

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16th May 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Pimlico North	
Subject of Report	First Floor And Second Floor Maisonette, 22 Upper Tachbrook Street, London, SW1V 1SH		
Proposal	Erection of full width extension at rear first floor level, with terrace above including installation of new access door and railings. Removal of chimney stack to rear.		
Agent	Mrs Rana Shad		
On behalf of	Mr Hon See Tsang		
Registered Number	22/07489/FULL	Date amended/ completed	12 December 2022
Date Application Received	4 November 2022		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		
Neighbourhood Plan	Pimlico Neighbourhood Plan		

1. RECOMMENDATION

Grant conditional planning permission.
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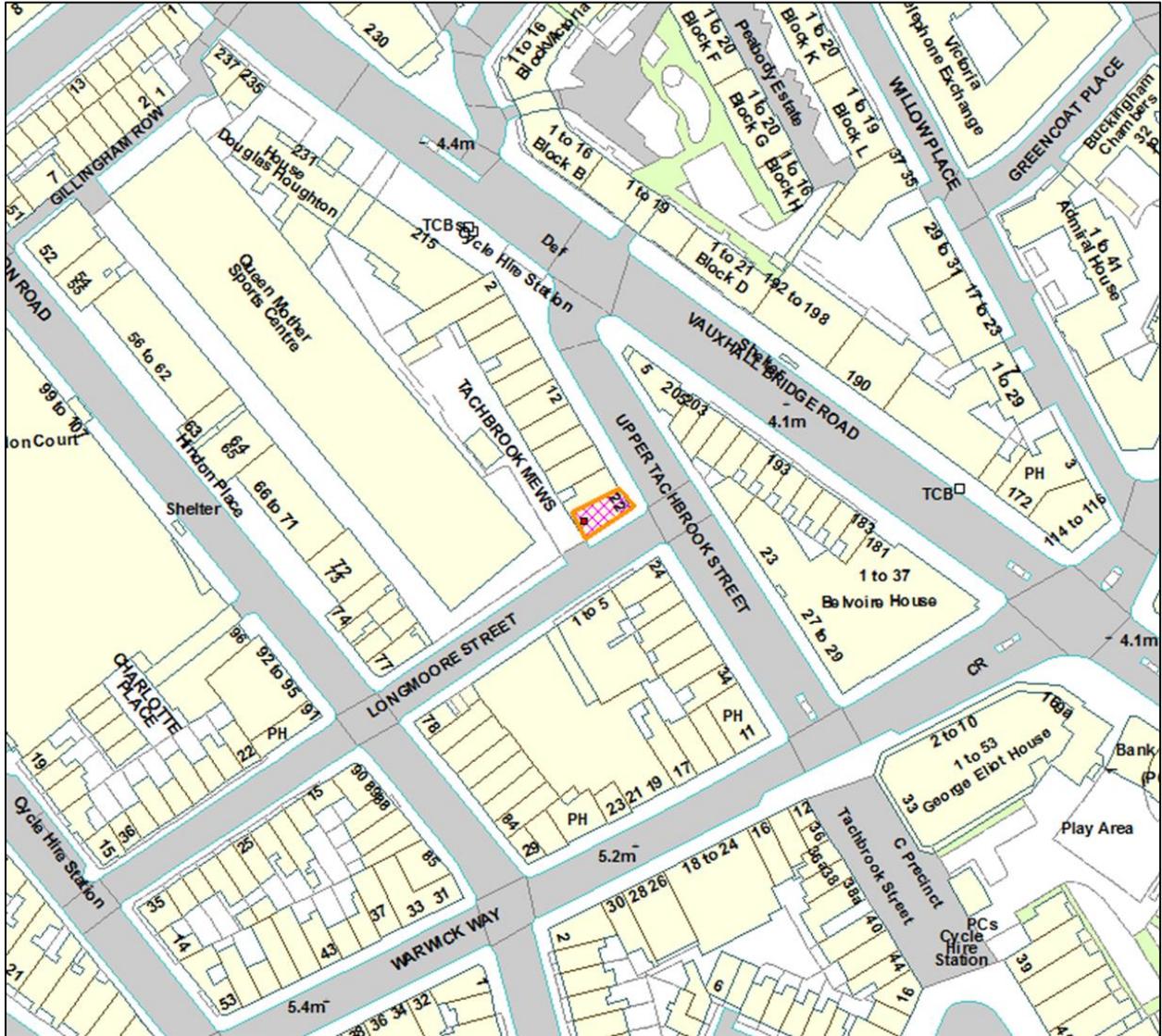
2. SUMMARY & KEY CONSIDERATIONS

<p>22 Upper Tachbrook Street is an unlisted, three-storey, end-of-terrace building located on the corner with Longmoore Street. Planning permission is sought for the erection of a full width extension at rear first floor level with a roof terrace above for use in connection with the existing maisonette at first and second floor level.</p> <p>The key considerations in this case are:</p> <ul style="list-style-type: none"> • The impact of the proposals on the character and appearance of the building and the Pimlico Conservation Area; and • The impact on the amenity of neighbouring residential properties.
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The proposals are considered acceptable, in compliance with the City Plan and the Pimlico Neighbourhood Plan and it is recommended that conditional planning permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



22 Upper Tachbrook Street



Side/Longmoore Street elevation

5. CONSULTATIONS

5.1 Application Consultations

Original Application

WESTMINSTER SOCIETY
Any response to be reported verbally.

PIMLICO FREDA
Any response to be reported verbally.

PIMLICO NEIGHBOURHOOD FORUM
Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS
No. consulted: 7
Total No. of replies: 5
No. of objections: 5
No. in support: 0

Five letters of objection have been received from neighbouring residents on the following grounds:

Design

- The proposed extension is out of character with the wider terrace and Pimlico Conservation Area.

Amenity

- The terrace will result in overlooking to Nos. 20 and 24 Upper Tachbrook Street and 1-5 Longmoore Street causing a loss of privacy.

Other

- Inaccuracies in the submitted plans.
- Notification letters were not received.

PRESS NOTICE/ SITE NOTICE:
Yes

REVISED APPLICATION

Neighbours were consulted on revisions to reduce the size and amend the detailed design of the proposed first floor extension.

ADJOINING OWNERS/OCCUPIERS
No. consulted: 12
Total No. of replies: 4
No. of objections: 4
No. in support: 0

Their grounds of objection to the original application with regards to design and amenity are maintained.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The Pimlico Neighbourhood Plan includes policies on a range of matters including commercial uses, design and heritage, housing and hotels, open spaces, pedestrian and transport facilities and protecting the environment.

It has been through independent examination and was supported by local residents in a referendum held on 22 September 2022. It was adopted on 7 December 2022. It therefore forms part of the development plan for Westminster for development within the Pimlico Neighbourhood Area in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004. Where any matters relevant to the application subject of this report are directly affected by the policies contained within the neighbourhood plan, these have been discussed in this report.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

The subject building is an unlisted, three-storey, end of-terrace building on the corner of Upper Tachbrook Street and Longmoore Street and lies within the Pimlico Conservation Area. It is located within the Warwick Way/Tachbrook Street CAZ Retail Cluster.

The first and second floors are in use as one residential maisonette with retail premises at ground floor level. This application relates to the first and second floor maisonette only.

7.2 Recent Relevant History

22/07250/FULL

Planning permission was refused for the erection of mansard roof, two chimneys and a parapet wall extension along the line of junction between no.20 and 22, and removal of redundant chimney stack at rear on 16 January 2023, on the following grounds:

Because of its isolation and design, the mansard roof extension would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Pimlico Conservation Area. This would not meet Policies 38, 39 and 40 of the City Plan 2019-2040 (April 2021) and Policies PIM 2 and PIM 3 of the Pimlico Neighbourhood Plan 2021-2040 (December 2022).

8. THE PROPOSAL

This application seeks planning permission for the erection of a full width extension at rear first floor level with a terrace above at second floor level, with associated access door and railings, for use in connection with the existing maisonette. The proposed extension would replace an existing part-width extension at first floor level and include the removal of a chimney stack to the rear.

The application was amended in January 2023, to reduce the size of the proposed rear extension and improving its detailed design.

9. DETAILED CONSIDERATIONS

9.1 Townscape, Design & Heritage Impact

22 Upper Tachbrook Street is a modestly scaled early nineteenth century end of terrace building located within the Pimlico Conservation Area. Comprising ground floor and two upper floor levels, the corner property is two bays wide and three deep, with a stucco fronted facade with traditional shop front at ground floor and traditional sash windows above. The building exhibits a traditional butterfly roof form which is concealed by a parapet. To the rear the building has been extended and features a full-width ground floor extension, and half-width extension above at first floor level. Although unlisted, the building make a positive contribution to the character and appearance of the Pimlico Conservation Area and forms part of a wider terrace of 11 comparable properties.

Policy 38 of the City Plan 2019-2040 (April 2021) in Part A states that new development will incorporate exemplary standards of high quality, sustainable and inclusive urban

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design and in Part B says that new development will respond to Westminster's context by positively contributing to Westminster's townscape and streetscape.

Policy 39 in Part K states that development will preserve or enhance the character and appearance of Westminster's conservation areas and, in Part L, goes on to state that there will be a presumption that unlisted buildings that make a positive contribution to a conservation area will be conserved.

Policy 40 at Part A states that development will sensitively designed, having regard to the prevailing, scale, heights, character, building lines and plot widths, materials, architectural quality, and degree of uniformity in the surrounding townscape. At Part B, this policy goes on to state that: spaces and features that form an important element in Westminster's local townscapes or contribute to the significance of a heritage asset will be conserved, enhanced and sensitively integrated within new development. At Part D Policy 40 says that alterations and extensions will respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings and spaces that contribute positively to Westminster's distinctive townscape.

Policy PIM 4 of the Pimlico Neighbourhood Plan says that development proposals within or affecting the Pimlico Conservation Area should demonstrate well-detailed, high quality, sustainable and inclusive design and architecture which preserve and enhances the historic character of the conservation area. At Part B, this policy sets out that single storey upward extensions to the rear of the corner buildings on each block may be permitted where they preserve views and open aspects along the rows of gardens to the rears of long terraces and the open feel of the conservation area. Part C of this policy seeks to preserve the gap above ground floor level between the return frontages to the principal Pimlico frontages where there are smaller scale properties on the side streets.

While Policy PIM 4 has a part specifically concerning rear terraces, it does not apply to this proposal as the proposed roof terrace would be below main roof level of the building.

The rear of the subject building exhibits less uniformity than the principal facades, although the existing first floor extension is visually subservient. The wider terrace that the building forms the end of, features an assortment of extensions of varying quality, including larger, full-width and full height extensions.

Full-width extensions above ground floor level are generally undesirable as they can appear overly dominant. However, due to the inconsistent nature of the terrace and that the application has been revised to reduce the height of the extension and amend the fenestration details to improve their proportions and appearance, a full width extension is not considered to diminish the appearance of the building and wider terrace or to cause harm to the character and appearance of this part of the conservation area, in this instance. The removal of the redundant chimney to the rear of the building is also not considered harmful.

The proposals are considered to comply with Policies 38, 39 and 40 of Westminster's City Plan and Policy PIM 4 of the Pimlico Neighbourhood Plan and is recommended for approval on design and townscape grounds.

9.2 Residential Amenity

Policies 7 and 40 of the City Plan 2019-2040 require that development involving alterations to existing buildings protects and, where appropriate, enhances amenity by preventing unacceptable impacts in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.

Policy 33 of the City Plan requires development to minimise the detrimental effects of light pollution, noise and vibration and construction impacts.

The proposed extension will immediately abut a first floor level extension at the neighbouring property at No. 20 Upper Tachbrook Street and it will not therefore result in a loss of light or sense of enclosure to this property. By virtue of its proposed size, height and orientation it will also have an acceptable relationship with the properties opposite on Longmoore Street.

The application has been revised to reduce the size of the proposed terrace at second floor level, to set it away from the existing terrace at second floor level at 20 Upper Tachbrook Street, by approximately 3.5m. Whilst there will be a degree of mutual overlooking, the relationship between the terraces is considered acceptable. To the south the terrace will overlook Longmoore Street, and given the street width, it is not considered that the terrace will result in any significant overlooking to the properties opposite.

The noise generated by activities on the proposed rear roof terrace would not be so great or out of place in this location as to give rise to any detrimental impacts on neighbouring residential amenities.

The proposals are therefore considered acceptable in amenity terms, in accordance with Policies 7, 33 and 40 of the City Plan.

9.3 Transportation, Accessibility & Servicing

The proposal raises no issues in respect of transportation, accessibility or servicing.

9.4 Other Considerations

None.

9.5 Environmental Impact Assessment

The proposed development is not of sufficient scale or impact to require an Environmental Impact Assessment.

9.6 Planning Obligations & Pre-Commencement Conditions

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

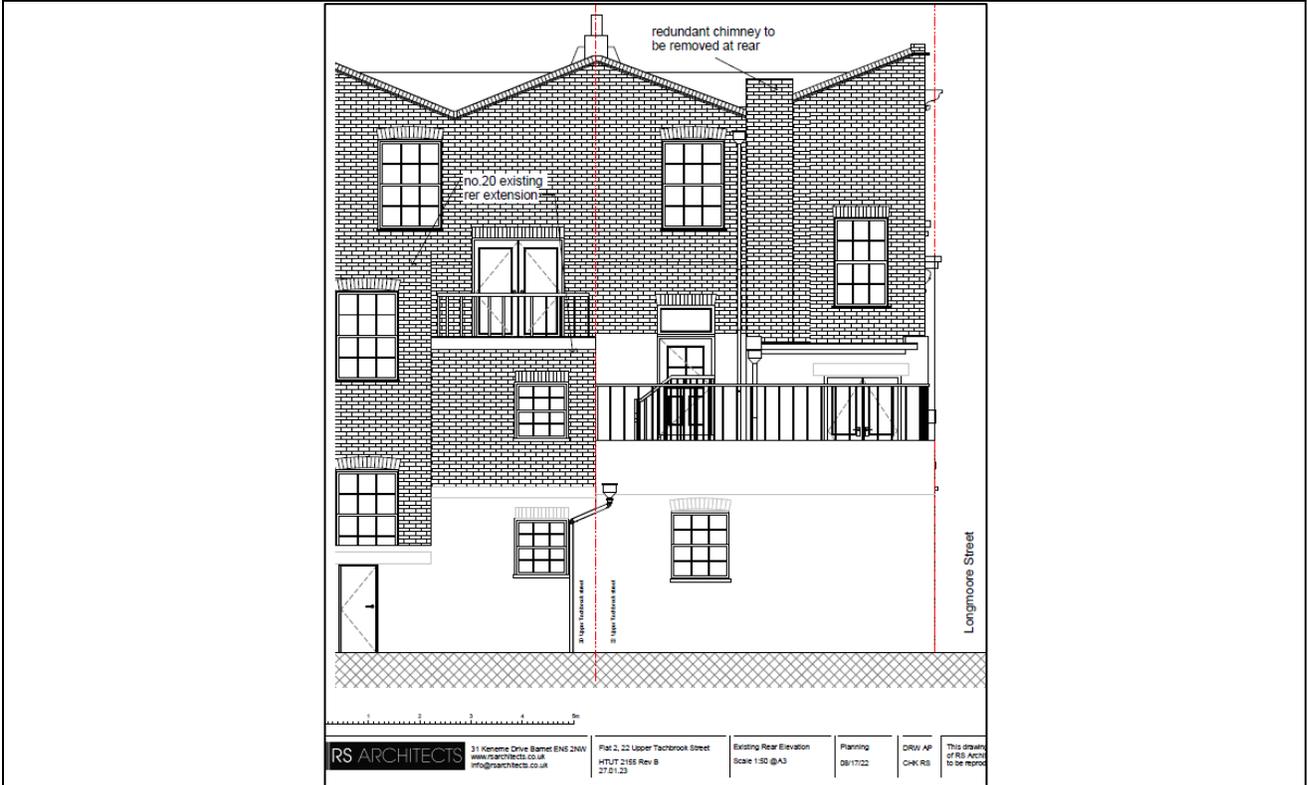
10. Conclusion

The proposal is considered acceptable in terms of its impact on the appearance of the host building, Pimlico Conservation Area and with respect to neighbouring amenities. It is therefore recommended that conditional planning permission be granted, since the proposal would be compliant with the NPPF, the City Plan, the Pimlico Neighbourhood Plan and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

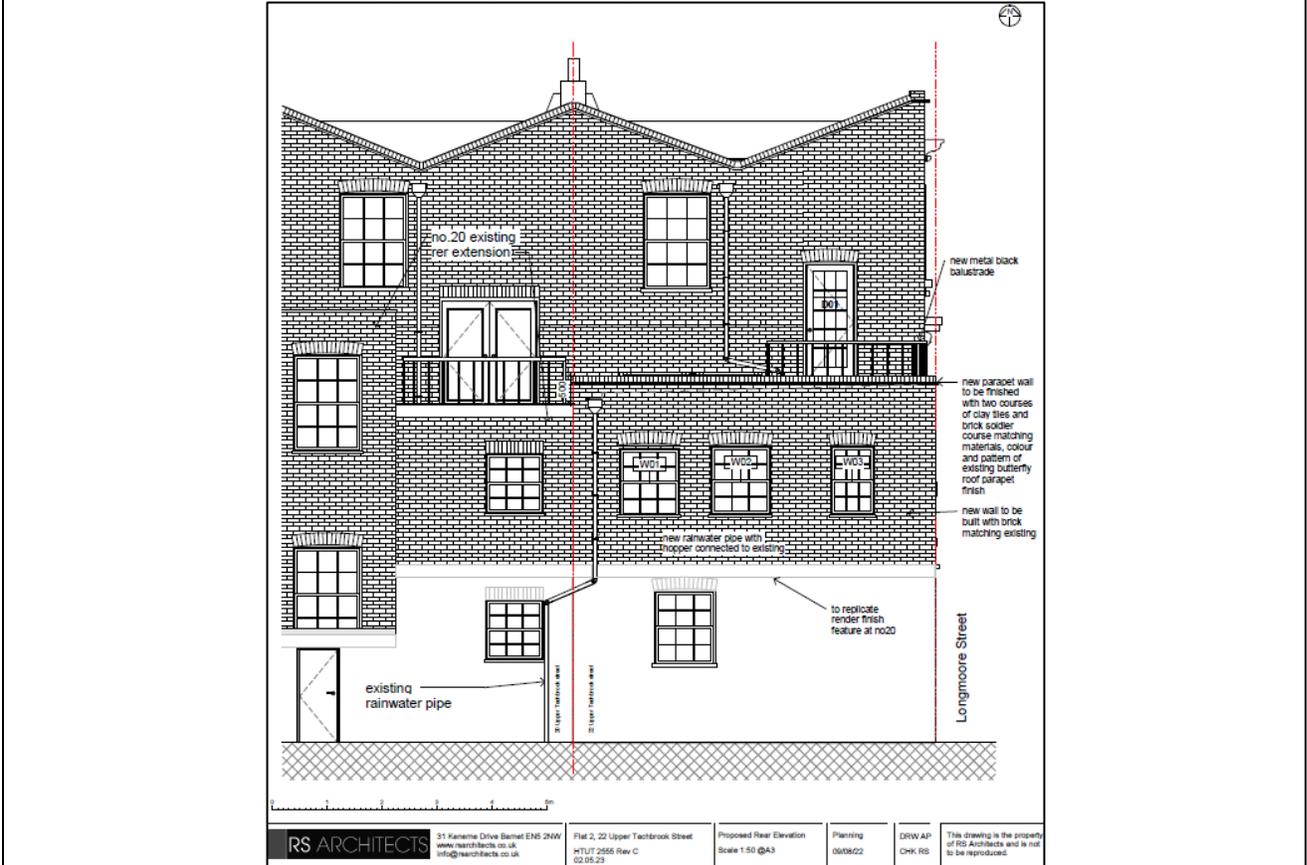
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: JULIA ASGHAR BY EMAIL AT jasghar@westminster.gov.uk

11. KEY DRAWINGS



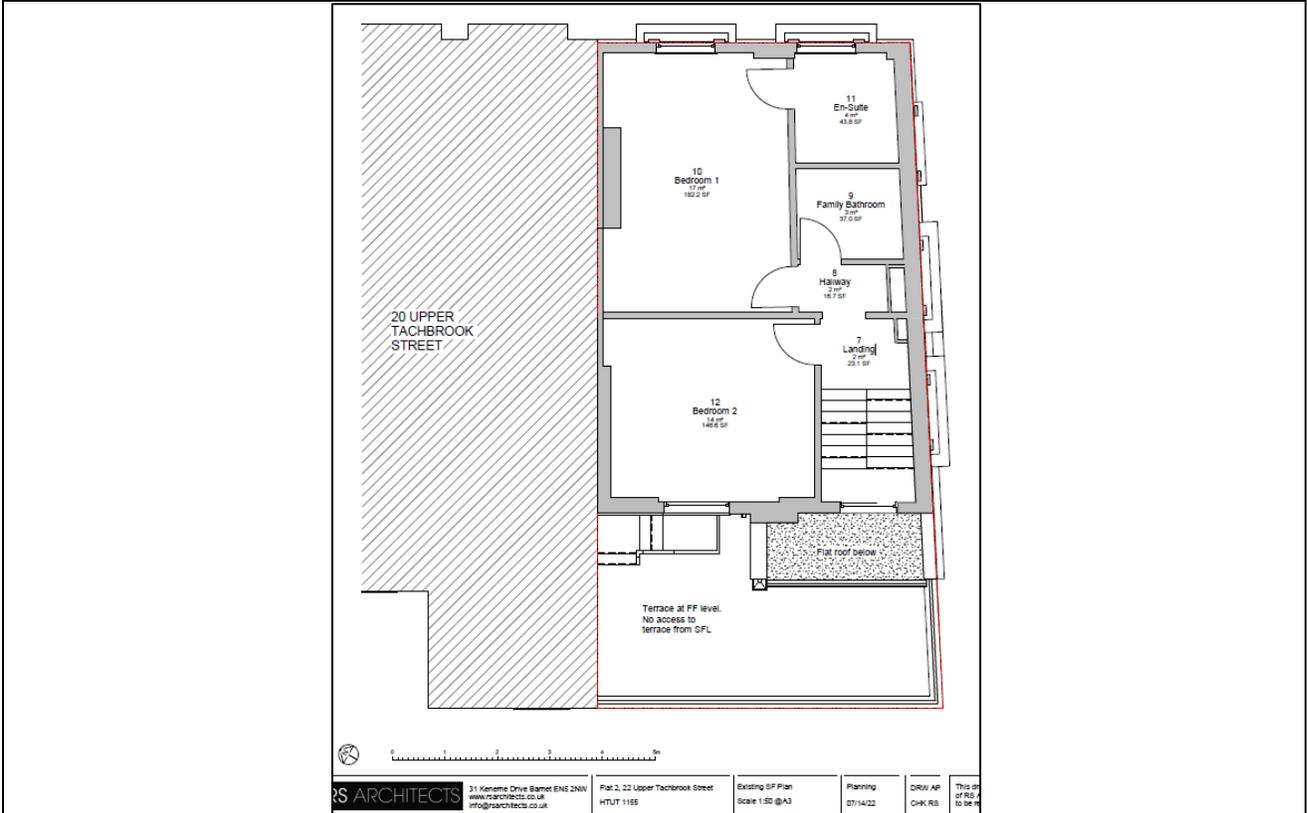
Existing (above) and Proposed (below) rear elevation



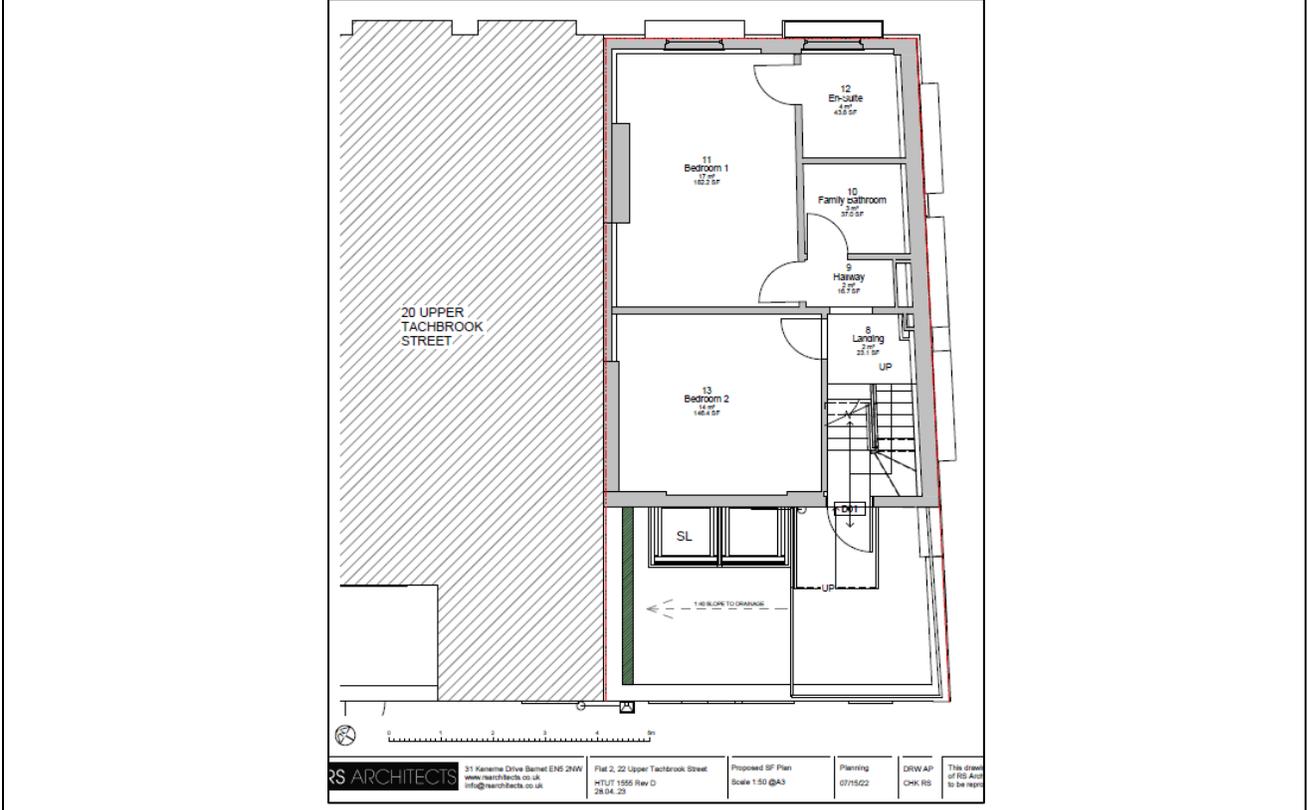


Existing (above) and proposed (below) Longmoore Street elevation





Existing (above) and proposed (below) second floorplan



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DRAFT DECISION LETTER

Address: First Floor And Second Floor Maisonette, 22 Upper Tachbrook Street, London, SW1V 1SH

Proposal: Erection of first floor rear extension on top of the existing roof terrace, involving the demolition of the existing first floor rear extension. Creation of a roof terrace on top of the new extension, including installation of new door for access and provision of metal railings/balustrades. Installation of new windows. Removal of rear chimney.

Reference: 22/07489/FULL

Plan Nos: HTUT 1001 OS Map; HTUT 1154 Existing FF Plan; HTUT 1155 Existing SF Plan; HTUT 1156 Existing Roof; HTUT 2153 Existing Side Elevation; HTUT 2155 Existing Rear Elevation; HTUT 1554 Rev D Proposed FF Plan; HTUT 1555 Rev D Proposed SF Plan; HTUT 2553 Rev D Proposed Side Elevation; HTUT 2555 Rev C Proposed Rear Elevation; HTUT 5565 Rev B Proposed Section A-A; HTUT 5566 Rev B Section B-B.

Case Officer: Max Leonardo

Direct Tel. No. 07817095744

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

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To protect the environment of neighbouring occupiers. This is as set out in Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and Policy PIM 4 of the Pimlico Neighbourhood Plan 2021-2040 (December 2022). (R26BF)

- 4 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021) and Policy PIM 4 of the Pimlico Neighbourhood Plan 2021-2040 (December 2022). (R26BF)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 **HIGHWAYS LICENSING:**
Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

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.