

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 15 August 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Harrow Road	
Subject of Report	28 Shirland Mews, London, W9 3DY		
Proposal	Erection of a rear dormer extension at roof level to rear roof slope and installation of a rooflight to the front roof slope to enlarge existing dwellinghouse (retrospective application).		
Agent	Fuller Long Limited		
On behalf of	S Montakhab		
Registered Number	17/03252/FULL	Date amended/ completed	27 April 2017
Date Application Received	13 April 2017		
Historic Building Grade	Unlisted		
Conservation Area	N/A		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site is a late 20th Century mews house, which is not listed and is not located within a conservation area. The application seeks permission for the retention of a dormer extension to the rear roof slope and a rooflight which has been inserted in the front roof slope, which have already been constructed on site.

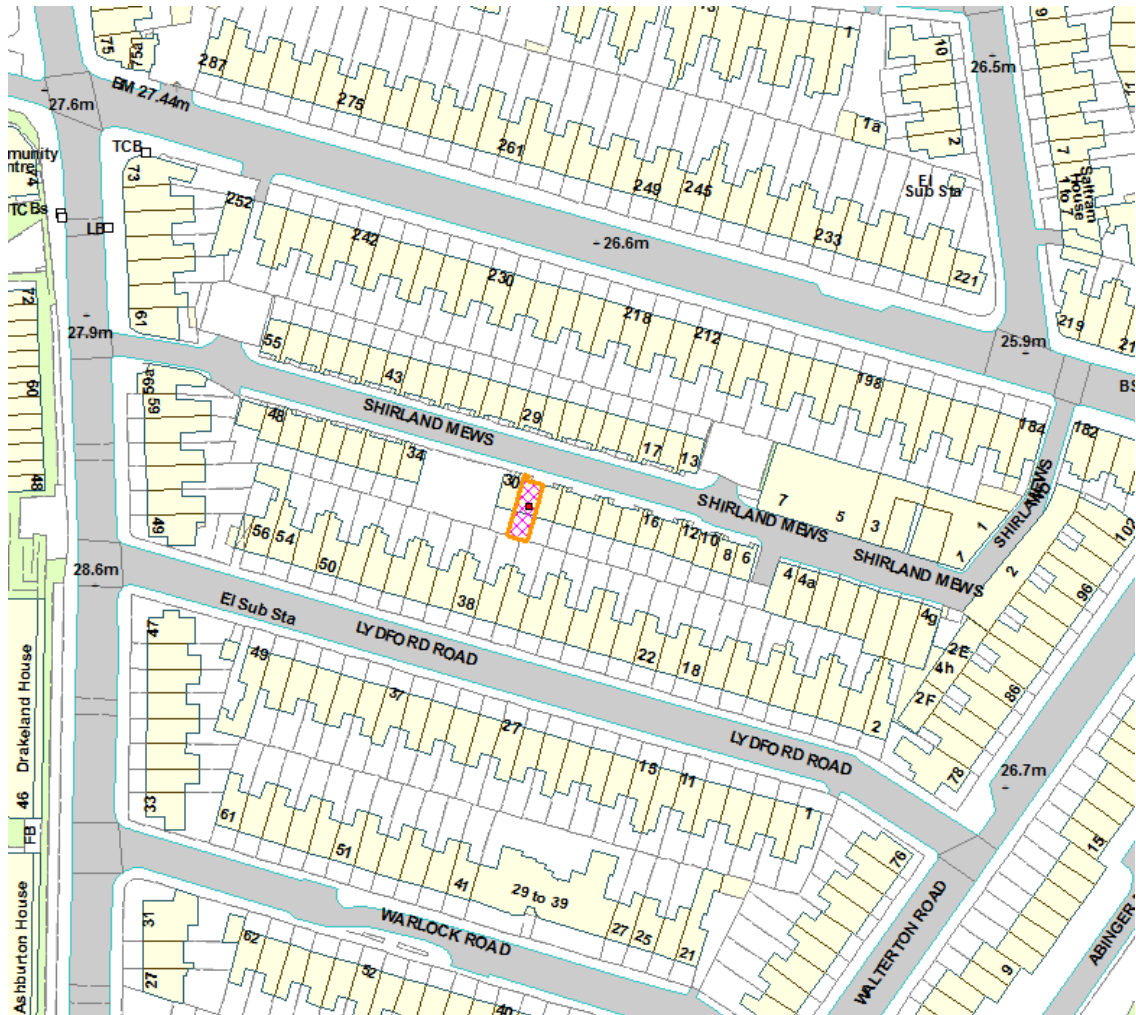
The application has attracted objection from Councillor Bush and one local resident.

The key consideration in this case is:

- The impact of the development on the appearance of the building and this part of the City.

Subject to conditions, including a condition to amend the form and design of the ridge of the building, the proposed development would be consistent with relevant land use, design and amenity policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan). As such, the application is recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS



As built front elevation (top) and as built rear elevation (bottom).

5. CONSULTATIONS

COUNCILLOR BUSH

Concern expressed that the structure has been built with disregard for the house itself and the needs of neighbours. Considers that the roof ridge should be reconstructed to match the existing pattern in the terrace, with vents as before. Does not consider that the dormer extension at No.27 opposite or the other rear dormers previously allowed under permitted development rights should provide justification for the 'as built' roofline being retained.

Concern expressed that should the application be approved, then further applications for dormers in the mews could have upstands to the ridgeline higher than that proposed in this case. Questions how, if permission is granted for retention with an amended ridge line in this case, this does not become a precedent for similar development in the future in Shirland Mews.

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 9.

Total No. of replies: 1.

No. of objections: 1.

No. in support: 0.

One letter of objection received raising objection on grounds that the roof has galvanised metal instead of the original tiles and expressing concern about how the structure was built notwithstanding the statement that that issue does not affect them as it is not visible. Confirm that their primary concern is the appearance of the building from the mews.

ADVERTISEMENT / SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a single dwellinghouse, which is unlisted and is located outside a conservation area. The street is formed of buildings constructed as two storey houses in the later 20th century.

6.2 Recent Relevant History

12 Shirland Mews

24 July 2009 – Certificate of Lawfulness issued for erection of dormer to rear roof slope (09/03932/CLOPUD).

24 Shirland Mews

15 April 2015 – Permission granted for the erection of single storey rear extension and rear dormer (15/00804/FULL).

31 Shirland Mews

27 November 2014 – Certificate of Lawfulness issued for loft conversion with rear dormer and front rooflight (14/10781/CLOPUD)

47 Shirland Mews

12 January 2009 – Certificate of Lawfulness issued for loft conversion with rear dormer plus single storey rear extension (08/09963/CLOPUD).

7. THE PROPOSAL

The application seeks permission for the retention of a dormer extension to the rear roof slope and a rooflight which has been inserted in the front roof slope, which have already been constructed on site.

The roof extension that has been erected exceeds the ridge height of the original dwellinghouse and it is for this reason that the dormer extension that has been erected to allow a loft extension is not permitted development by virtue of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (hereafter the 'GPDO'). For this reason a planning application has been made seeking to retain the dormer roof extension and associated rooflight.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The enlargement of the existing dwellinghouse is acceptable in land use terms and would accord with Policy H3 in the UDP and Policy S14 in the City Plan.

8.2 Townscape and Design

Whilst the erection of a full width dormer extension would often be considered unacceptable in design terms, it is recognised that approval has been granted for an almost full width rear dormer at No.24 Shirland Mews and furthermore such roof extensions to these small mews houses often fall within the tolerances of permitted development. Hence, certificates of lawfulness have been issued for large rear dormers to the rear roof slopes of Nos.12, 31 and 47 Shirland Mews. Given this existing context and the potential for many more such dormers being erected on other dwellinghouses along this mews under permitted development rights, the principle of a full width rear dormer, as has been built, is considered acceptable.

The dormer incorporates two windows in the rear elevation of the dormer which are in line with the windows to first floor below and it is clad in brown/ red tiles, which is consistent with the roof covering to the front roof slope of the application property and the roofs of other properties in this modern terrace. A black gutter is incorporated into a slightly projecting fascia panel. Overall, given the discrete location of the dormer roof extension and its consistency with other previously erected dormers in the same terrace, it is considered to be acceptable in private views of the rear of the application property.

To the front the 'as built' dormer extension is more contentious in design terms as the height of the dormer means it is visible above the original ridge height of the building in views from Shirland Mews. It is this impact on the appearance of the building and the

impact on the wider terrace of which it forms a part, to which the neighbouring resident and Councillor Bush raise objections. Their concerns are principally two-fold, firstly that the dormer rises above the main central ridge line to roof level with an associated creation of an upstand rising above the height of the existing roof structure, and secondly that an area to the front roof slope immediately adjacent to the dormer is clad in what the objector refers to as a 'galvanised metal finish'. Officers concur that the ridge that has been constructed to date is unacceptable due to the adverse impact it has on the roof form of the building and the terrace.

As built the dormer is appreciably higher than the height of the main ridge of the roof of the building and the terrace as a whole and as a result the vertical upstand that has been created. The upstand rises approximately 10cm above the height of the ridge to the building and projects approximately 15cm forward of the centre line of the existing ridge. The upstand and an area of flashing (for weatherproofing purposes) to the roof stand out notably given their additional height above roof level and their grey colour seen against the darker red/ brown roof tiles of the roof of the building and the wider terrace.

In terms of the raised height of the ridge, it is a characteristic feature of this terrace that there are regular vent tiles which project above the height of the ridge to a similar degree to the 'as built' upstand, albeit the vent tiles appear in a more broken form along the terrace. Seen in this context, the height of the dormer could be acceptable, provided it is more successfully 'disguised' in views from Shirland Mews, so that it appears as a continuous part of the front roof slope of the terrace.

In order to mitigate the impact of the 'as built' ridge, an amending condition is recommended to secure the cladding of the front of the upstand in brown/ red tiling to match the colour of the existing roof tiles to the building. The recommended condition would also require the areas of grey flashing to the top of the front roof slope adjacent to the upstand (likely lead or similar, rather than galvanised metal as was suggested by the objector), to be clad in roof tiles to match those elsewhere to roof level. These measures would assist in harmonising the appearance of the ridge of the dormer with the appearance of the roof of the terrace. It is therefore considered that the recommended amending condition would overcome the concerns shared by officers, Councillor Bush and the objector.

The rooflight inserted in the front roof slope is relatively small and does not unduly clutter the front roof slope of the building. The rooflight is therefore considered acceptable in design terms. It is also of note that the rooflight would be likely to be permitted development under Schedule 2, Part 1, Class C of the GPDO without further amendment being necessary.

In summary, subject to the recommended amending condition set out in the draft decision letter appended to this report, the dormer roof extension and rooflight are considered to be acceptable in design terms and would accord Policies DES 1 and DES 6 in the UDP and Policy S28 in the City Plan.

8.3 Residential Amenity

The windows within the dormer are relatively small, and along the rear of the terrace each property already incorporates two windows at rear first floor level and typically a large ground floor opening onto the rear garden. There is therefore already a high degree of

mutual overlooking between the properties in Shirland Mews and Lydford Road, which are over 13m away. As such, it is not considered that the dormer windows proposed would give rise to an unacceptable degree of overlooking. To the front, the proposed rooflight is angled such that it does not afford views to properties opposite.

The dormer does not extend beyond the rear building line of the property and as such, whilst it is a relatively large structure, it would not give rise to an unacceptable impact in terms of loss of light or increased sense of enclosure.

As such, the proposed dormer and rooflight are considered to be acceptable in amenity terms and would accord with Policy ENV 13 in the UDP and Policy S29 in the City Plan.

8.4 Transportation/ Parking

Not applicable.

8.5 Economic Considerations

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

8.6 Access

The access arrangements in to this private dwellinghouse have not been altered.

8.7 Other UDP/Westminster Policy Considerations

None relevant.

8.8 London Plan

This application does not raise any strategic issues.

8.9 National Policy/ Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

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

This development is not liable to pay Mayoral CIL or Westminster CIL.

8.11 Environmental Impact Assessment

The application is of insufficient scale to require an environmental impact assessment

8.12 Other Issues

Reference is made by the objector as to how the dormer was constructed. This appears to be reference to whether or not the roof extension has been built in accordance with

Building Regulations. However, this is not a valid ground on which to withhold planning permission and is rather a matter dealt with under a different regulatory regime. As such this is not a ground on which planning permission could reasonably be withheld.

9. BACKGROUND PAPERS

1. Application form.
2. Email from Councillor Bush dated 13 June 2017.
3. Email from an unspecified surrounding resident dated 22 May 2017.

(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: SAMUEL GERSTEIN BY EMAIL AT sgerstein@westminster.gov.uk.

DRAFT DECISION LETTER

Address: 28 Shirland Mews, London, W9 3DY

Proposal: Erection of a rear dormer extension at roof level, and installation of a rooflight to the front roof slope (retrospective application).

Reference: 17/03252/FULL

Plan Nos: Block Plan, Location Plan, L-1676M-02, letter from Fuller Long dated 13th April 2017.

Case Officer: Alistair Taylor

Direct Tel. No. 020 7641 2979

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 S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

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

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 Within 3 months of the date of this decision letter, you must apply to us for approval of detailed drawings showing the following alterations to the scheme:

- The ridge to the centre of the roof, the upstand to the dormer roof extension and the adjacent front roof slope amended by the removal/ obscuring from view of the grey flashing and the addition of roof tiles and ridge tiles to match those use to the front elevation of this building and the wider terrace. (The submitted drawings must include a detailed section drawing at scale 1:5 which shows how the roof tiles and ridge tiles will be arranged to this area of the building, including the relationship with the tiles to the retained and new sections of roof slope).

You must not start any work on these parts of the development until we have approved what you have sent us. Then within 6 months of the date of this decision letter you must carry out the work according to the amended drawings we approve pursuant to this condition. (C26UB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 The dormer to the rear roof slope shall be clad to its sides and rear elevations in tiles to match the colour and size of the existing roof tiles to the existing building.

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

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 Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 You are advised that Condition 4 requires details of the amendments to the arrangement of tiles and ridge tiles to the main ridge level of the building and areas adjacent. It appears from site inspection that the existing flashing installed to roof level may extend further down the roof slope than the ridge vents to adjoining buildings, and the section drawing should show, as far as is possible and practicable, the ridge tiles matching the height and position of the ridge vents to adjoining building, with standard roof tiles used to cover any other areas of existing flashing or upstand.

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.