

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 26 October 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Warwick	
Subject of Report	74 Eccleston Square Mews, London, SW1V 1QN		
Proposal	Conversion of garage to habitable living accommodation (Retrospective application).		
Agent	JJA Planning		
On behalf of	Mr Mark Shearer		
Registered Number	21/04382/FULL	Date amended/ completed	29 June 2021
Date Application Received	29 June 2021		
Historic Building Grade	Unlisted		
Conservation Area	Pimlico		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

74 Eccleston Square Mews is located at the northern-most end of this private mews. The building comprises of two storeys plus a mansard roof and is in use as flats. This application relates to 74 Eccleston Square Mews, which is a ground floor flat and can be accessed from both Eccleston Square Mews and Belgrave Road. The building is not listed but lies within the Pimlico Conservation Area.

In 2003 permission was granted for the use of the ground floor of 74 Eccleston Square Mews as a one bedroom flat with integral garage. A condition required the garage not to be used for any purpose other than to store a private motor vehicle of the occupier of the ground floor flat. In 2016 the garage was converted into a second bedroom with ensuite bathroom. This application seeks retrospective planning permission to retain the habitable living accommodation in place of the garage.

The key issue for consideration is:

- The impact of the proposals on the local highway network and vehicle parking levels.

Item No.
3

The proposals have received both objection and support. The objector is primarily concerned that the loss of the garage will lead to increased parking pressure in the mews, and particularly any parking that takes place directly outside the application site has a harmful impact and obstructs neighbours in the shared cul-de-sac at this end of the mews. Supporters welcome the increase in habitable accommodation primarily because the improved flat layout and additional living accommodation will encourage families to live in the area.

For the reasons set out in this report, the proposal is considered acceptable in highways terms and is in accordance with the policies set out in our City Plan 2019-2040 (adopted April 2021). The application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



74 Eccleston Square Mews



Long view towards 74 Eccleston Square Mews

5. CONSULTATIONS

WESTMINSTER SOCIETY

Any response to be reported verbally.

PIMLICO NEIGHBOURHOOD FORUM

Any response to be reported verbally.

PIMLICO FREDA

Any response to be reported verbally.

HIGHWAYS PLANNING MANAGER

Acceptable. The Unitary Development Plan policy no longer exists which once protected existing off-street residential parking. The new City Plan does not support off-street parking in residential development. However, there is reference in the supporting text to suggest that the Council should not allow parking pressure to increase above an 80% threshold. The proposal would not result in a breach of this threshold. This is a private mews and not a public highway and therefore the council does not have power to create any parking bays. Two off-street cycle parking spaces should be provided on site which should be secured by planning condition.

NEIGHBOURS/ADJOINING OWNERS

No. consulted: 27

No. of responses: 11 (from nine properties)

No. of objections: 2 (from one property)

No. in support: 9 (from eight properties)

Objection was received on the following grounds:

Highways

- If a vehicle were to be parked outside the applicant's garage doors this would result in obstruction of the shared access zone to the narrow cul-de-sac at the northern end of the mews. This could potentially block vehicular access to and from parking spaces in front of neighbouring properties nos. 72 and 73 Eccleston Square Mews.
- The historic 2003 planning permission at the site required the retention of an off-street parking space and secured this by condition.
- The planning policy wording has not changed in a way which would allow this condition to be removed or development to be approved without the retention of an on-site car parking space. Policy 27 of Westminster's City Plan does not indicate anywhere that where existing on-site residential parking has been previously required that this can now be removed. Meanwhile, Policy 27 part F refers to situations where sites are redeveloped, which is not the situation in this application. Regardless, even if there were exceptions, the proposal would still have negative amenity impacts for not including a car-parking space. Overall, whilst the parking policy has evolved in the new City Plan, it does not support the removal of an existing car parking space that was considered so important from environmental and amenity reasons that the original planning permission required a planning condition

to ensure that it was not lost.

- There is an unusually high number of supporting comments from properties that would be completely unaffected by the amenity impacts of the proposal.
- The statement made by the applicant that the conversion has proven to raise no harm to the environment of residents and the area generally is incorrect given that harm has in fact been caused in the past by the poor and obstructive parking practices of occupants of no. 74, and harm will potentially continue to be caused by future occupants of no. 74 if on-site parking is removed and the integral garage is lost; there is no other planning control mechanism to prevent this obstructive parking occurring on a private roadway.
- Should the Council grant planning permission, a Section 106 agreement should be entered into, or planning condition attached, to make the proposal acceptable. For example, requiring that the owner, occupier, or visitors of 74 Eccleston Square Mews must not use Eccleston Square Mews for parking or storage of any motor vehicle.

Support was received on some or all of the following grounds:

Land Use

- Conversion of a redundant garage to deliver a future proofed family home should be welcomed.
- Approval of this application will encourage a growing family to stay living in central London as they are able to maximise the liveable space in their flat.
- Most houses have converted their garages and this proposal simply brings the property in line with the desirable trend of making the area work for families.
- This is consistent with the new city plan approach which has a stronger emphasis on families.

Highways

- There is plenty of parking available in the area. Belgrave Road has ample parking and which the applicant consistently uses to park their car.
- The current owner has never parked in Eccleston Square Mews.
- Garages in mews buildings are never used as garages for cars as they are too small for modern cars to fit and they simply become under-utilised storage rooms.
- Mews residents have a right to park outside their houses whether they have a garage or not, as evidenced by other neighbours in the Mews.
- The site is in a very sustainable location, with excellent public transport accessibility.
- Garage use at the end of the mews would result in negative impacts such as poorer

air quality, increased traffic hazards and greater levels of congestion.

Design

- Having a disused scruffy garage versus a renovated liveable extra room makes obvious and good sense for everyone.

Amenity

- There is no impact on any other resident in the mews from this proposal.

SITE & PRESS NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

Eccleston Square Mews is a private mews, accessed from Warwick Way, either using Warwick Way North or West Warwick Place. The mews is characterised by a linear row of two-storey with mansard roof mews houses.

74 Eccleston Square Mews is located at the northern-most end of this private mews. The building has two storeys plus a mansard roof extension and is in use as two flats. 74 Eccleston Square Mews is a ground floor flat, which can be accessed from both Eccleston Square Mews and Belgrave Road. The upper two floors above are in use as a maisonette, Flat C Belgrave Road. The building is not listed but lies within the Pimlico Conservation Area.

6.2 Relevant History

31 December 2003

Permission granted for 'Installation of new windows, door and garage door at ground floor level (Eccleston Square Mews elevation), new windows and door at ground floor level (Belgrave Road elevation) in connection with use of the ground floor as a 1-bedroom self-contained flat (Class C3) with integral garage' (Ref. 03/06163/FULL).

Condition 9 states:

You must not use the garage for any purpose other than to store a private motor vehicle of the occupier of the ground floor flat.

16 December 2013

Permission refused for 'Retention of living accommodation (associated with existing dwelling) in place of a garage and storage accommodation' (Ref. 13/10782/FULL).

The reason for refusal was on the grounds that the development would lead to the loss of off-street parking, which would add to an already high demand for on-street car parking in the area and adversely affect people living in the area.

A subsequent appeal was dismissed on 08 December 2014 (Ref. 14/00115/TPREF).

Since the planning appeal was dismissed in 2014, the space in-question was reverted back to an integral garage. However, following a change of owner in 2015, the space was again converted into habitable living accommodation with works stated to have been completed by May 2016. The applicant seeks to regularise the works.

7. THE PROPOSAL

74 Eccleston Square Mews was a one bedroom flat with integral garage. A condition required the garage not to be used for any purpose other than to store a private motor vehicle of the occupier of the ground floor flat. In 2016 the garage was converted into a second bedroom with ensuite bathroom. This application seeks retrospective permission to retain the habitable living accommodation in place of the garage.

No external works are proposed as part of this application.

The full planning history of the site is presented in Section 6.2 above.

8. DETAILED CONSIDERATIONS

8.1 Land Use

Following the garage conversion, the creation of additional living accommodation has created a two bedroom flat with no garage. Supporters of the proposal comment that the additional habitable living space is welcomed as this would help accommodate a family to live in the flat. The proposal is in accordance with City Plan Policy 8 (Housing delivery) that seeks to protect existing residential uses and floorspace.

8.2 Townscape and Design

No external works are proposed as part of this application.

8.3 Residential Amenity

The proposal does not raise any amenity issues in terms of loss of daylight and sunlight, sense of enclosure, overshadowing, privacy, outlook or overlooking. Highways/ Parking issues are dealt with in section 8.4

8.4 Transportation/Parking

The City Council's planning policy on parking has evolved since the adoption of Westminster's new City Plan 2019-2040 (adopted in April 2021). Prior to this, off-street parking spaces were protected by Policies STRA 25 and TRANS 23 of the former Unitary Development Plan (UDP). The UDP has been superseded by the new City Plan.

City Plan Policy 27 (Parking) encourages car-free development for development proposals in line with the requirements of the London Plan and to encourage people to use more sustainable modes of transport, especially where sites have excellent access to public transport. This is necessary to help reduce congestion and improve air quality and road safety, of which are also pertinent ambitions of the City Council. Consequently,

Policy 27 no longer protects existing off-street parking.

74 Eccleston Square Mews, and the entire surrounding area, has a PTAL (Public Transport Accessibility Level) rating of 6b (on a scale of 1-6, where 6b is the best possible rating). The site is in close to Victoria Station to the north west and Pimlico LUL Station to the east, as well as bus stops on Belgrave Road, Wilton Road and Buckingham Palace Road. Parking is also available, subject to controlled hours and resident permits, on Belgrave Road, Warwick Way and Warwick Place North.

Objections to the loss of the garage off-street parking space have been received from an adjacent neighbour on grounds that if a vehicle was parked on the mews outside 74 Eccleston Square Mews then this would result in obstruction of the shared access zone to the narrow cul-de-sac at this northern end of the mews. The objector states that any parking outside 74 Eccleston Square Mews could potentially block vehicular access to and from parking spaces in front of neighbouring properties, nos. 72 and 73 Eccleston Square Mews. The objector states that harm has been caused in the past by the poor and obstructive parking practices of occupants of no. 74, and harm will potentially continue to be caused by future occupants if on-site parking is removed and the integral garage is lost.

The objector further states that the historic 2003 planning permission required the retention of an off-street parking space and secured this by condition. In addition, the objector states that, whilst parking policy has evolved in the new City Plan, it does not support the removal of an existing car parking space that was considered so important from environmental and amenity reasons that the original planning permission required a planning condition to ensure that it was not lost.

Supporters of the proposals comment that many garages in the mews are too small to accommodate modern cars and are more often than not utilised as storage spaces. Some supporters also comment that residents have right to park outside their property regardless as to whether they have a garage or not, and also that there is sufficient parking space in the area particularly on Belgrave Road.

The Highways Planning Manager has reviewed the proposals and does not raise an objection to the loss of the garage/ off-street parking space. The new City Plan Policy 27 does not allow off-street parking in residential developments, so it is therefore considered unreasonable to protect existing spaces. However, the supporting text of Policy 27 suggests the council should not allow parking pressure to increase above an 80% threshold. The Highways Planning Manager has reviewed the relevant parking data for the surrounding area and the 80% threshold is not and would not be breached by the loss of one garage.

In some circumstances the council could ask an applicant to pay to get rid of a yellow line in front of a garage entrance and convert the space to a parking space, thus providing a public space in place of a private one. However, that would not be appropriate here as the road is not public highway, so the council would have no power to create any parking bays. Neither is there an existing footway crossover that would need to be replaced.

On the basis of the considerations set out above, the objections to the proposal cannot

be sustained. It would also be unreasonable to refuse permission on the grounds of impeding parking for neighbouring residents when such circumstances could potentially arise regardless of whether the integral garage is in situ or not. For example, owners of other neighbouring properties in the Mews could park in a way that could impede access to no. 74's garage.

The loss of an integral garage, whilst regrettable, is considered to be compliant with City Plan Policy 27 and would not have a negative impact on the local highways network, existing parking availability or parking thresholds.

The objector asks that should the council grant planning permission, a Section 106 agreement should be entered into, or planning condition attached, to make the proposal acceptable. For example, requiring that the owner, occupier, or visitors of 74 Eccleston Square Mews must not use Eccleston Square Mews for parking or storage of any motor vehicle. It is however considered unreasonable to restrict the occupier of 74 Eccleston Square Mews from using this private mews.

The applicant has agreed to the imposition of a condition to secure cycle parking. This is considered to be a planning benefit of the scheme granted that cycle parking is not required for development proposals such as this. The cycle parking would help meet the ambitions of City Plan Policy 25 which promotes sustainable modes of transport and therefore prioritises walking and cycling in the city.

In the interests of public safety, a condition is also recommended requiring a revised ground floor that shows that the former garage door does not open out over the private Mews.

8.5 Economic Considerations

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

8.6 Access

The property can be accessed from both its principal elevation (southern elevation) via Eccleston Square Mews at ground floor level (step-free), and via a lower ground lightwell using a staircase on Belgrave Road (northern elevation). No changes to access are proposed.

8.7 Other UDP/Westminster Policy Considerations

None.

8.8 Westminster City 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 s.38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan adopted in March 2021 and, where

relevant, neighbourhood plans covering specific parts of the city (see further details in Section 8.9). As set out in s.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.

8.9 Neighbourhood Plans

None are relevant to this application.

8.10 London Plan

This application raises no strategic issues.

8.11 National Policy/Guidance Considerations

The City Plan 2019 - 2040 (April 2021) policies referred to in the consideration of this application are considered to be consistent with the NPPF 2021 unless stated otherwise.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

Not applicable to this application.

8.14 Other Issues

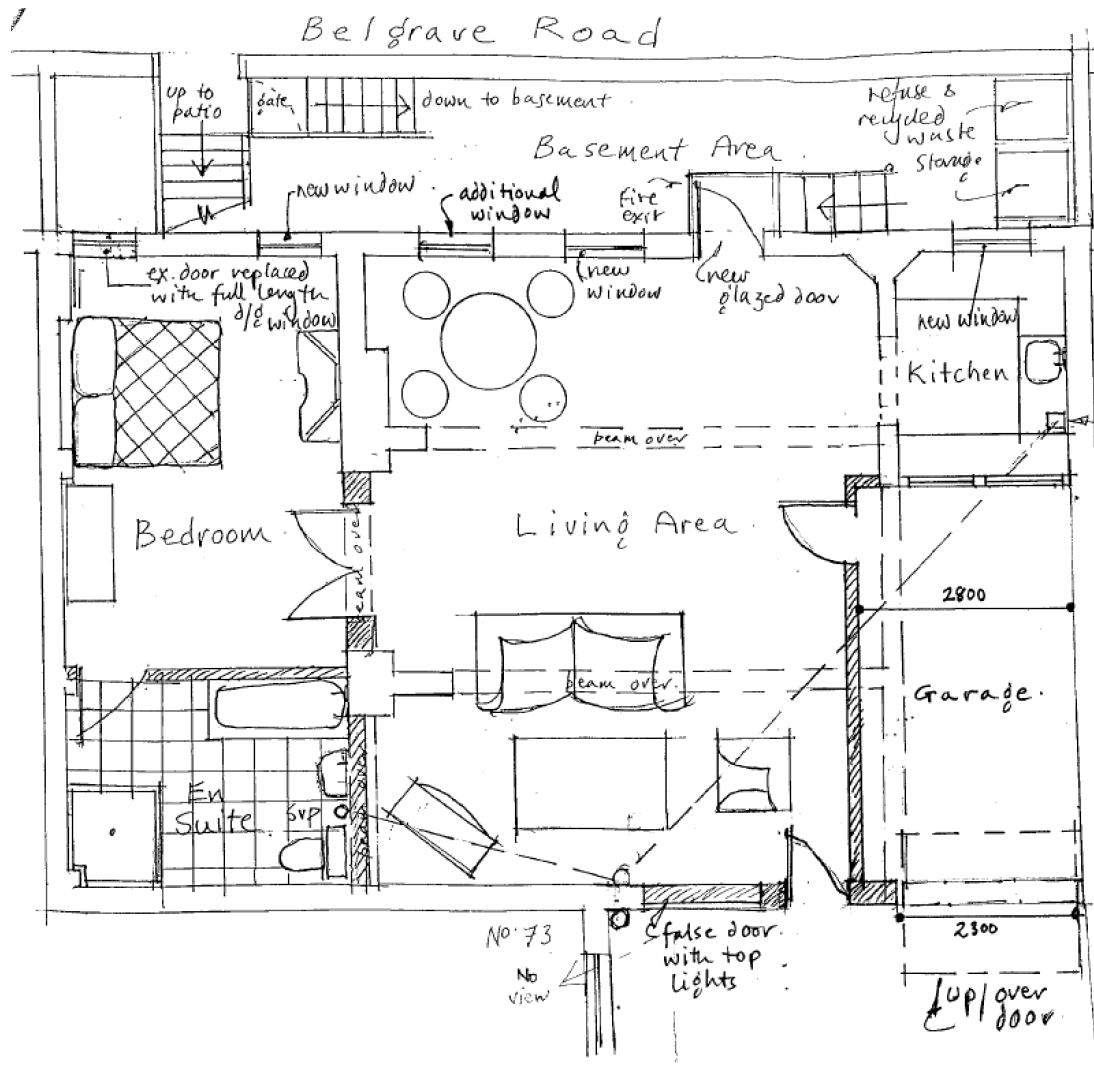
None.

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

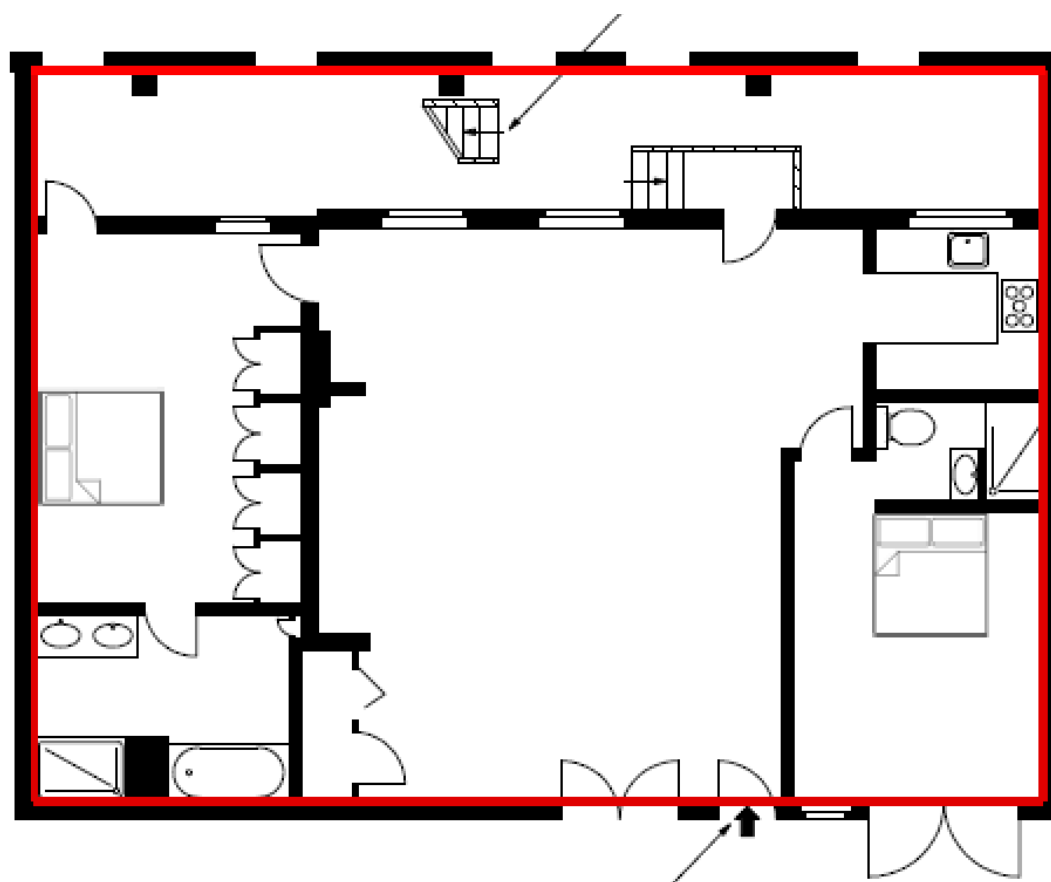
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT THE PRESENTING OFFICER: DAVID DORWARD BY EMAIL AT ddorward@westminster.gov.uk

9. KEY DRAWINGS

Existing floor plan (as approved under 03/06163/FULL)



Proposed floor plan



DRAFT DECISION LETTER

Address: 74 Eccleston Square Mews, London, SW1V 1QN

Proposal: Conversion of garage to habitable living accommodation (Retrospective application).

Reference: 21/04382/FULL

Plan Nos: Site Plan dated 27 July 2017; Location plan dated 17 November 2020; Drawing nos. 102 Rev A (proposed ground floor plan).

Information Only:

Undated document titled 'Parking Provision'; Design and Access Statement dated June 2021; Cover letter dated 29 June 2021; floorplan as proposed timestamped 2003.

Case Officer: David Dorward

Direct Tel. No. 07866038730

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 Notwithstanding what is shown on the approved ground floor plan 102 Rev A, you must apply to us for approval of a revised ground floor plan that shows all doors or gates do not open over the private Mews

Reason:
In the interests of public safety as set out in Policies 24 and 25 of the City Plan 2019 - 2040 (April 2021). (R24BD)
- 3 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 property. 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)

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.