

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 31 October 2023	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Pimlico North	
Subject of Report	54 Warwick Square, London, SW1V 2AJ,		
Proposal	Extensions at rear first floor level; creation of roof terrace at rear second floor, alterations to existing rear first floor conservatory and internal alterations, all in connection with use of first and second floors as two 1 bedroom residential flats (Class C3).		
Agent	Christian Leigh		
On behalf of	Mr Guy Chambers		
Registered Number	23/00721/FULL	Date amended/ completed	2 August 2023
Date Application Received	5 February 2023		
Historic Building Grade	Grade II listed		
Conservation Area	Pimlico		
Neighbourhood Plan	Pimlico		

1. RECOMMENDATION

1. Grant conditional permission.
2. Grant conditional listed building consent.
3. Agree the reasons for granting conditional listed building consent as set out in informative on the draft listed building consent decision letter.

2. SUMMARY & KEY CONSIDERATIONS

The proposal consists of a single-storey upward extension at first floor level of the rear projection and creation of roof terrace on top of the extension with a 2.9m set back from the rear, and the associated alterations to existing rear first floor conservatory, all in connection with change use of first and second floors from office (Class E) to two 1-bedroom flats (Class C3).

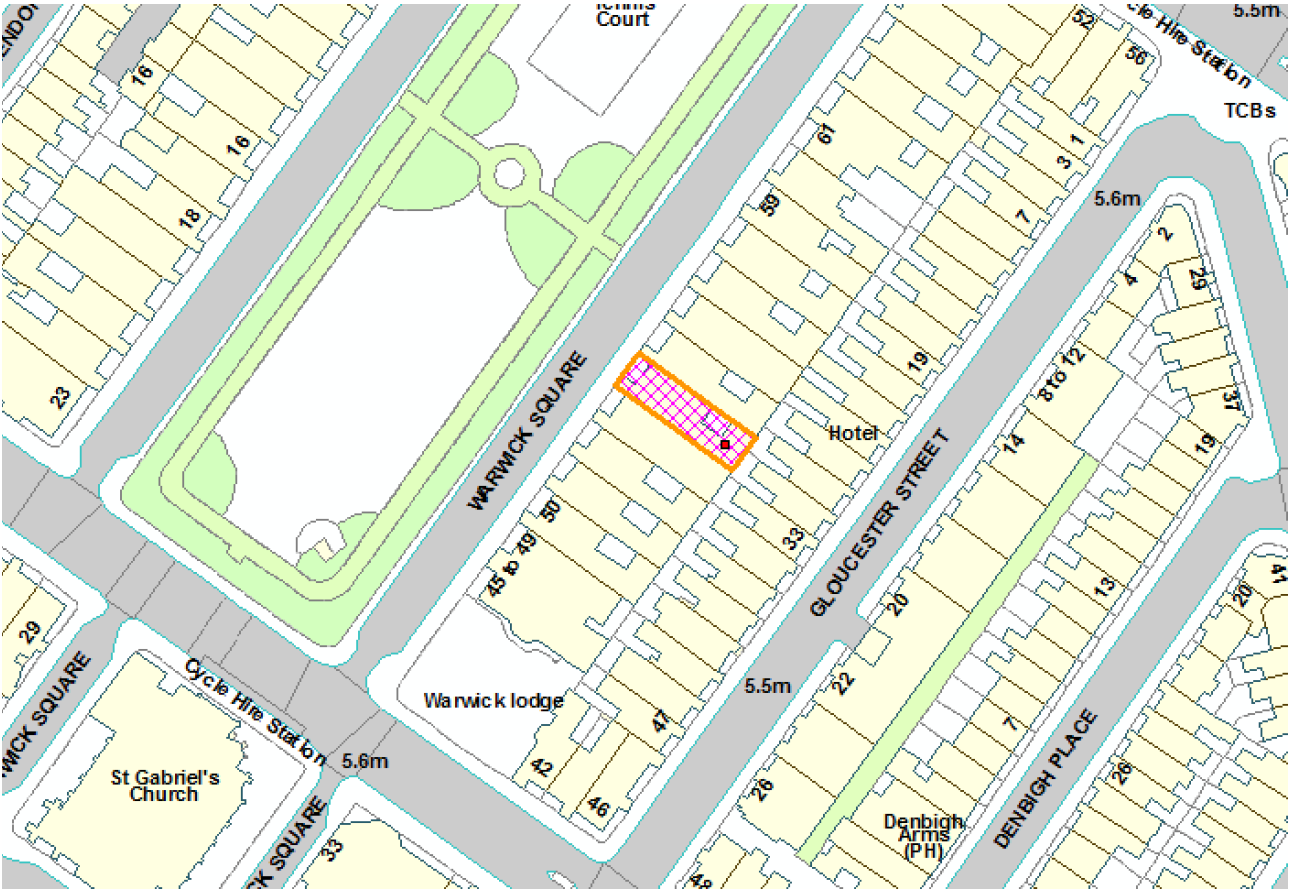
The key considerations in this case are:

- The acceptability of the loss of office floorspace in land use terms.
- The acceptability of the proposed residential accommodation in land use terms.

- The acceptability of the energy performance of the extended and altered building.
- The acceptability of the proposed extended and altered building in design terms.
- The impact of the proposed extension and alterations on the significance of the listed building, on the character and appearance of the Pimlico Conservation Area.
- The impact on the amenity of neighbouring residential properties.

For reasons set out in this report, the proposal, with conditions, is acceptable in land use, design, heritage, amenity and sustainability terms and neighbouring residential occupiers would not be unduly harmed. As such, the applications are recommended for approval subject to a the conditions to both the planning and listed building applications as set out in the draft decision letters.

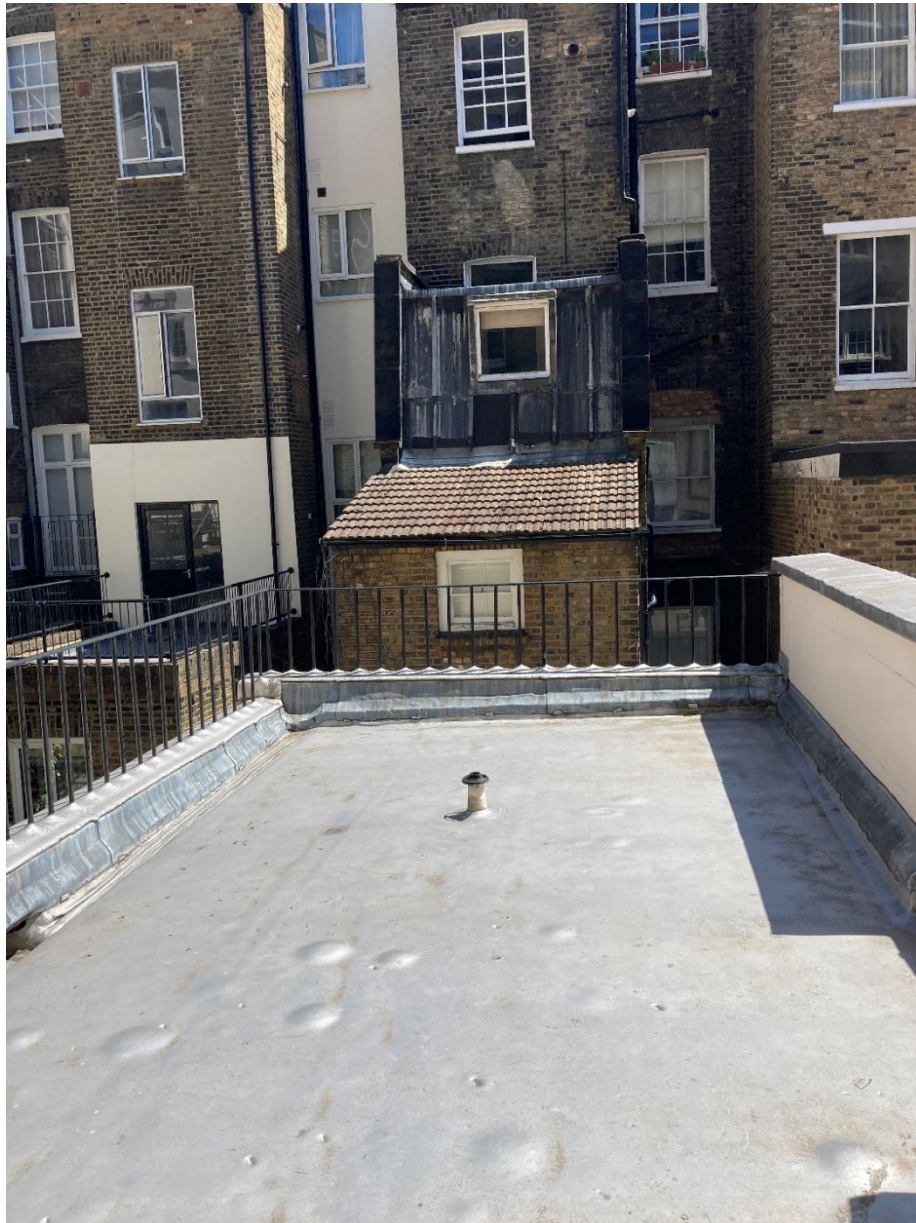
3. LOCATION PLAN



4. PHOTOGRAPHS



The rear elevation of 54 Warwick Square



The existing roof top of the rear projection of 54 Warwick Square



View from the rear of 54 Warwick Square



54 Warwick Square Aerial View

5. CONSULTATIONS

5.1 Application Consultations

CLLR JIM GLEN:

Initially raised objection but changed to neutral following a site meeting with the applicant who explained the amendments and the scale of the proposals.

PIMLICO NEIGHBOURHOOD FORUM:

No response to date.

PIMLICO FREDA:

No response to date.

WESTMINSTER SOCIETY:

No response to date.

WASTE PROJECT OFFICE:

The drawings submitted are not in line with the council waste storage requirements. Further details of waste storage required.

HIGHWAYS PLANNING:

No objection, subject to conditions

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 33

Total No. of replies: 15

No. of objections: 7

No. in support: 5

No. in neutral: 3

The objections are summarised as follows:

Amenity issues

- Loss of privacy given the overlooking element of the proposed roof terrace and no attempt to screen the new roof terrace
- Potential noise disturbance from the roof terrace
- Substantial material loss on daylight and sunlight received from the adjoining properties and the flats at lower levels
- Insufficient and inaccurate information and analysis provided in the sunlight & daylight report
- Flawed justification in the sunlight & daylight report
- A harmful sense of enclosure to neighbouring buildings
- A noticeable loss of outlook from the rear of 53 Warwick Square

Design and townscape issues

- The scale and bulkiness of the extension is overbearing

Land use

- The proposed one bedroom units would be in excess of the space standard and the extension should be removed

Other issues

- 21 days consultation is insufficient to conduct the detailed analysis on the impact
- Lack of pre-application engagement with the adjoining residents who were only informed after the application was submitted
- The application is lack of details and information to allow full assessment of the proposals
- The proposals would only benefit the developer on the cost of the surrounding neighbours

The supports are summarised as follows:

Land use

- The reconversion of the unit to residential flat is welcomed
- The reconverted residential use would be in line with the predominate use of this area

Amenity

- Most of the buildings in the Square already have similar extensions and the proposals are consistent with other development
- The proposed terrace, which is higher and smaller than the existing, will be less overlooking

The comment in neutral are summarised as follows:

- Longer consultation is needed to analyse the impact of the scheme
- Both objections and support are understood

PRESS NOTICE/ SITE NOTICE:

Yes

5.2 Applicant's Pre-Application Community Engagement

While not a requirement, the Council's Early Community Engagement Guidance Note encourages applicants to carry out early engagement for householder development. Householders carrying out development (such as extensions and alterations to houses), are encouraged to consult those living adjacent or very close to the site at an early stage. The type of engagement recommended may include, but should not necessarily be limited to, written notice of the proposals and/or offering a meeting with neighbours to enable them to comment on your proposals prior to submission of a formal application.

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 application site is located within an area covered by Pimlico Neighbourhood Plan. The Pimlico Neighbourhood Plan policies on a range of matters including commercial and mixed-use development, design and heritage, housing and hotels, public realm and environment.

The plan has been through independent examination and was supported by local residents and businesses in referendum was held on Thursday 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 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 are discussed later 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

54 Warwick Square is a five storey grade II listed townhouse dating from the mid-19th century, located mid-terrace within a grade II listed group numbered 50-66 on the east side of the square. Warwick Square is a grade II listed registered Park and Garden. The square and the application building form part of the Pimlico Conservation Area. The building is also within the Central Activities Zone (CAZ).

The building was originally built as a residential dwelling and is within a predominately residential part of the CAZ. It currently comprises residential (Class C3) and office (Class E) uses. It includes a residential basement (lower ground floor) level flat, offices on the ground, first and second floor levels, and residential flats on the third and fourth floor

levels. The application relates to the offices at first and second floor level.

7.2 Recent Relevant History

On 22 September 2022, the City Council granted listed building consent for the installation of six traditional cast iron air bricks to run linear within the ceiling void of the existing rear flat roof extension through to the external of the existing rear lightwell. (Ref: 22/05896/LBC)

On 29 July 2021, the City Council granted listed building consent for internal alterations including removal and addition of partitions and refurbishment of rear office windows at ground floor level. (Ref: 21/03256/LBC)

8. THE PROPOSAL

Planning permission and listed building consent are sought for the construction of a single storey extension at first floor level on top of the existing rear addition, associated alterations to an existing first floor conservatory, creation of a terrace at second floor level and internal alterations throughout in connection with use of first and second floors as two 1-bedroom flats (Class C3).

9. DETAILED CONSIDERATIONS

9.1 Land Use

Given the proposals relate to the creation of new residential units from a change of use from the existing office located within CAZ, the proposals would be considered within the context of policies 8 (Housing Delivery), 12 (Housing Quality) and 13 (Supporting economic growth) of Westminster's City Plan 2019-2040.

Loss of offices

Key considerations in assessing the proposal will be impact upon employment floorspace as there is a policy presumption to protect office floorspace in the CAZ from a change to a residential use.

Policy 13 (Supporting economic growth) of the City Plan 2019-2040 states that new and improved office floorspace will be supported to encourage a continued growth of the economy. Policy 13D states that the net loss of office floorspace from the CAZ to residential development will only be permitted in those parts of the CAZ that are predominantly residential in character and where the proposal would reinstate an original residential use.

Four supports have been received from neighbours on the land use grounds. They welcome that the scheme would bring the original residential use back to the floors of the building which is located in an area with predominantly residential in character.

Considering the application property was in residential use originally (and the existing offices in fact detract the significance of the listed building), alongside the predominantly

residential character of the area, the principle of the loss of office floorspace is acceptable and in compliance with Policy 13D.

New residential units

Policy 8 seeks to increase the amount of housing delivered within the City and states that this will be achieved by delivering a high number of homes on small sites. Therefore, the principle of providing additional housing is supported and would contribute towards meeting the City's housing targets.

Policy 12 requires new homes to 'provide a well-designed, energy efficient and high-quality living environment, both internally and externally. It states new homes will be designed to a standard that ensures the safety, health and wellbeing of its occupants.' Paragraph 12.1 explains that high-quality can take many forms and that this includes ensuring new homes have adequate natural light and ventilation.

The proposed 1-bed flats would provide acceptable standard of accommodations in terms of unit size (94.08 and 67.47 sqm GIA), which would be more than adequate for a 1-bedroom dwelling when assessed against the Nationally Described Space Standards (which requires a minimum of 39 sqm GIA). The flats would be dual aspect and the rooms for both units would benefit from windows providing acceptable levels of natural light and outlook (particularly given they are located on the first and second floors). One of the flats would have access to a new roof terrace. A condition is also recommended to ensure the flats have acceptable internal noise environments. The above considered, the flats would provide acceptable living accommodation and the proposals therefore comply with policy 12.

9.2 Environment & Sustainability

Policy 38D of the City Plan seeks to ensure all development is designed to be durable, adaptable and limit long-term resource use, including water and energy consumption, with features to mitigate and adapt to climate change integrated in development design from the outset.

According to the submitted Sustainable Design Statement, various measures would be carried out to be in line with City Plan policy, including prioritising durable, high quality and sustainable materials and reusing recovered facing bricks from demolition in new external wall construction. These measures welcomed in sustainability terms.

9.3 Biodiversity & Greening

Policy 34 of the City Plan and the council's Environmental SPD (ESPD) seek to protect and enhance the city's green infrastructure to maximise its environmental, social, and economic value. The proposals would include planters along the three sides of the new terrace. This addition is welcome and ensures that the proposal provides some greening.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ('the LBCA Act') requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the LBCA Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the LBCA Act 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."*

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.

In terms of the City Plan, the relevant policies are policies 38, 39 and 40 of Westminster's City Plan 2021.

Policy 38 in part states that new development will incorporate exemplary standards of high quality, sustainable and inclusive urban design and respond to Westminster's context by positively contributing to Westminster's townscape and streetscape.

Policy 39 states in part that works to listed buildings will preserve their special interest, relating sensitively to the period and architectural detail of the building and protecting or, where appropriate, restoring original or significant detail and historic fabric. That development will preserve or enhance the character and appearance of Westminster's conservation areas.

Policy 40 states in part that development will sensitively be 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. 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.

Assessment

Upward extension to the rear projection

Consent is sought for the construction of a full depth extension at first floor level above an existing full depth ground floor projection, involving the demolition of an existing lean-to structure which is not considered to be of historic or architectural significance. The existing first floor timber framed conservatory which projects from the principal rear wall is to be altered and shortened, with the external door removed to provide access to the proposed extension. An insulated panel is proposed in place of one of the existing windows. The solid panel in the location proposed looks incongruous and detracts from the appearance of the conservatory; the imposition of an amending condition requiring this to be changed to a window to match the retained existing windows (albeit to amended proportions) is therefore recommended.

The proposed extension is to be finished in render to match the floor below and will include two side sash windows. Archival maps of the site indicate that the buildings extended the full depth of the site originally. Whilst some objectors find the scale of the extension overbearing, it is considered that the extension at first floor level would relate sensitively to the neighbouring properties and would follow the general pattern of development to the rear of these townhouses, causing no harm to the group value of the terrace. Legibility of the historic rear building line has already been degraded by the first-floor conservatory and lean-to structure to the closet wing. The proposal to create a full depth extension is not, in this particular instance, considered harmful to the historic plan form or the appearance of the listed building.

Roof terrace on the new extension

A terrace is proposed above the first-floor extension. The proposals originally showed a second-floor glazed extension to the rear, but following negotiations with officers this has been omitted due to concerns raised regarding overdevelopment of the historic rear elevation and the incongruous design of the proposal.

The proposed second floor terrace is not considered harmful to the significance of the listed building or the character and appearance of the conservation area given that the revised proposal shows it well set back from the rear edge and subject to the imposition of a condition restricting the installation of associated structures and clutter.

High-level door opening

A new door opening is proposed in the principal rear wall to accommodate access to the terrace. A door opening in this location is not historically accurate and has an awkward visual relationship with the existing window adjacent, resulting in the loss of a small amount of historic fabric, causing some harm. However, it is acknowledged that the pattern of fenestration on these buildings has been altered in a piecemeal fashion over time and there is little consistency.

Impact on the listed building

The building was converted into flats during the 1930s and archival drawings indicate that several new partitions were installed at this date. Internal alterations are proposed at first and second floor levels.

At first floor level, the proposals involve demolition of an existing front-rear partition in the front principal room. The removal of this poorly located partition is a significant heritage benefit that will enhance legibility of the historic principal room volume, plan

form and visibility of historic plasterwork. The proposals also involve removing studwork that currently divides the front and rear principal first floor rooms to create an enlarged opening. The imposition of a condition to protect historic plasterwork is recommended for clarity. Replacement of modern chimneypieces is acceptable subject to securing details of the proposed replacements. Consent is sought to reinstate shutter boxes and architrave linings to the front windows to match historic detailing, which is supported in heritage terms.

A new kitchen is proposed in the rear principal room. This proposal will cause some harm, given that this a principal part of the building which was not historically intended for utilitarian uses. However, the kitchen units are completely freestanding and are set away from the wall. Given that no units are fixed to the fabric of the building, the degree of harm caused is minor and no objection is raised in this instance given the significant heritage benefits offered by the scheme elsewhere on this level of the building. An existing door is shown retained and fixed shut, but will remain visible and legible.

At second floor level, the proposals involve the installation of new partitions in the rear room to divide this space into three cellular spaces. This aspect of the proposals will cause harm to legibility of the historic plan form and the original room volume and proportions will be lost. The layout to the front part of the second floor is generally as existing, reusing existing door openings to minimise loss of historic fabric. An existing non- historic door opening between the proposed kitchen and WC/ utility is to be infilled, which is uncontentious in listed building terms. A new kitchen is proposed in the smaller of the two front second floor rooms, which will obscure an existing fireplace. However, this fireplace is in an unusual location which is not mirrored on the lower floors. It is therefore likely to be a modern addition and concealing it is therefore acceptable.

In general, some poorly sited cabling detracts from the appearance of the interior, particularly at second floor level. A condition is recommended requiring this cabling to be removed prior to occupation of the flats, to enable the aesthetic value of the original plasterwork to be enhanced.

Conclusion

While some elements of the proposal result in a minor degree of less than substantial heritage harm, other elements result in a heritage benefit. It is considered that the heritage harm and heritage benefits offset each other. Therefore, overall the proposal would be acceptable in heritage terms and in accordance with the City Plan and requirements of the NPPF.

9.5 Residential Amenity

Policies 7 and 33 of the City Plan seek protect residential amenity in terms of light, privacy, sense of enclosure and to encourage development, which enhances the residential environment of surrounding properties.

Policies PIM 3 and PIM 4 of Pimlico Neighbourhood Plan provide more detailed framework on the developments in related to upward extensions and design of rear terraces in the Pimlico Conservation Area. The policies state that these changes would be acceptable if it will not result in a loss of amenity or privacy to neighbouring

properties.

The proposal includes a full depth upward extension to the rear projection of the building at first floor level along with a new terrace on the roof to serve the second floor flat. Seven objections have been received from neighbouring residents on grounds that the new extension would overshadow / reduce light to neighbouring properties and the flat in the lower floor of the same building. The objectors are also concerned that the new roof terrace would harm neighbouring residents in terms of overlooking, noise and disturbance.

Daylight and Sunlight

The application is supported with a daylight and sunlight report, which is in accordance with the Building Research Establishment (BRE) guidelines. The report assesses the impact of the development on the light received by the neighbouring properties at 29, 31 & 33 Gloucester Street and 53, 54 and 55 Warwick Square. The BRE guide stresses that the numerical values are not intended to be prescriptive in every case and are intended to be interpreted flexibly depending on the circumstances since natural lighting is only one of many factors in site layout design. For example, in a dense urban environment, more obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings. The BRE explains their guidelines are intended for use for rooms in adjoining dwellings where light is required, and principally seeks to protect light to main habitable rooms (i.e. living rooms) in residential dwellings, and it accepts that bedrooms are of less importance. Offices are normally artificially lit spaces and would therefore have a low expectation of natural light when compared to dwellings.

Daylight

The BRE methodologies for the assessment of daylight values is the 'vertical sky component' (VSC) and 'no sky line' (NSL). VSC measures the amount of light reaching the outside face of a window. Under this method, a window achieving a VSC value of 27% is well lit. If, because of the development, light received to an affected window is below 27%, and would be reduced by 20% or more, the loss could be noticeable. NSL measures the proportion of a room that will receive light. If, because of the development, the proportion of the room that receives light reduces by 20% or more, the loss could be noticeable.

All windows to the rear pass the VSC measure. 11 windows to no. 53, 54 and 55 Warwick Square breach the VSC measure. The VSC breaches to the residential windows are summarised below.

Table: VSC Breaches

Floor and Building	Window	Room Use	Existing VSC	Proposed VSC	Loss	% Loss
Ground 53	46	Bedroom	11.9	4.9	7	59
Ground 53	47 internal	Bathroom	3.3	0	3.3	100
Ground 53	49	Conservatory (above open plan living area)	8.1	5.9	2.2	27
Ground 53	50	Conservatory (above open plan living area)	26.5	19.2	7.3	28
Ground 53	51 internal	Drawing Room	7.8	5.7	2.1	27
First 53	55	Bedroom	18.5	12.3	6.2	34
First 53	56	Bathroom	12.6	6.6	6	48
Lower ground 54	66	Bedroom	4.5	3.5	1	22
Ground 54	71	Office (Class E)	4.9	3.2	1.7	35
Ground 55	1	Storage	11.9	4.3	7.6	64
First 55	4	Bedroom	16.4	9.7	6.7	41

In terms of the NSL measure, at 53 Warwick Square there would be one breach to the bedroom at ground floor (window 46) where there would be a 87% loss and one breach to the first floor bedroom (window 55) where there would be a 91% loss. At 54 Warwick Square there would be a 50% loss to a bedroom to the basement flat (window 61 and 62), and a 21% loss to the office at ground floor (window 71).

53 Warwick Square

This property contains the most windows impacted in terms of loss of daylight. The proposals impact two bedrooms, one on the ground and one of the first floor. These bedrooms contain window or glazed door which look towards/ over the existing rear projection and therefore the upward extension would result in additional obstruction to in front of these openings. Window 46 to the ground floor bedroom would lose 59% under the VSC measure and the room 87% under the NSL measure (although this bedroom also contains a rear window which would not breach the BRE guidelines). Window 55 to the first floor bedroom would lose 34% under the VSC measure and the room 91% under the NSL measure. The measures taken together indicate that these rooms will experience a noticeable loss of daylight.

In terms of VSC, there would also be an impact on the conservatory and some of the windows which have become internal as a result of its construction. Although, there would be no breach of the NSL measure (and both measures should be considered together to assess the impact of daylight). The conservatory is in effect a hallway which

leads from the ground floor drawing room to the ground floor terrace plus a stairwell which leads down to the open plan kitchen and living area on the lower ground floor. Approved drawings showing the layout of 53 Warwick Square indicate that the drawing room (window 51 – 27% loss under the VSC measure) is a dual aspect room and while the conservatory is a light source for the open plan living kitchen area (via the stairwell), it also benefits from numerous other rooflights in compliance with BRE guidelines. Hallways/ stairwells themselves are non-habitable spaces and the BRE guidelines do not consider it crucial to protect light to non-habitable spaces. For all these reasons, the impact on the conservatory is considered relatively minor. There is also a bathroom impacted on the first floor (window 56) but again, this is a non-habitable space.

While it is regrettable that there would be a noticeable loss of light to 53 Warwick Square, most of the rooms impacted have other sources of daylight and the most severely impacted rooms are bedrooms which are of lesser importance as compared to the principal habitable spaces of a dwelling. Most notably, 53 Warwick Square benefits from a similarly sized extension as that proposed to 54 (as do many others on this terrace). In that context it would be unreasonable to refuse permission on the grounds of light loss when the BRE guide notes that in a dense urban environment, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

Among the objections received, some objectors questioned the accuracy of information in the report, for example it is argued that there are many discrepancies to the windows of the adjoining 53 Warwick Square, including room uses – an officer has visited the site, and the above table is accurate, as far as officers are aware. While visualisations can be helpful in understanding the proposals, it is the scaled drawings that are considered to understand the scale of the development.

54 Warwick Square

In terms of 54 Warwick Square there is only one residential window which breaches the VSC measure (window 66) and one residential room which breaches the NSL measure (windows 61 and 62). Both of these rooms are bedrooms.

In terms of window 66, which serves a bedroom to the rear of the main building, it only marginally breaches the VSC measure (22%). It experiences very low levels of existing daylight and this means that a small absolute loss (1) has resulted in a percentage loss in excess of BRE guidelines, but in actuality because the absolute loss is low it is unlikely that the loss would be noticeable to occupiers. In addition, that bedroom complies with the NSL measure.

The other bedroom (to the rear of the site) which is served by windows 61 and 62 does not comply with the NSL measure. However, again this is a function of very low levels of existing daylight. The NSL measure indicates that only within 2% of the existing room is the sky currently visible and this would reduce to 1%, and so while this is a 50% loss, in actuality an occupier will unlikely notice the difference between visible sky in 1% of the room as compared to 2% of it.

At ground floor, there would be a loss in VSC to the rear window at ground floor. However, this window is to an office (class E) and it is not therefore residential and the loss is therefore not of a significant concern.

Overall, it is not considered that the proposals will result in an undue loss of light to other occupiers within 54 Warwick Square.

55 Warwick Square

55 Warwick Square contains two windows on the party boundary with 54 Warwick Square. Windows on party boundaries are typically considered unneighbourly. Both windows in this case are obscure, which will limit the daylight which can travel through them. Planning records indicate that the ground floor window serves a storage room (which is non-habitable) and the first floor window serves a bedroom which also contains an alternative window. Given these windows are themselves unneighbourly, it would be unreasonable to seek to protect them in the same manner as other residential windows. However, even if that were not the case, given the circumstances of the rooms, it is not considered that they would suffer a loss of light detrimental to living conditions despite the daylight losses.

Sunlight

The BRE guide indicates that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The guide indicates that if loss of sunlight from the proposed development is greater than 20% either over the whole year or just during winter months, or there is more than a 4% loss in total annual sunlight hours, then the occupants of the existing building are likely to notice the loss of sunlight.

All the windows have been identified, numbered and analysed in the assessment and almost all windows which meet the requirement for sunlight except 3 windows which would have 16%, 12% and 5% loss in total annual sunlight hours (window 1, 4 and 50).

Given windows 1 and 4 are flank windows serving the rear projection of the adjoining 55 Warwick Square, window 50 is the rooflight serving the hallway/ stairwell the loss of sunlight, and given the circumstances as described in the daylight section, it is not considered that the loss of sunlight will be detrimental to the living conditions of neighbours in this case.

Sense of enclosure

There have been objections that the extension will result in an increased sense of enclosure to the adjoining properties, particularly to those on the lower levels. As mentioned, some objectors pointed out the discrepancy between the sunlight & daylight report and the real impact on the neighbours. It is argued that the sun simulation and rendering in the submitted drawings and report are inaccurate and playdown the adverse impact on lights received and sense of enclosure.

In response to the above objection, the agent has submitted an Amenity Consideration Report on visual representations to justify the scheme and to support the accuracy of their submitted drawings in terms of representation of rear extensions of neighbouring properties and visual change to the application building.

The submitted drawings are considered accurate, and the objections relating to false or

misleading information of this application cannot be supported.

The upward extension of the rear projection would increase its height and therefore increase the enclosure within the gaps between the rear projections at 53, 54 and 55 Warwick Square. Considering the circumstances set out in the daylight and sunlight sections, and that the building and the proposed rear extension follows the established pattern along the rear of the Square and would be similar to the existing rear projections at 53 and 55 Warwick Square, it would be unreasonable to resist this proposal on the grounds of increased sense of enclosure as the neighbouring buildings most impacted by the proposal (53 and 55) already benefit from a similar rear projection. The rear elevation opposes 31 and 33 Gloucester Street to the rear, and the increased height and massing of the upward extension would also be visible from there. However, given the separation provided by the gardens and the established pattern of development on the terrace, there would not be unacceptable increase in a sense of enclosure.

Overlooking, privacy and noise

A roof terrace is proposed on top of the first-floor extension. There is currently a significant level of mutual overlooking from the existing roof terrace (on top of the existing rear projection) and windows of the application site with views to the rear elevation of 31 and 33 Gloucester Street, the adjoining properties at 53 and 55 Warwick Square and the basement flat within the application building. The proposed terrace within the extension would alter the nature of the overlooking because the new roof terrace would be more elevated than the existing, but overall, it would not result in a worse level of overlooking – particularly as the new roof terrace would be smaller.

The applicant's Amenity Consideration Report on overlooking and privacy demonstrates that overall there would be no additional loss of privacy from the proposed roof terrace. Initially, the proposed terrace extended the full extent of the rear extension. During the course of the application, the extent of the terrace was reduced, and a planted area was introduced to the rear to increase on-site biodiversity and to reduce the potential of views into the properties at lower levels and rear of buildings nearby. The amended terrace, which has a 2.9m set-back from the rear end of the new extension, would not impact on neighbours in terms of overlooking such as to justify a recommendation for refusal. While there would also be new windows, these combined with a smaller replacement roof terrace would not worsen overlooking overall when compared to the existing situation which includes the larger roof terrace. Also, the use of the roof terrace would change from being associated with a commercial use to one being associated with a residential use, which will be a type of roof terrace more compatible in this residential context. It would likely have less potential to disturb neighbours in terms of noise given that it would be smaller than the existing and would be in connection with a single 1-bedroom flat (rather than offices).

Conclusion

The case officer has undertaken site visits to both application property and the properties of the objectors due to the number of comments received and divided views on the development. Whilst the objections on the amenity grounds are clearly understood, considering the scale of the scheme has been reduced in response to the objection, considering the degree of impact and considering the final proposals follow

the established pattern of this part of the Warwick Square, the application is not resisted on amenity grounds.

9.6 Transportation, Accessibility & Servicing

The site is centrally located and well served by public transport including principal bus routes and benefits from the highest public transport accessibility (PTAL) rating (6b).

Car Parking

No car parking is proposed, Policy 27 supports residential development without car parking provision.

Cycle Parking

The proposed 2 x 1-bedroom flats will require a minimum of 2 cycle parking spaces. The submission documents state that bicycle storage space is already provided in the lower ground floor common area in the vaults of the building. Whilst no further details are provided, given the application is related to units on the first and second floor levels, the existing storage on the lower ground, which are more accessible, would be acceptable. A condition is recommended to require further details to ensure cycle parking is provided in line with the London Plan requirements.

Waste Storage

The submission documents state that refuse storage will remain unchanged from the current arrangements. Currently all residential and commercial units within the building leave their refuse and recycling in bags outside their individual entrance doors and the full-time Porter for the block takes them away daily to the communal refuse bin points on the South end of Warwick Square. However, detailed drawings about refuse storage would be required to meet the council waste storage requirements and therefore a condition is recommended to secure this.

9.7 Other Considerations

None.

9.8 Environmental Impact Assessment

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

9.9 Planning Obligations & Pre-Commencement Conditions

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

10. Conclusion

For the reasons set out in this report, the proposed development is considered to accord with the relevant policies in Westminster's City Plan 2019-2040 (adopted April 2021) and Pimlico Neighbourhood Plan. The reconversion of the properties from office to residential units is welcomed in land use terms. The proposed extension, which follows the general pattern of development to the rear of these townhouses, is not refusable in

design and townscape terms.

The new roof terrace is considered not to have an unacceptable impact on the amenity of neighbouring residents in terms of overlooking or noise and disturbance following the amendment. Whilst the high opening door and internal alteration will be resulting in the loss of a small amount of historic fabric and causing some harm to the listed building, given the pattern of fenestration on these buildings has been altered in a piecemeal fashion over time and the level of harm caused by the internal alteration is a low degree of less than substantial, the change would not harm significance of the listed building and this part of the Conservation area.

The application is considered acceptable in design, heritage, amenity, and environmental terms, and is recommended for approval subject to the conditions set out in the draft decision letter.

(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: JOSUHA HOWITT BY EMAIL AT jhowitt@westminster.gov.uk

11. KEY DRAWINGS



Existing floor plans

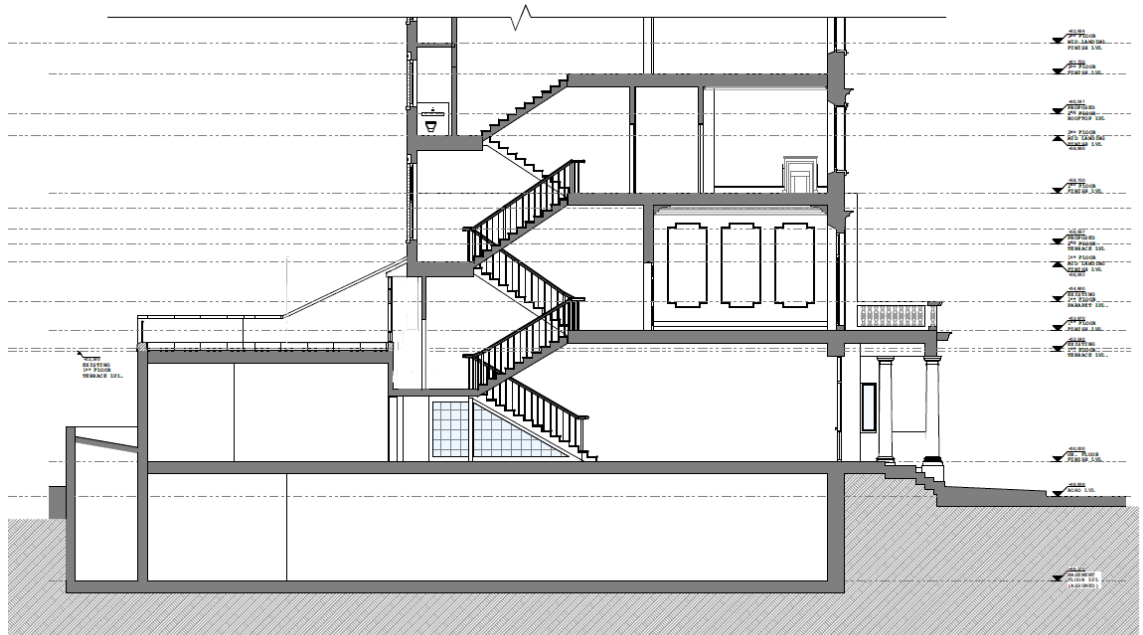
Proposed floor plans



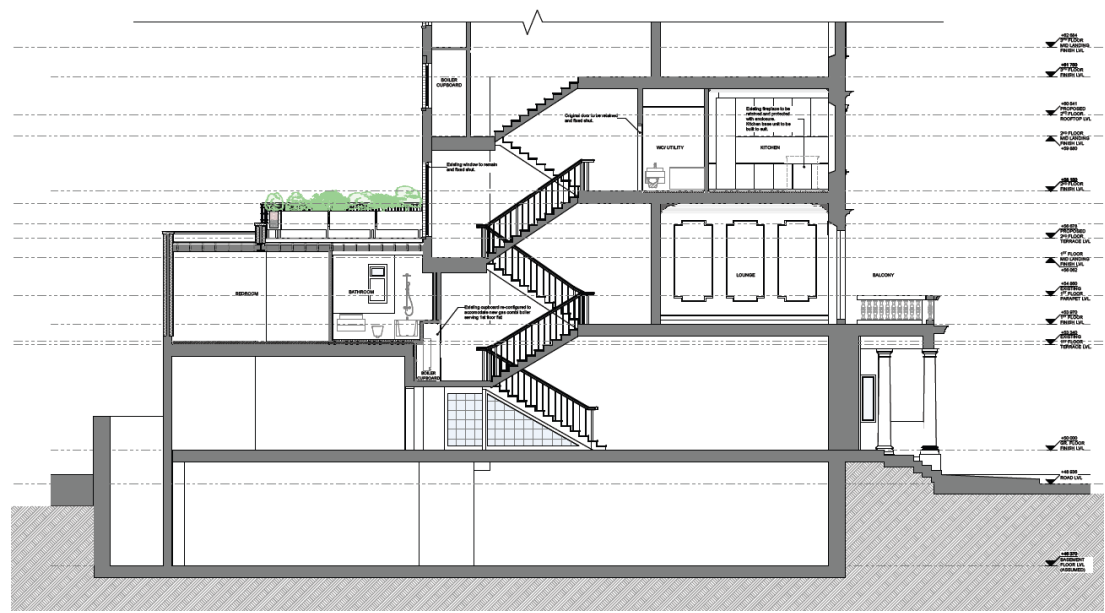
Existing elevations



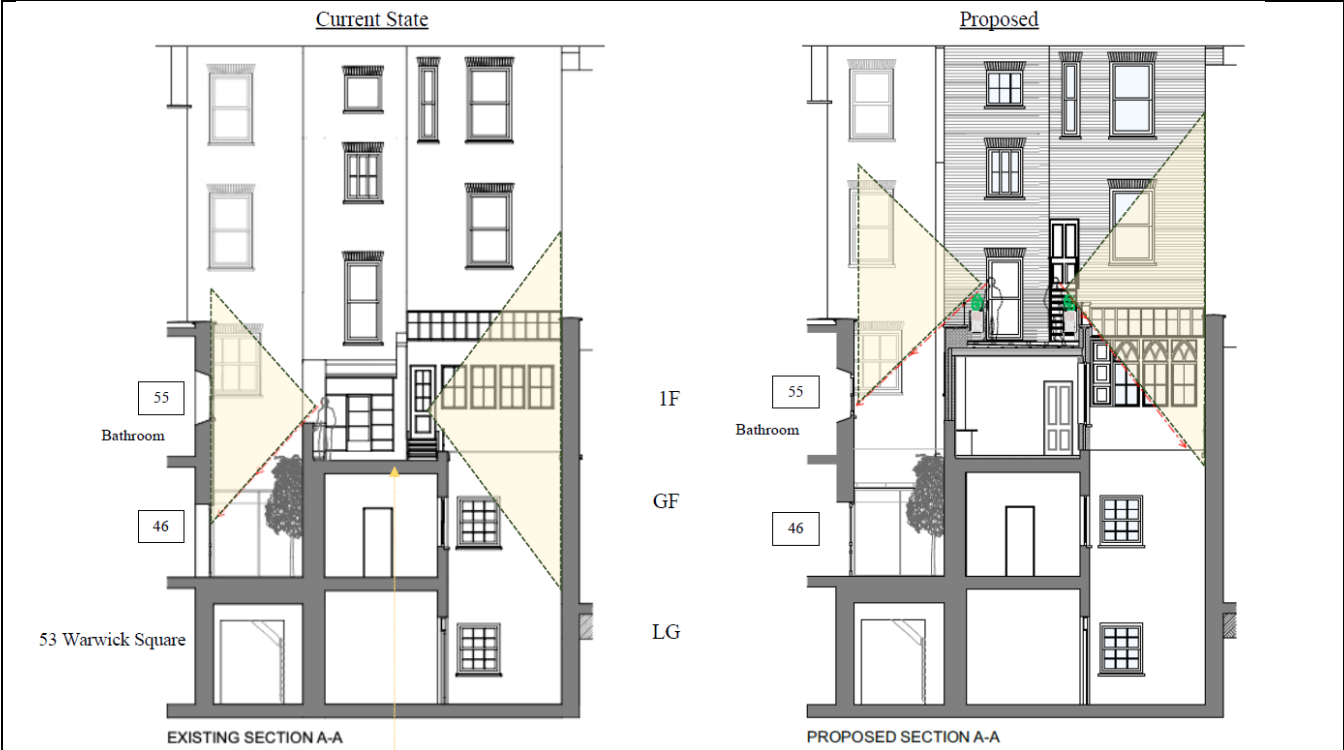
Proposed elevations



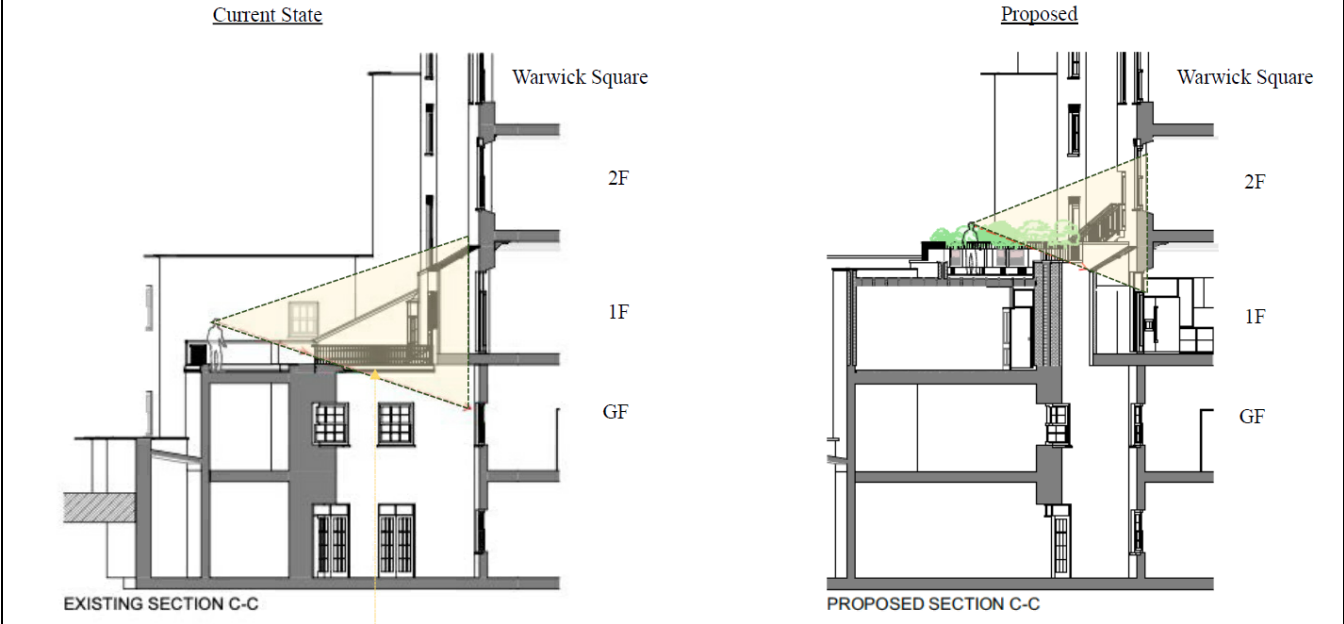
Existing section BB



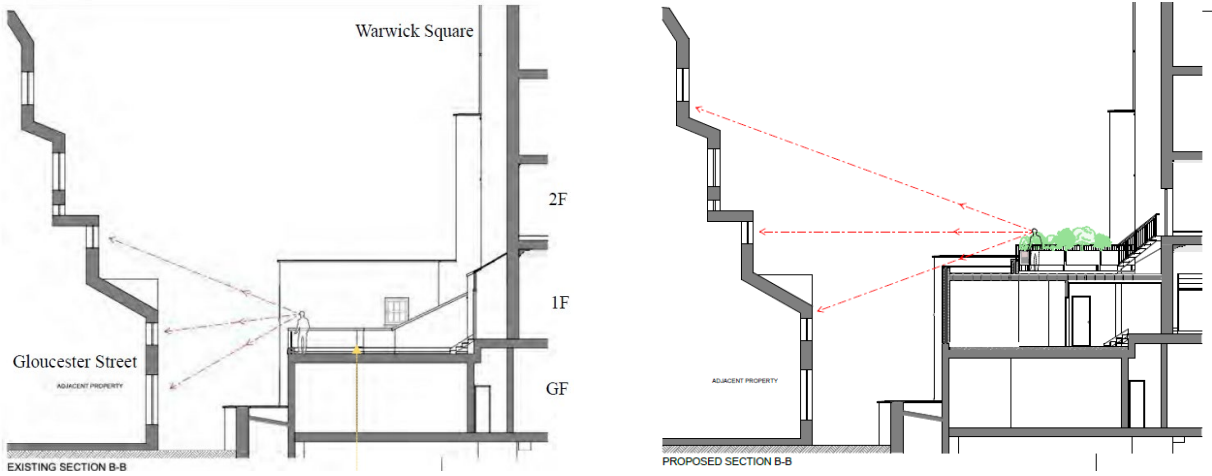
Proposed section BB



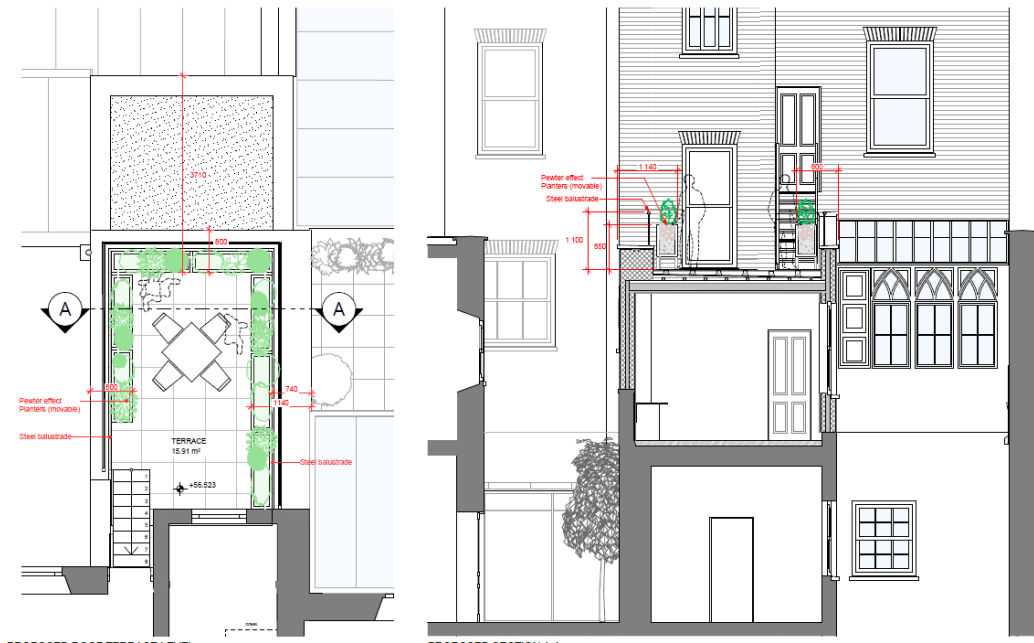
Existing and proposed sightline (i)



Existing and proposed sightline (ii)



Existing and proposed sightline (ii)



Detailed plan and section of the roof terrace on the extension

DRAFT DECISION LETTER – Planning Permission

- Address:** 54 Warwick Square, London, SW1V 2AJ
- Proposal:** Extensions at rear first floor level; creation of roof terrace at rear second floor and alterations to existing rear first floor conservatory in connection with use of first and second floors as two 1-bedroom flats.
- Reference:** 23/00721/FULL
- Plan Nos:** Existing drawings:
A/01, A/101-Rev A, A/102-Rev A, A/103-Rev A, A/104-Rev A, A/105-Rev A, A/106-Rev A;

Proposed drawings:
A/201-Rev D, A/202-Rev D, A/203-Rev C, A/204-Rev D, A/205-Rev D, A/215, SK/511- Rev A, SK/513 - Rev A, Daylight and Sunlight Report dated 17 January 2022

Case Officer: Morgan Cheung

Direct Tel. No. 07971092759

Recommended Condition(s) and Reason(s)

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

Reason:

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

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

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

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

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

Reason:

To protect the environment of neighbouring occupiers. This is as set out in 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 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 Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 4 You must apply to us for approval of details of the following parts of the development:

1. Railings (1:10)
2. External windows and doors (1:10)
3. External terrace access stair (1:20)
4. Planters (1:10)

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 details. (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 Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 5 The facing render must match the existing original work in terms of colour and texture. This applies unless differences are shown on the approved drawings.

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 Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 6 Except for those shown on the approved drawings, you must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the flat roof/ roof terrace.

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 Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 7 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

1. Amend solid panel shown on first floor conservatory to a window to match the detailing and glazing pattern of adjacent existing retained windows.

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

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 Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 8 You must paint the terrace railings black and maintain them in that colour.

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 Pimlico Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26FE)

- 9 The design and structure of the building 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 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night. Inside bedrooms 45 dB L Amax is not to be exceeded more than 15 times per night-time from sources other than emergency sirens. (C49BB)

Reason:

To ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the same or adjoining buildings from noise and vibration from elsewhere in the development, as set out Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021) and the Environmental Supplementary Planning Document (February 2022). (R49BB)

- 10 You must apply to us for approval of details of secure cycle storage for the residential use. You must not start any work on this part of the development until we have approved in writing what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation and make it available at all times to

everyone using the two residential flats. You must not use the cycle storage for any other purpose. (C22HA)

Reason:

To provide cycle parking spaces for people using the development in accordance with Policy 25 of the City Plan 2019 - 2040 (April 2021). (R22FB)

- 11 You must apply to us for approval of details of how waste is to be stored on site and how materials for recycling will be stored separately. You must not occupy the residential use hereby approved until we have approved what you have sent us. You must then provide the waste and recycling storage prior to occupation of the development and thereafter permanently retain the stores according to these details. You must clearly mark them and make them available at all times to everyone using the two residential flats. You must not use the waste and recycling store for any other purpose. (C14GB)

Reason:

To protect the environment and provide suitable storage for waste and materials for recycling as set out in Policies 7 and 37 of the City Plan 2019 - 2040 (April 2021). (R14CD)

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.

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 – Listed Building Consent

- Address:** 54 Warwick Square, London, SW1V 2AJ
- Proposal:** Extensions at rear first and second floor levels; creation of roof terrace at rear second floor and alterations to existing rear first floor conservatory in connection with use of first and second floors as two 1-bedroom flats.
- Reference:** 23/00722/LBC
- Plan Nos:** Existing drawings:
A/01, A/101-Rev A, A/102-Rev A, A/103-Rev A, A/104-Rev A, A/105-Rev A, A/106-Rev A
- Proposed drawings:
A/201-Rev D, A/202-Rev D, A/203-Rev C, A/204-Rev D, A/205-Rev D, A/215, SK/511- Rev A, SK/513 - Rev A

Case Officer: Morgan Cheung

Direct Tel. No. 07971092759

Recommended Condition(s) and Reason(s)

- 1 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:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 2 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 Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 3 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 Pimlico Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 4 You must apply to us for approval of details of the following parts of the development:

1. Railings (1:10)
2. External windows and doors (1:10)
3. External terrace access stair (1:20)
4. Chimneypieces (1:20)
5. Window shutters and architraves (1:10)
6. Plans showing new internal service route locations and impact on historic fabric.
7. Schedule of internal doors identifying doors to be retained or replaced and 1:10 detailed drawings of new internal doors.
8. New cornices (1:5) including reflective ceiling plans showing areas of corning to be retained or replaced.
9. Planters (1:10)

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 details. (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 Pimlico Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 5 The facing render must match the existing original work in terms of colour and texture. This applies unless differences are shown on the approved drawings.

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 Pimlico Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 6 Except for those shown on the approved drawings, you must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the flat roof/ roof terrace.

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 Pimlico Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 7 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

1. Amend solid panel shown on first floor conservatory to a window to match the detailing and glazing pattern of adjacent existing retained windows.

You must not start on these parts of the work until we have approved in writing what you have sent us. You must then carry out the work according to the approved drawings. (C26UC)

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 Pimlico Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 8 The terrace railings hereby approved shall be painted black and maintained that colour.

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 Pimlico Conservation Area. This is as set out in Policies 38 and 39 of the City Plan 2019 - 2040 (April 2021). (R27AC)

- 9 The new joinery work must exactly match the existing original work unless differences are shown on the drawings we have approved. (C27EA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BE)

- 10 You must not disturb existing original plasterwork, joinery and internal doors unless changes are shown on the approved drawings. (C27MA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

(R27BE)

- 11 You must remove the redundant surface mounted cabling from the building before you residential units are occupied. (C26VA)

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in Policy 39 of the City Plan 2019 - 2040 (April 2021) and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

(R27BE)

Informative(s):

- 1 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, the London Plan (March 2021), the City Plan (April 2021), as well as relevant supplementary planning guidance, representations received and all other material considerations.

The City Council has had special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and has decided that the proposed works would not harm this special architectural or historic interest; or where any harm has been identified it has been considered acceptable in accordance with the NPPF.

In reaching this decision the following were of particular relevance:, Policies 38, 39 and 40 of the City Plan 2019 - 2040 adopted in April 2021 and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 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)

Item No.
3

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.