Erection of a single storey roof extension and alterations to existing roof slope at first floor level including the creation of a terrace.	
Agent	Savills	
On behalf of	Mr Shelford	
Registered Number	20/00355/FULL	Date amended/completed
Date Application Received	20 January 2020	21 January 2020
Historic Building Grade	Unlisted	
Conservation Area	Chinatown	

1. RECOMMENDATION

Refuse permission - design and amenity.

2. SUMMARY

Flat 17, Vale Royal House is a single-storey bungalow sitting at the northern side of Royal Vale House at podium level. The site is located within the Chinatown Conservation Area, West End Stress Area and Central Activities Zone.

This application seeks planning permission for the erection of a single storey roof extension and alterations to the existing roof slope at first floor level including the creation of a new outdoor terrace.

The key issues for consideration are:

- The design and appearance of the extension and impact on the character and appearance of the Chinatown Conservation Area;
- The impact of the proposal on the residential amenity (in particular, consideration to impact on privacy, overshadowing and daylight/sunlight levels);
- The impact of the proposals on the operation of existing neighbouring commercial and community uses (Newport Sandringham Complex service yard).

The proposals have received objections from neighbours primarily on the grounds relating to design and impact on residential amenity. Nearby existing businesses and facilities also object on grounds

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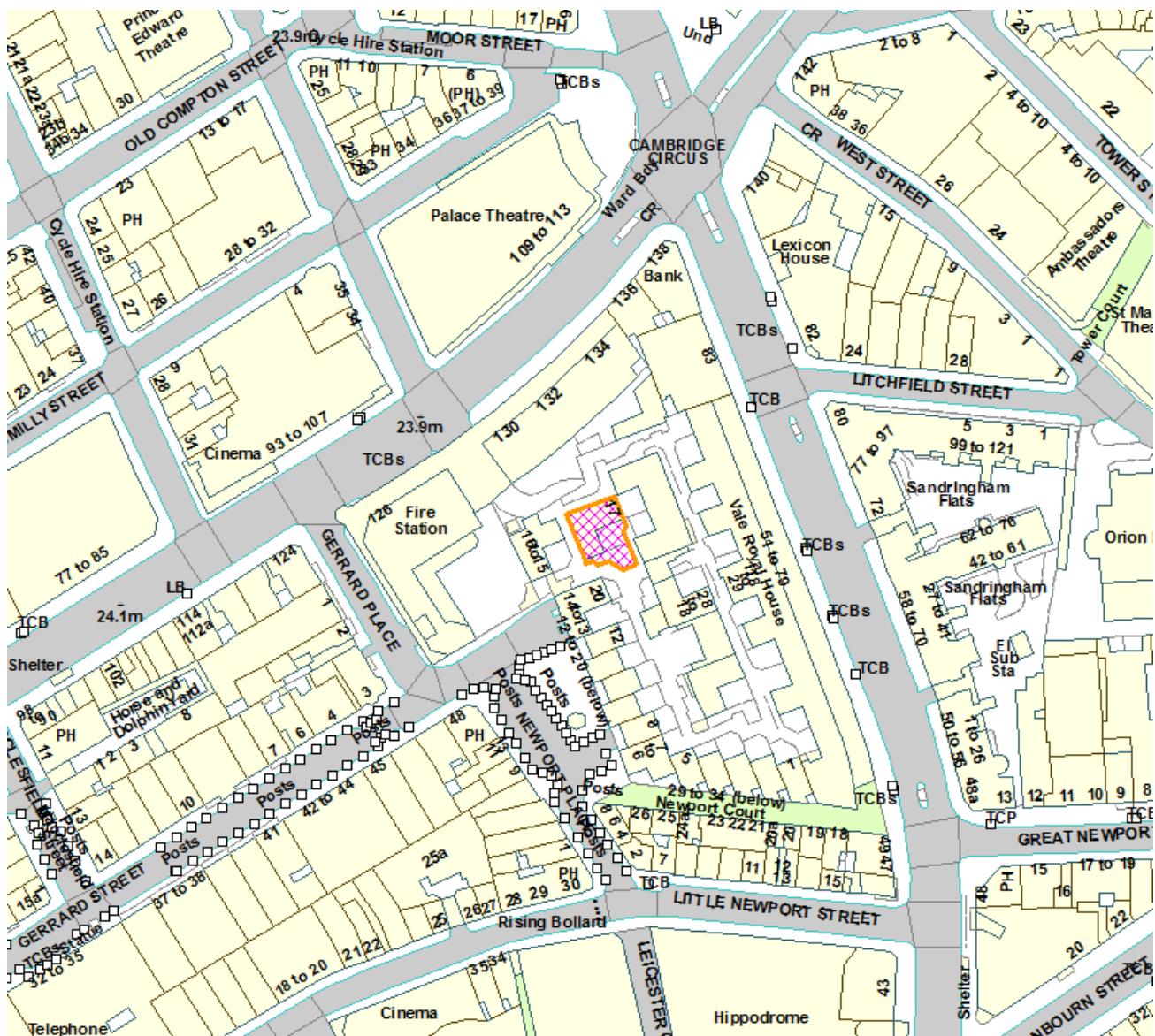
that the proposals would introduce more glazing and that existing nearby activities may no longer meet the permitted noise criteria set by the council, which might result in complaints from the occupiers of the application site.

Because of its form and bulk, the proposed roof extension would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance (visual amenity) of the Chinatown Conservation Area. The proposed first floor terrace would also result in unacceptable undue overlooking into the private rear gardens and habitable rooms of adjacent neighbouring properties.

Had the proposals been considered acceptable, a condition would have been recommended relating to sound insulation, and requiring the design and structure of the development to be of a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration.

The proposed development is not acceptable in design and amenity terms and would not accord with policies within the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (City Plan). As such, it is recommended that planning permission is refused.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front/ Northern elevation

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West side elevation

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East side/ rear elevation

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Rear/ south elevation (behind planter)

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5. CONSULTATIONS

COUNCILLOR MITCHELL:

Requests that the application be referred to a planning sub-committee.

SOHO SOCIETY:

Any response to be reported verbally.

ENVIRONMENTAL SCIENCES:

No objection subject to condition which ensures that the design and structure of the development shall be of such a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35dBLAeq16hrs daytime and of more than 30dBLAeq8hrs in bedrooms at night.

WASTE & PARKS CLEANSING MANAGER:

The waste and parks team has a cleansing depot below the application site and the applicant has complained about noise and vibration from the depot. Noise surveys did not show that there was a significant noise issue but the waste and parks team curtailed some of their operations. Concerns are raised that an increase in glazing may invalidate the results of previous noise surveys, reignite complaints and further curtail operations.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS:

No. consulted: 156

No. of replies: 13 (including 9 replies from 3 neighbouring owner/ occupiers and 2 replies on behalf of Shaftesbury Chinatown Plc)

Objections from adjoining owners/ occupiers on some or all of the following grounds:

Design

- Vale Royal House (VRH) was designed to mitigate noise and provide a sense of openness and space on the podium level for tenants;
- Impact on the design of the building;
- Proposal would be contrary to original intention of VRH development design;
- The flat roof design cues outlined with the planning statement do not accurately reflect the main roof profiles within VRH; the flat roofs outlined relate to servicing bin chutes and vents at lower ground floor/ basement level. A flat roof design should therefore not be justified for a large flat roof extension;
- There is a reason that the property was built as single-storey only, given that all other properties are two-storeys with ridged roofs;
- The proposed fenestration finishes (i.e. vertical Velux windows, patio and balcony doors) would not accord with what is permitted by the freeholder of VRH;
- The development would be seen from public views, contrary to planning statement section 7.3, given that the development would be visible from the Podium which can be used by all residents of VRH.

Amenity

- Overbearingness;
- Sunlight and daylight implications for neighbouring residents;
- Sense of crowdedness to podium;

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- Neighbouring residents close to the site already experience limited amounts of daylight/sunlight;
- Glare from proposed skylights;
- Overshadowing—particularly in relation to the Podium;
- Terrace would result in noise and unneighbourly activity;
- The submitted sunlight/daylight report does not consider outlook and enclosure;
- Proposed new windows and outdoor terrace would result in overlooking;
- No acoustic report has been submitted to demonstrate how sound transfer and noise levels would change or be impacted.

Other

- Due to the design of VRH, noise from the building work would affect more than just the site in question;
- Concerns about how contractors would be managed during development works; how materials would be delivered, how scaffolding would be erected.
- Development entirely for the benefit of the leaseholder when considered against the social housing context;
- Concerns that the property would be used for holiday-let services should the applicant wish to sell the property;
- Noise and disturbance from construction works;
- Not enough residents have been notified; consultation needs to be extended to all residents of VRH.

Shaftesbury Chinatown Plc object on the following grounds:

Land Use

- The proposal does not accord with the requirements of Paragraph 182 of the NPPF (2019) whereby the applicant has not demonstrated that the proposed increase in glazing would be mitigated against the existing noise levels from the plant and servicing yard at the Newport Sandringham complex. The proposal would invalidate noise reports that satisfy that such equipment would not have a negative impact on the noise levels at the site;
- The proposals would mean that the property is no longer accessible for occupiers with disabilities or restricted mobility.

Design

- Out of character to Vale Royal House;
- Not a high-quality architectural proposal;
- The scale would be out of character with the context of Vale Royal House;
- The extensions visually dominate the existing building and does not reflect the design of the host building;
- Unsightly from private views.

Amenity

- The proposed balcony will allow direct views into the windows and gardens of 15-15 Newport Place, 20 Newport Place and 19-28 Vale Royal House (as referred to in the sunlight, daylight and overshadowing assessment submitted).
- A number of surrounding windows already receive low levels of light (VSC lower than 27%) and the development will degrade the situation further. This would therefore require the need for increased artificial lighting and heating;

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- The overshadowing results of the existing open spaces show that the spaces already experience a low level of sunlight (under the 2 hour target) and therefore the proposal would compromise this light further.

ADVERTISEMENT/ SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

Vale Royal House is an unlisted purpose-built residential block dating to the 1980s, located in the Chinatown Conservation Area. The site is also located within the West End Stress Area and Central Activities Zone.

The development was built-out in conjunction with the wider development of the site to create office, commercial (retail and restaurants) and residential uses, bordered by Shaftesbury Avenue to the north, Charing Cross Road to the east, Gerrard Place to the west and Newport Court to the South. The site also contains a public car park at basement level, fire station and street cleansing depot.

Flat 17, Vale Royal House relates to an individual single-storey bungalow sitting at the northern side of the Royal Vale House development and situated at first floor level (also known as the 'podium'). The property is the only detached property within the development.

6.2 Recent Relevant History

None directly related to the application site.

Neighbouring Site - Central Cross, formerly known as Newport Sandringham Complex, bounded by 10-18 Newport Place, 28-35 Newport Court and 51-79 Charing Cross Road.

In 2015, permission was granted (RN: 15/02497/FULL) for the refurbishment and reconfiguration of the site. Part of this development included alterations within the service yard from Shaftesbury Avenue, comprising new shutters and plant equipment ventilation. The service yard area is multi-purposed and provides access to the Veolia cleaning facility and the rear fire-escape, servicing and plant areas for the commercial premises over the lower levels of the block.

The permission was varied in 2016 (16/03860/FULL) to include alterations not related to the service yard.

Condition 5 of the 2016 permission sought the approval of details of a supplementary acoustic report demonstrating that the plant will comply with the Council's noise criteria. This condition was part discharged in 2019 (19/06623/ADFULL) for retail units 1, 2, 8, 9, 10, 11, 12, 14 and 16. Further details relating to Units 3, 4, 5 and 6, 7 and 13 remain to be submitted once the fit out of the units have been completed.

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In October 2019, planning permission was granted (RN: 17/09073/FULL) for the retention of the exhaust flue to rear of 130 - 134 Shaftesbury Avenue which serves the basement car park's emergency generator.

In November 2019, planning permission was granted (19/07712/FULL) for the installation of louvered plant roof screens over existing plant areas and erection of new secondary plant deck with acoustic enclosure within the rear service yard.

7. THE PROPOSAL

This application seeks planning permission for the erection of a single storey roof extension and alterations to the existing roof slope at first floor level including the creation of a new outdoor terrace.

The proposed works would facilitate the creation of a third bedroom with private outdoor terrace and internal configurations including the relocation of all bedrooms to first floor level, separation of the shared dining/living room area into two separate spaces and the creation of a new study room and utility room. All new spaces at first floor level would include the installation of at least one or more roof skylights. No changes to the existing private garden space is proposed as part of the works.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Extensions and alterations

Policies H3 of the UDP and S14 of the City Plan outline that the principle of residential extensions are generally acceptable so long as they do not cause environmental or amenity problems and are in keeping with the character of the building or area. Therefore, subject to design and amenity, the provision of additional residential floorspace is acceptable in land use terms.

An objection has been received on the basis that the proposal would result in a change to the housing stock whereby the site would no longer be accessible to occupiers with disabilities, contrary to Policy 3.5 of the London Plan. Policy 3.5 of the London Plan is applicable to new residential dwellings only. It may also be possible to retain accessibility for disabled users by way internal arrangements (e.g. the facilitation of a lift or stairlift and the relocation of a bedroom downstairs).

Impact on adjoining uses/ Newport Sandringham Complex

Concerns have been raised that the proposed increase in windows/ glazing, particularly in the northern/ front elevation of the property, may result in existing nearby activities no longer meeting the permitted noise criteria set by the council, which might result in complaints from the occupiers of the application site.

Objectors state that the applicant has not demonstrated how sound transfer and noise levels from the existing activities and mechanical plant within the service yard of the Central Cross complex would be mitigated by the applicant.

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This includes an objection from the Council's Waste and Parks Team Cleansing Manager. The waste and parks team has a cleansing depot below the application site and the applicant has previously complained about noise and vibration from the depot. Noise surveys did not show that there was a significant noise issue but the waste and parks team curtailed some of their operations. Concerns are raised than an increase in glazing may invalidate the results of previous noise surveys, reignite complaints and further curtail operations.

All servicing equipment related to the developments outlined in section 6.2 'Recent Relevant History' has been assessed 1m from the nearest noise sensitive residential window, which is considered to be the residential properties at podium level, namely, the north-facing windows of Flat 17, Vale Royal House. Subsequently, the equipment is considered to satisfy the Council's noise standards. Consequently, there are concerns that the proposed increased glazing to the north elevation of the dwelling would result in exceedance of current allowable noise levels and therefore risk the operation of the servicing yard and other mechanical plant.

Paragraph 182 of the NPPF (2019) states that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on the new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.

No information has been submitted to demonstrate that the proposed works would be designed so that egress noise levels from nearby existing businesses and facilities would not impact the host occupiers. The council's Environmental Sciences department recommends that a condition is imposed which ensures that the design and structure of the development shall be of a standard that it will protect residents within the same building or in adjoining buildings from noise and vibration from the development, so that they are not exposed to noise levels indoors of more than 35dBLAeq16hrs daytime and of more than 30dBLAeq8hrs in bedrooms at night. Had the proposal been considered acceptable this sound insulation condition would have been recommended.

Whilst the objections are acknowledged, alterations to a single family dwelling house (i.e. the enlargement or installation of a window) may constitute permitted development by way of Class A of Schedule 2 of Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

8.2 Townscape and Design

The site is located within the Chinatown Conservation Area. The key legislative requirements in respect to designated heritage assets are as follows:

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that "*In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*"

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Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy DES 9(F) in the UDP requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also take into account the relative significance of the affected asset and the severity of the harm caused.

"The Soho and Chinatown Conservation Area Audit" SPG specifically discusses how the varied skyline of the area is of interest, how proposed vertical / roof extensions need to fit into this context and how local views both within the conservation area and into and out of it need to be taken into account when assessing vertical extensions. Whilst the estate is modern, the bungalows and smaller scale buildings in the centre of the site (atop the podium below) have an architectural consistency in that they tend to reduce in mass as they increase in height, have greater areas of pitched roof (including a variety of gables and split gable roof forms) and less or no areas of flat roof at main roof level, which all contribute to their character.

It is considered that the bulky flat-topped extension to Flat 17 does not draw from this context or relate sensitively to it, but that features in the perimeter larger-scale buildings are being used to justify some of the features that are being introduced. It is considered that the character and appearance of the local area of the estate would be greatly diminished by the alterations proposed to Flat 17 and that these alterations would also result in harm to the visual amenity of the conservation area. As there are no public benefits of the scheme to outweigh this less than substantial harm, the proposal would not accord with Paragraph 196 in the NPPF (2019), Policies S25 and S28 of Westminster's City Plan (adopted in 2016), Policies DES 1, DES 5, DES 6 and DES 9 of the Council's Unitary Development Plan (adopted in 2007) and the conservation area audit. Therefore, the recommendation to refuse permission on design grounds is compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Policy ENV 13 of the UDP seeks to protect and safeguard residential amenity by way of sunlight/daylight, privacy, outlook, sense of enclosure and overshadowing.

Policy S29 of the City Plan seeks to ensure that development secures a healthy and safe environment, and that all developments maximise the opportunities to contribute to health and well-being.

The neighbouring properties considered to be primarily impacted by the proposed development are those that lie immediately adjacent to the property (e.g. flat nos. 15-16

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Vale Royal House to the west and flat nos. 18-20 Vale Royal House to the east) and those to the south-west of the site (i.e. namely flat nos. 13 and 14 Vale Royal House).

By virtue of the siting of the property and proposed design of the development, all remaining neighbouring properties on the Podium are not considered to be significantly impacted as a result of the proposed works.

Overlooking/Privacy

The proposed elevations show the installation of two new Velux windows at first floor level to the eastern elevation (serving a utility room), and one new window at first floor level to the western elevation (serving the newly created stairway). Due to the close proximity between the host and adjacent neighbouring properties, it is considered that the east-facing windows may result in unnecessary undue overlooking into the habitable rooms and private garden spaces of the adjacent neighbouring properties (namely flat nos. 18 and 19 Vale Royal House). Had the proposals been considered acceptable, a condition would have been recommended requiring these windows to be obscured glazed and fixed shut or with limited opening.

Due to the siting of the new west-facing window on the first floor, in conjunction with the angle and distance from the private garden of flat no. 16 Vale Royal House, this window is not considered to result in an undue amount of overlooking and loss of privacy. The proposed fenestration changes to the north and south of the property are also not considered to raise any issues in this regard given their outlook onto a boundary wall to the north and onto the Podium to the south.

The proposed terrace would be bounded by a 0.8m tall brick wall with a guard rail (consisting of one continuous metal bar) measuring 1.1m high from terrace floor level around the perimeter. No screening is proposed. By virtue of the design, siting and close proximity to adjacent neighbouring flats, notwithstanding the provision of the brick wall, it is considered that direct undue overlooking would still be achievable into the private garden of Flat 16 Vale Royal House and would provide the possibility for overlooking into the habitable rooms of Flats 15 and 16 and the private garden of Flat 19. This would be contrary to Policies ENV 13 of the UDP and S29 of the City Plan and is therefore unacceptable on amenity grounds.

Concerns have been raised that overlooking would be possible to Flat 14 Vale Royal House, however, an officer site visit found that Flat 14's respective external rear terrace, is built at a slightly higher level to the host dwelling, and therefore any overlooking would be less in this respect.

Sense of enclosure/outlook

By virtue of the existing arrangement of the residential development, outlook is fairly limited for residential properties on the Podium, with long views largely unattainable for properties not on the northern or southern extremities of the Royal Vale House development.

The proposed works would result in an increased massing to the main roof profile; namely, a large proportion of the roof would be increased by approximately 0.9m in

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height. The existing maximum height of the roof (6.5m) would not change. Notwithstanding the overall increase in massing, given the built-up nature of the vicinity and reduced outlook for neighbouring properties, the proposed increase is not considered to significantly impact the neighbouring residential amenity in terms of reduced outlook, sense of enclosure or overbearingness that would justify a refusal on this basis. The objections are therefore not sustained in this respect.

Daylight and Sunlight

The council has regard to the standards for daylight and sunlight as set out in the Building Research Establishment (BRE) 'Site Layout Planning for Daylight and Sunlight' (as revised 2011). The applicant's consultant, ECOstudio XV, has carried out the necessary tests using the methodology set out in the BRE guidelines on the residential properties surrounding the site (i.e. namely: flat nos. 15-16 and 18-28 Vale Royal House, 19 and 20 Newport Place and 9 St Clare Street). It is considered that reference to 9 St Clare Street is a mistake, given there is no St Clare street within the locality of the site, and has subsequently been considered as 130 Shaftsbury Avenue in this report. It is also believed that mention to nos. 19 and 20 Newport Place should instead refer to Flats. 13 and 14 Vale Royal House.

The BRE assessment has considered the impact of the development on the vertical sky component (VSC), sunlight and overshadowing on the neighbours in question. All neighbouring windows likely to be impacted by the proposal have been tested.

VSC is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the BRE guidelines state that the window will have the potential to provide good levels of daylight. The BRE guidelines state that reductions of over 20% (0.8 times its former value) of existing daylight levels are likely to be noticeable.

In respect of sunlight, the BRE guide suggests that a dwelling will appear reasonably well sunlit provided that at least one main window faces within 90% of due south and it receives at least a quarter of annual probable sunlight hours (APSH), including 5% of APSH during the winter months. As with the tests for daylighting, the guidelines recommend that any reduction below this level should be kept to a minimum; if a window will not receive the amount of sunlight suggested, and the available sunlight hours is less than 0.8 times their former value, either over the whole year or just in winter months, then the occupants of the existing building will notice the loss of sunlight; if the overall annual loss is greater than 4% of APSH, the room may appear colder and less cheerful and pleasant.

Daylight

The VSC test demonstrated that of all 30 windows tested, 16 of them currently achieve less than 27% of the desired amount of visible sky required to provide good levels of daylight. Notwithstanding this, the VSC results demonstrate that all windows would not see a reduction of over 5% of existing daylight levels as a result of the works. Most windows saw a reduction of less than 3%, and two windows were shown to have a reduction of 5%. This is a significantly small reduction in daylight when compared to the

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20% threshold set by the BRE. Notwithstanding, any reduction would be within the limits set out by the BRE guidelines.

Sunlight

The sunlight result show that of the 15 windows tested (all facing 90 degrees due south) all reductions would be within the 20% limit, with the largest reduction known to be 11.20%. Overall, all windows are demonstrated to comply with the 20% reduction limit, minimum 25% of annual probable sunlight hours (APPSH) and maximum 4% APSH reduction and as such no windows are considered to notice any change in sunlight levels as a result of the proposed development.

Overshadowing

Three open spaces have been tested with regards to impact on sunlight levels/ overshadowing. The three spaces are the private garden to Flat 15 Vale Royal House, open space to the rear of the office block on Shaftesbury Avenue and private garden to Flat 18 Vale Royal House. Key consideration is given to the former and latter open spaces as these relate to residential properties, whilst the open space to the rear of Shaftesbury Avenue is not considered to be used for amenity or recreational purposes.

Overall, the results show that there would be some reduction in sunlight to these spaces, demonstrating a 6.5%, 7.3% and 7.9% reduction respectively; however, such reductions are well within the maximum 20% reduction limit as set by the BRE and therefore any difference would not be significant as to harm the neighbouring residential amenity in terms of overshadowing. As such, a refusal on this basis is not justified and the objections received relating to overshadowing are not sustained.

Glare

Objections have been received with regards to the impact of glare from the proposed new rooflights on neighbouring occupiers. The rooflights facing Flats 18 and 19-28 Vale Royal House would be of a distance that is not considered to result in any glare to the detriment of these neighbours. All other rooflights would be either facing upwards or towards the Podium, as to not result in any harmful glare to neighbouring residents. The comments are therefore not sustained.

8.4 Transportation/Parking

The site has good accessibility to public transport and is in close walking distance to Leicester Square LUL. Some car-parking is also achievable by way of the underground car park (Q-Park Chinatown).

Overall, the proposed enlargement of this existing single family dwelling house is not considered to raise any transportation/ parking issues.

8.5 Economic Considerations

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

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8.6 Access

No changes to the properties existing access are proposed.

8.7 Other UDP/Westminster Policy Considerations

None.

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 present time.

8.9 Neighbourhood Plans

None relevant to this application.

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.

8.13 Environmental Impact Assessment

Not relevant to this application.

8.14 Other Issues

Construction

Concerns have been raised with regards to noise and disruption from construction works. Construction works in relation to development are temporary and therefore do not constitute a material planning consideration in which a development can be refused on

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this basis. Had the proposal been considered acceptable a condition would have been recommended restricting the time of construction works.

Short-term letting

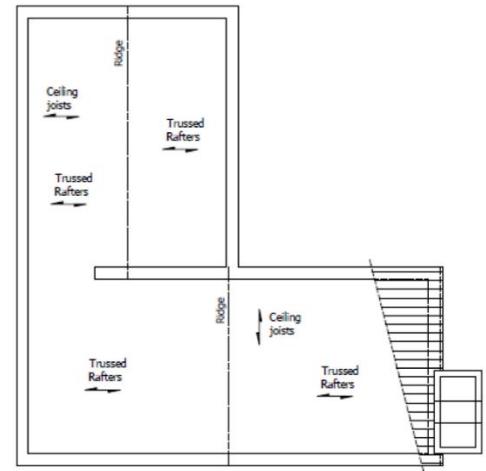
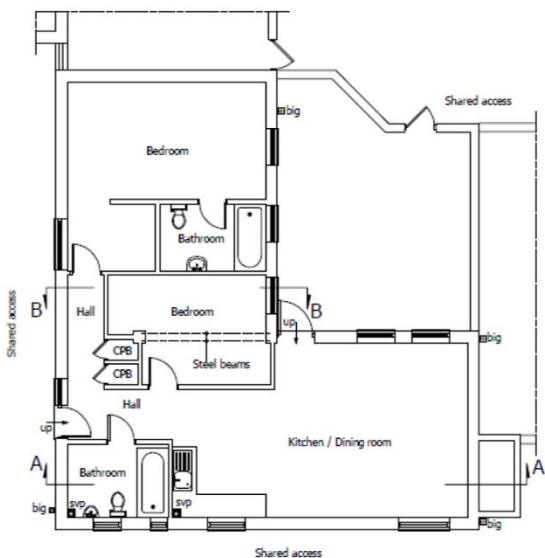
Concerns have also been raised that the proposal would provide the potential for short-term letting. The proposal is not to use the property in this way and any unauthorised use of the property would be subject to enforcement action.

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

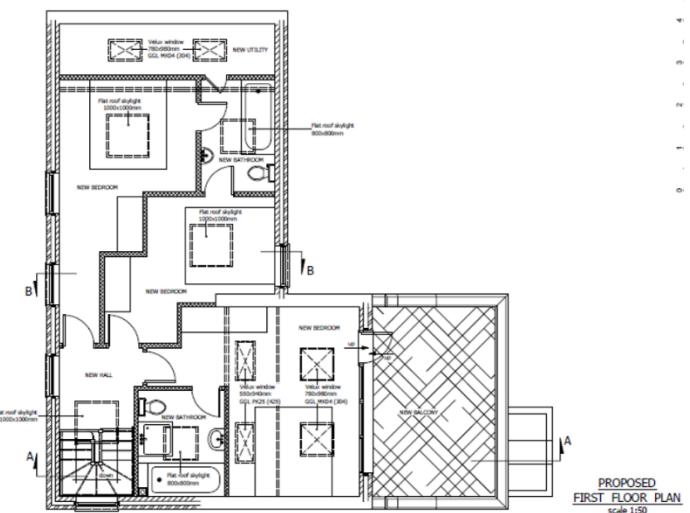
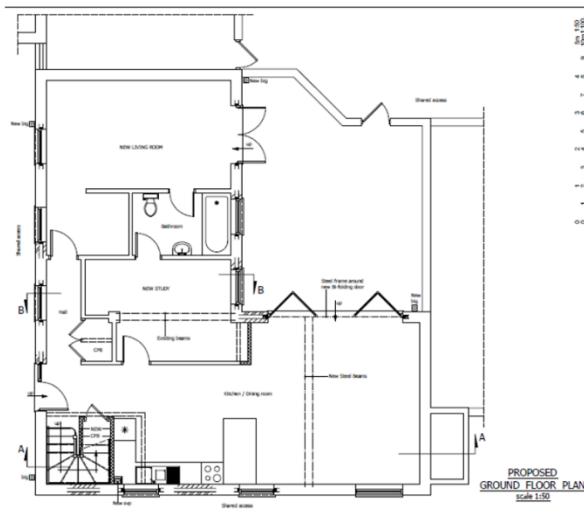
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT DDORWARD@WESTMINSTER.GOV.UK

9. KEY DRAWINGS

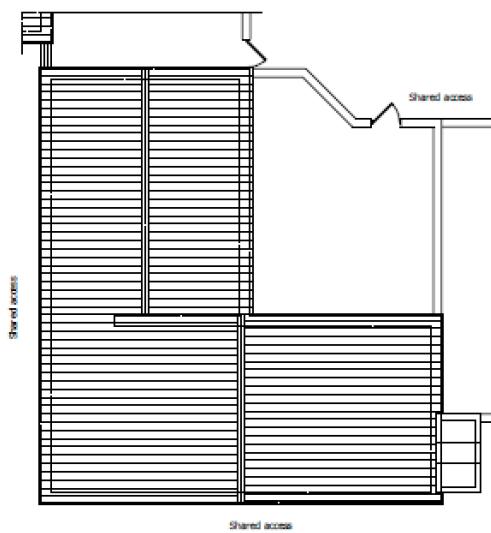
Existing floor plans



Proposed floor plans

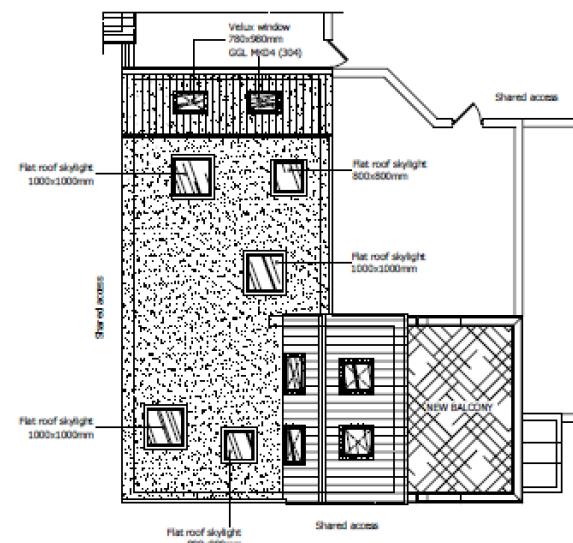


Existing and proposed roof plans



EXISTING ROOF PLAN

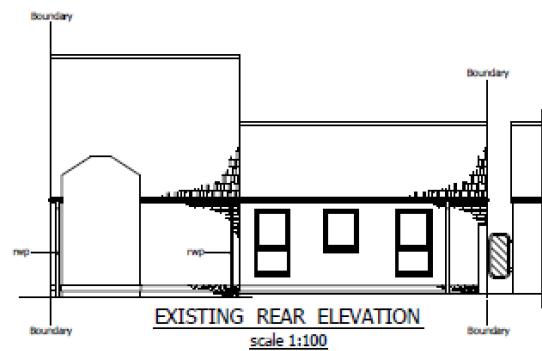
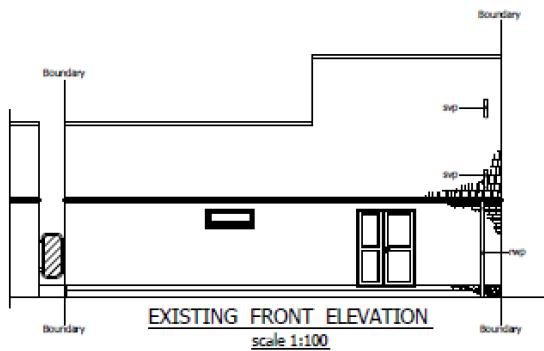
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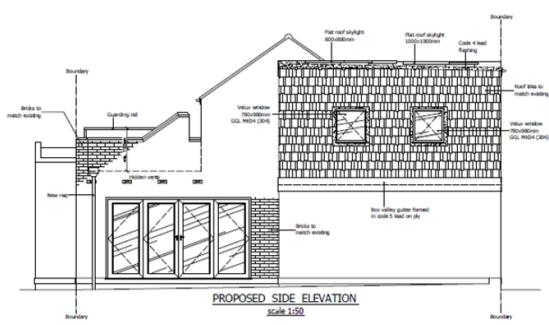
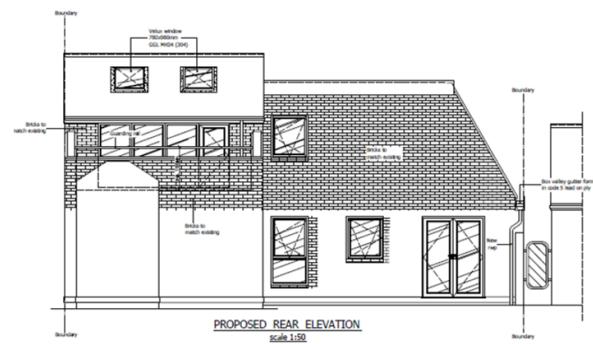
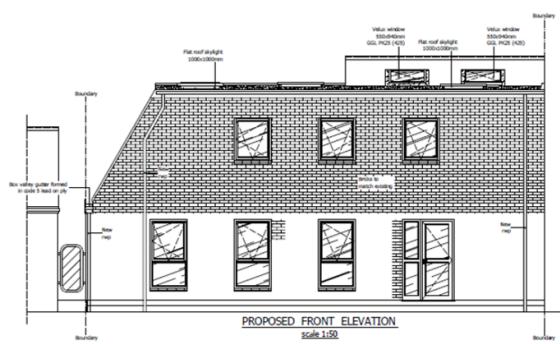
PROPOSED ROOF PLAN

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Existing elevations



Proposed elevations



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DRAFT DECISION LETTER

Recommended Condition(s) and Reason(s)

- Reason:

1 Because of its form and bulk, the proposed roof extension would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance (visual amenity) of the Chinatown Conservation Area. This would not meet policies in Chapter 16 of the NPPF, strategic policies S25 and S28 of Westminster's City Plan (November 2016), UDP policies DES 1, DES 5, DES 6 and DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007 and our adopted SPG "The Soho and Chinatown Conservation Area Audit". (X16AD)

Reason:

2 The proposed first floor terrace would result in unacceptable undue overlooking into the private rear gardens and habitable rooms of adjacent neighbouring properties. This would not meet Policies S29 of Westminster's City Plan (adopted in November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007.

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 so far as practicable. 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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Please note: the full text for informatics 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.