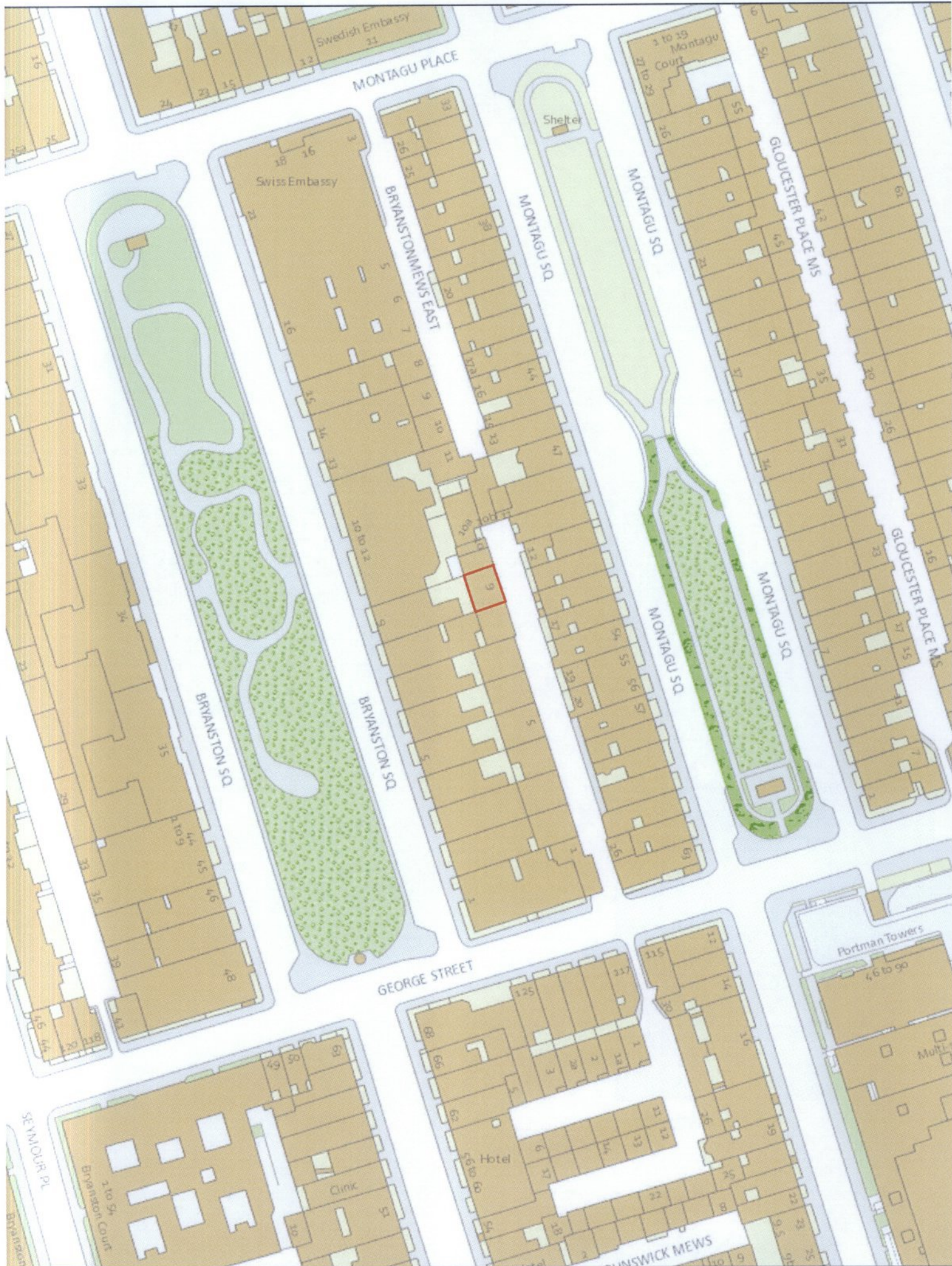


CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 27 October 2015	Classification For General Release	
Report of Director of Planning		Wards involved Bryanston And Dorset Square	
Subject of Report	9 Montagu Mews West, London, W1H 2EE		
Proposal	Alterarions including the erection of a 2nd floor roof extension, to provide access to an existing roof terrace.		
Agent	Higgs Young Architects		
On behalf of	Mr Neil Cooper		
Registered Number	15/04673/FULL	TP / PP No	TP/1190
Date of Application	30.04.2015	Date amended/ completed	27.05.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Portman Estate		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Within London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission





9 MONTAGU MEWS WEST, W1

2. SUMMARY

The site is a two storey mews house. Montagu Mews is a short residential mews situated to the west of Montagu Square within the Portman Estate Conservation Area. Permission was granted the use of the roof as a terrace in 2004. Access onto the roof terrace is via a small access hatch.

Permission is sought for the erection of a roof extension and new metal balustrade. The addition would provide more convenient access onto the roof terrace.

The key issues for consideration in this case are:

- The impact on residential amenity
- The impact on the appearance of the building and its setting in the Conservation Area.

The proposed extension is a relatively modest addition, which would not adversely impact on the amenity of surrounding residents. The extension would not readily visible from street level views and is considered acceptable in design terms. The application accords with adopted City Plan and Unitary Development Plan (UDP) policies and is recommended for approval.

3. CONSULTATIONS

MARYLEBONE ASSOCIATION :

Objection roof addition is too high and out of character with host property

ADJOINING OWNERS OCCUPIERS: No Consulted 70 Total No of responses 6

6 objections from 4 individual occupants raising some or all of the following issues:

Amenity

Loss of daylight/ sunlight/ privacy

Increased sense of enclosure

Loss of sight lines

Noise nuisance from use of the terrace

Design

The Portman Estate Conservation Area Audit indicates that the mews building is unsuitable for a roof extensions

The extension would not make a positive contribution to the character and appearance of the Portman Estate Conservation Area

Fails to preserve and enhance a listed building

Loss of original fabric

Excessive height and bulk

Inappropriate to context

Other Issues

Architects statement that neighbours support the proposal is incorrect

Marylebone Association have a conflict of interest

4. BACKGROUND INFORMATION

4.1 The Application Site

The application premises is a two storey mews building located on the western side of Montagu Mews West, a cul de sac accessed from George Street to the south. The building is

in use as a 2 x bedroom house, comprising living room, dining room, kitchen and garage at ground floor level with bedrooms, bathroom and study on the first floor. A small access hatch allows access onto a decked roof terrace. The roof is enclosed by a high balustrade. The mews and surrounding area are residential primarily residential.

The building is not listed but lies within the Portman Estate Conservation Area.

4.2 Relevant History

On 23 September 2004 permission was granted for retention of a staircase enclosure allowing access onto the roof level terrace (RN 14/01193/FULL).

5. THE PROPOSAL

Permission is sought for the erection of a pavilion roof structure. At present the roof terrace is accessed via a pull down ladder and the small access hatch. The proposed scheme would extend a staircase into the new glazed pavilion structure to provide improved access onto the roof. The application includes the provision of a new front and rear metal balustrade.

6. DETAILED CONSIDERATIONS

6.1 Land Use

Not applicable

6.2 Townscape and Design

No. 9 forms part of a group of post-war mews buildings, from nos. 4 to 9 inclusive, which do not feature full roof storeys. However, they do have roof level terraces with small access structures. The Portman Estate Conservation Area Audit states that, because of the unextended nature of the group, the principle of a roof extension is unacceptable. However, since the Audit was published circumstances have changed slightly. Planning permission has been granted for a roof level extension (but not a full roof storey) at no.5 in 2009 and no.6 in 2014. These are modern in design, do not occupy the full width of the buildings and are set back so that they are not visible from street level.

The current proposal is to add a modern extension to provide access to the roof. It is set back from the front facade and does not extend the full width of the property. The extension will be barely visible from the street; the fascia will be visible above the existing parapet from the east side of the mews.

Objections have been received from the Marylebone Association and nearby residents that the extension is out of keeping with the building and would be harmful to the appearance of the building and its setting in the Portman Estate Conservation Area. One of these objections refers to harm to a listed building. The building is not listed and for the reasons set out above it is considered that the set-back extension would not harm the appearance of the building or the townscape.

Given the recent history of this side of the mews and the relatively small visual impact from street level the proposal is considered to comply with UDP Policies DES 1, DES 6 and DES 9.

6.3 Amenity

The proposed pavilion is set in from the front eastern elevation and the flank elevation with number 8 on the southern boundary.

Policy S29 of the City Plan seeks to safeguard the amenity of existing residents. Policy ENV13 of the UDP seeks to protect and improve the residential environment and resist proposals which would result in a material loss of daylight and sunlight and/or significant increase in sense of enclosure or overlooking.

Objections have been received from neighbouring residents on the grounds that the height and bulk of the extension would result in a material loss of daylight and sunlight, an increased sense of enclosure and that the proposal would result in a loss of privacy.

6.3.1 Daylight and Sunlight

Policy ENV13 seeks to ensure good daylighting levels for habitable rooms in existing premises. Recommended standards for daylight and sunlight in residential accommodation are set out in the Building Research Establishment (BRE) publication 'Site layout planning for daylight and sunlight' (second edition 2011). The applicant has undertaken a daylight and sunlight assessment in accordance with the BRE guidelines.

The properties tested include No's 8, 9, 10-12 Bryanston Squaresituated directly to the rear and 12 Montagu Mews West located to the front, all of which are residential properties.

With regard to daylight, Vertical Sky Component (VSC) is the most commonly used method for calculating daylight levels and is a measure of the amount of sky visible from the centre point of a window on its outside face. This method does not need to rely on internal calculations, which means it is not necessary to gain access to all the affected properties. If the VSC achieves 27% or more, then the BRE guide advises that the windows will have the potential to provide good levels of daylight. If, however, the light received by an affected window, with the new development in place, is both less than 27% and would be reduced by 20% or more as a result of the proposed development, then the loss would be noticeable.

The assessment demonstrates that the impact to daylight levels to all the windows tested would be very minor. The greatest loss is only 2.6%. In all cases the losses in VSC levels are well below the 20% guideline which the BRE guidelines refer to as being noticeable.

In terms of sunlight, the BRE guidelines state that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH) including at least 5% during the winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% of the original sunlight hours either over the whole year or just during the winter months, then the occupants of the existing building will notice the loss of sunlight. Windows are tested if they face within 90 degrees of due south.

At 10-12 Bryanston Street (to the rear) one window would experience a loss of 33% winter sunlight. The windows are east facing and only receive early morning sunlight. The study shows that in the case of the single window in which there is a technical breach currently receives 3% of the annual probable winter sunlight hours and this would be reduced to 2%. Therefore although this is of 33% and a technical breach of the BRE guidelines this can be attributed to the existing low winter sunlight levels and the actual impact of the development is minimal.

6.3.2 Sense of enclosure

Given the distance between the application premises and neighbouring buildings it is considered that the increase in bulk and mass would not result in a significant increased sense of enclosure.

6.3.3 Privacy/Overlooking

The use of the roof as a terrace was permitted in 2004. A number of other properties on the western side of the Montagu Mews West have permitted roof terraces. The proposed extension will facilitate improved access to the existing terrace. It is considered that this will not result increased overlooking or loss of privacy.

6.4 Transportation/ Parking

Not applicable

6.5 Equalities and Diversities

Not applicable

6.6 Economic Considerations

Any economic benefits generated are welcomed.

6.7 Other UDP/Westminster Policy Considerations

Not applicable

6.8 London Plan

The proposal does not raise any strategic issues.

6.9 National Policy/Guidance Considerations

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of these applications are considered to be consistent with the NPPF unless stated otherwise.

6.10 Planning Obligations

None required.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not applicable

7. CONCLUSION

The proposal is considered acceptable subject to the recommended conditions and would accord with relevant design and amenity policies within the UDP and City Plan.

BACKGROUND PAPERS

1. Application forms
2. Email from Marylebone Association dated 30 June 2015
3. Email from Owner/Occupier Flat 18 Ellerton House 11 Bryanston Square dated 9 June 2015
4. Emails from Owner/ Occupier Flat 1 9 Bryanston Square dated 15 June (x 2) and 12 August 2015
5. Email from Owner /Occupier Flats 2 and 3 48 Montagu Square dated 23 June 2015
6. Email from Owner/Occupier Flat 4 50 Montagu Square dated 6 September 2015

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT MIKE WALTON ON 020 7641 2521 OR BY E-MAIL – mwalton@westminster.gov.uk

DRAFT DECISION LETTER

Address: 9 Montagu Mews West, London, W1H 2EE,

Proposal: Alterarions including the erection of a 2nd floor roof extension, to provide access to an existing roof terrace.

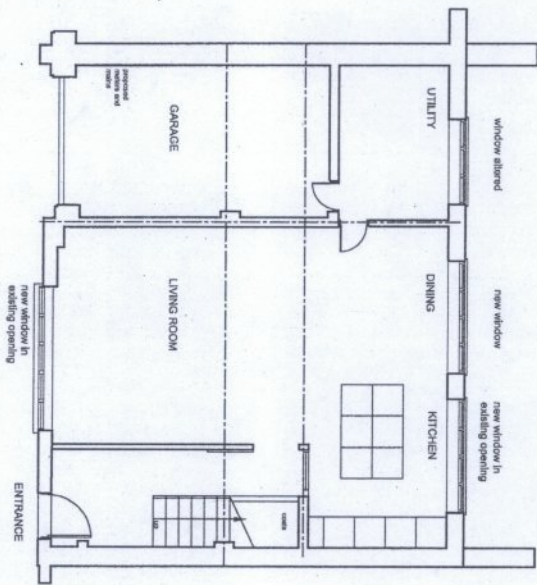
Plan Nos: 15009, 15008-11, 15008-12,15008-13, 15008-14, 15008-15, 15008-16, 15008-17.

Case Officer: Mike Walton

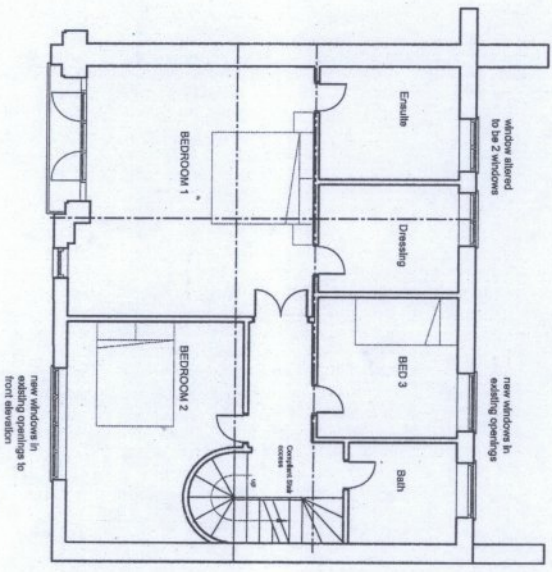
Direct Tel. No. 020 7641 2521

Unconditional or if an Advert Application only the standard advert conditions

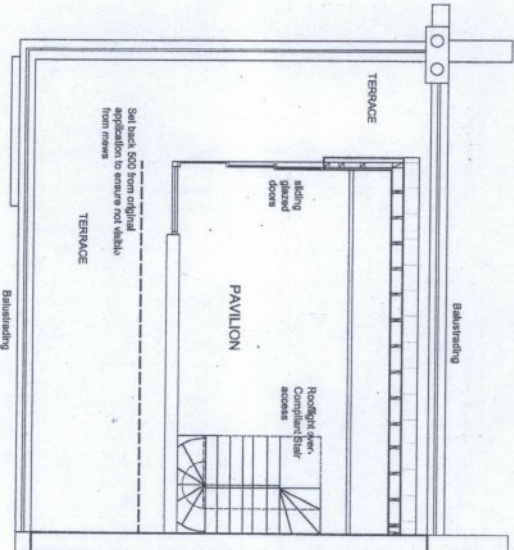
Informative(s):
DRAFT



Ground Floor Plan



First Floor Plan



Terrace Level Plan

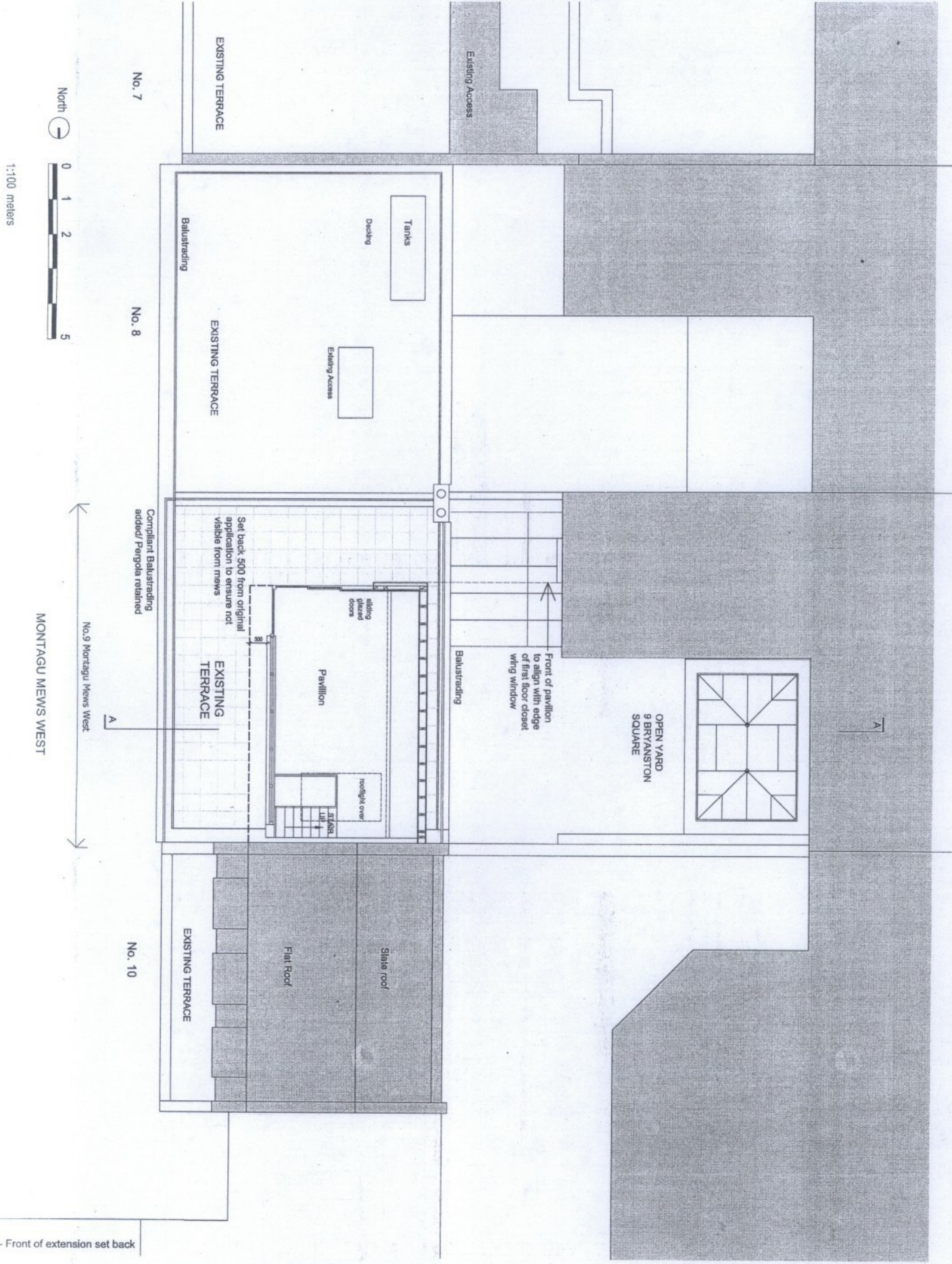


1:100 meters

Revision A - Front building line set back

CLIENT	DATE	STATUS	SCALE	PROJECT	DRAWING NAME	DRAWING NUMBER
COOPER	30-04-15	Planning	1:100 @ A3	9 MONTAGU MEWS WEST	Proposed Floor Plans	15008 - P - 17A

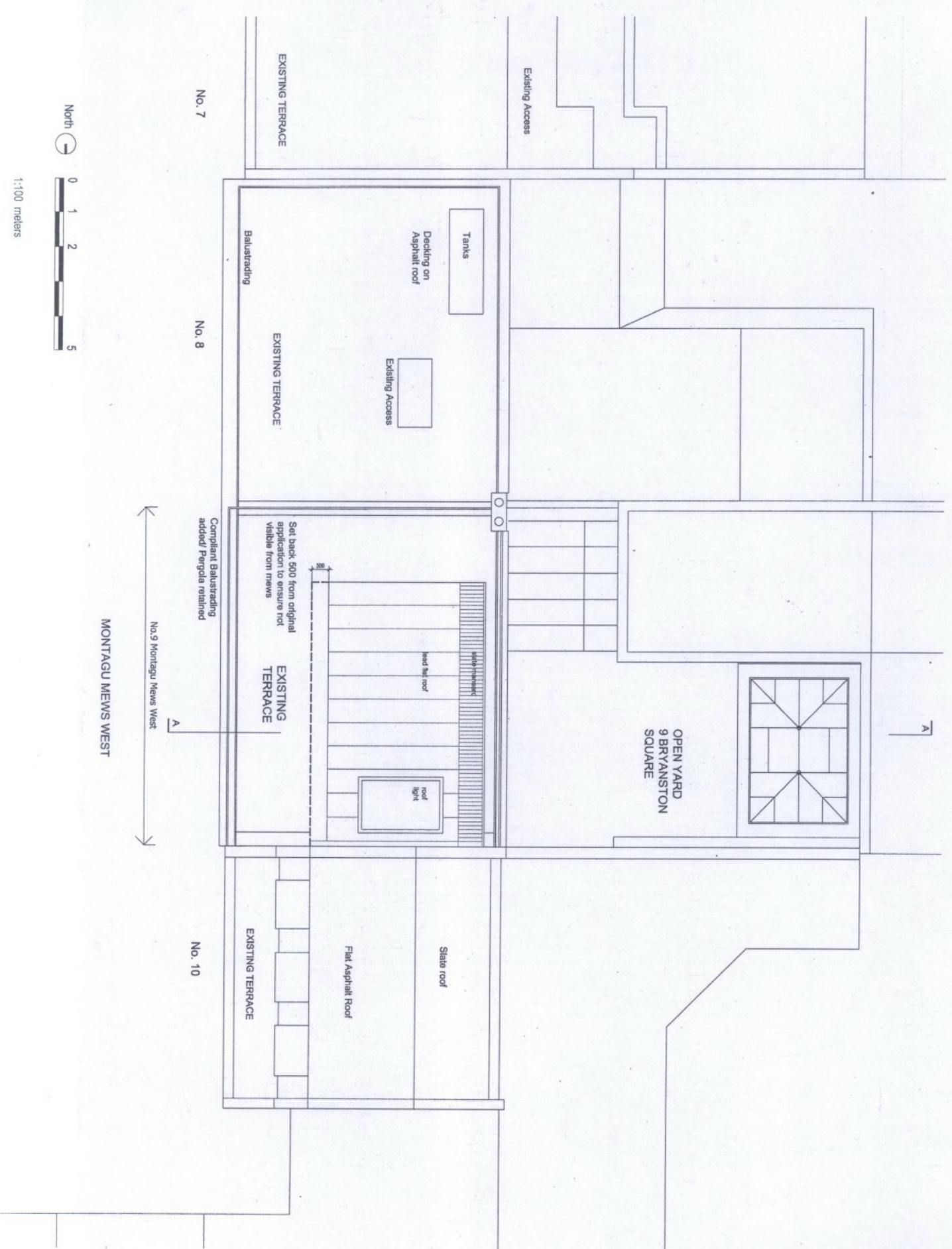
HIGGS YOUNG ARCHITECTS
 HIGGS YOUNG ARCHITECTS LTD
 54 BOSTON PLACE
 LONDON NW1 6ER
 Tel: 0044 (0)20 7724 9395
 E-mail: info@higgseyoung.com



A - Front of extension set back

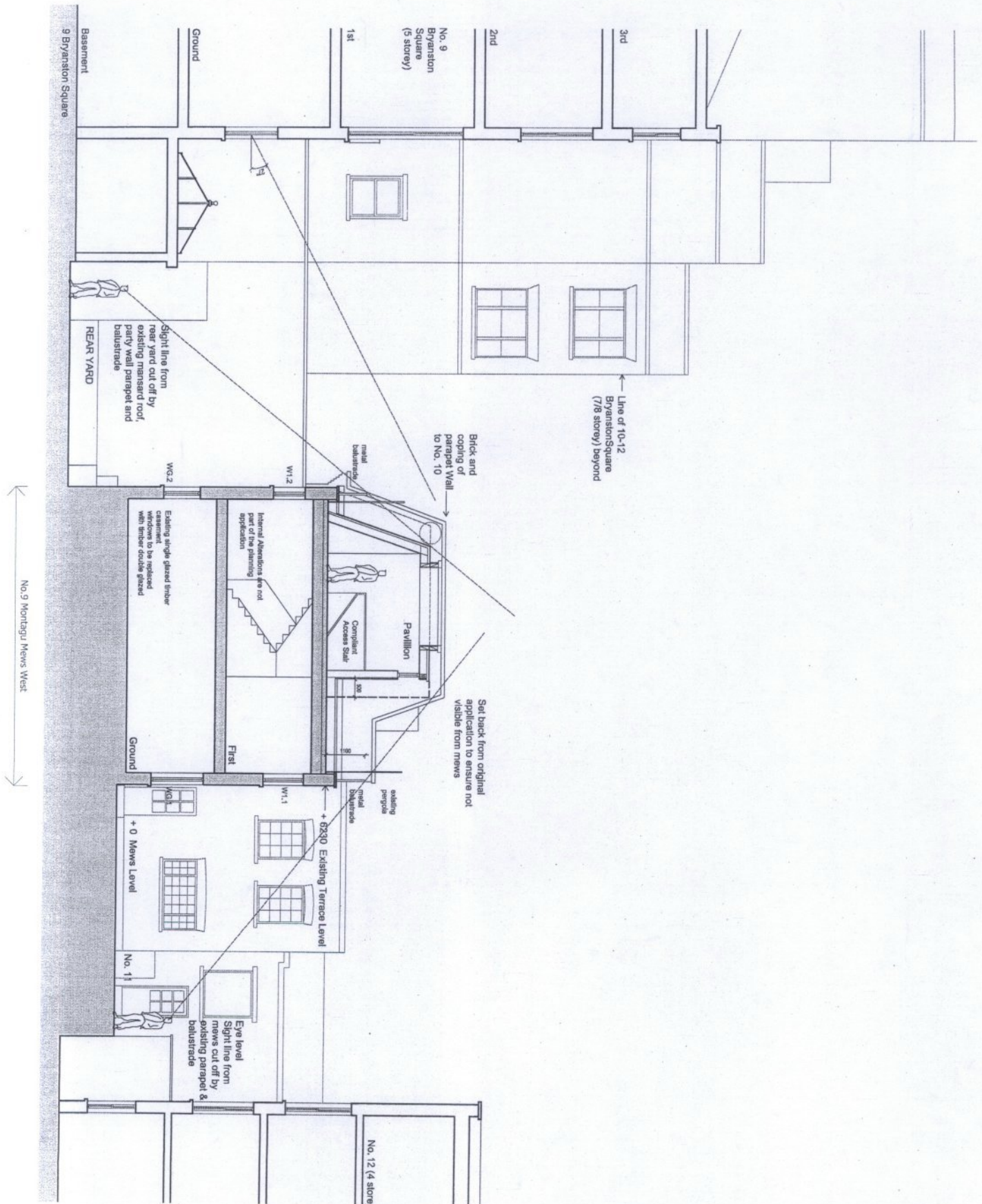
Revision A - Front building line set back

CLIENT	DATE	STATUS	SCALE	PROJECT	DRAWING NAME	DRAWING NUMBER	HIGGS YOUNG ARCHITECTS
COOPER	30-04-15	Planning	1:100 @ A3	9 MONTAGU MEWS WEST	Proposed Terrace Level Plan	15008 - P - 16A	HIGGS YOUNG ARCHITECTS LTD 54 BOSTON PLACE LONDON NW1 6ER Tel: 0044 (0)20 7724 9395 E-mail: info@higgseyoung.com



Revision A - Front building line set back

CLIENT	DATE	STATUS	SCALE	PROJECT	DRAWING NAME	DRAWING NUMBER	HIGGS YOUNG ARCHITECTS
COOPER	30-04-15	Planning	1:100 @ A3	9 MONTAGU MEWS WEST	Proposed Roof Plan	15008 - P - 11A	<p>HIGGS YOUNG ARCHITECTS LTD 54 BOSTON PLACE LONDON NW1 6ER Tel: 0044 (0)20 7724 9395 E-mail: info@higgseyoung.com</p>



Revision A - Front building line set back

CLIENT	DATE	STATUS	SCALE	PROJECT	DRAWING NAME	DRAWING NUMBER	HIGGS YOUNG ARCHITECTS
COOPER	30-04-15	Planning	1:100 @ A3	9 MONTAGU MEWS WEST	Proposed Section A-A	15008 - P - 14A	<p>HIGGS YOUNG ARCHITECTS LTD 54 BOSTON PLACE LONDON NW1 6ER Tel: 0044 (0)20 7724 9395 E-mail: info@higgsyoung.com</p>