

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 10 April 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Harrow Road	
Subject of Report	First To Second Floor, 41 Edbrooke Road, London, W9 2DE		
Proposal	Erection of a two storey extension to the rear closet wing at first and second floor half landing levels and installation of rooflights in main roof.		
Agent	Studio McLeod		
On behalf of	Mr John Battsek		
Registered Number	17/07723/FULL	Date amended/ completed	29 August 2017
Date Application Received	29 August 2017		
Historic Building Grade	Unlisted		
Conservation Area	N/A		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Planning permission is sought for the erection of a two storey extension to the rear closet wing at first and second floor half landing levels and three rooflights in the main butterfly roof. The rear extension is proposed to provide additional habitable space for the existing maisonette at first and second floor levels.

Objections have been received from neighbouring occupiers on a range of grounds including design, overshadowing/ loss of light, overlooking and disruption during construction, and structural concerns.

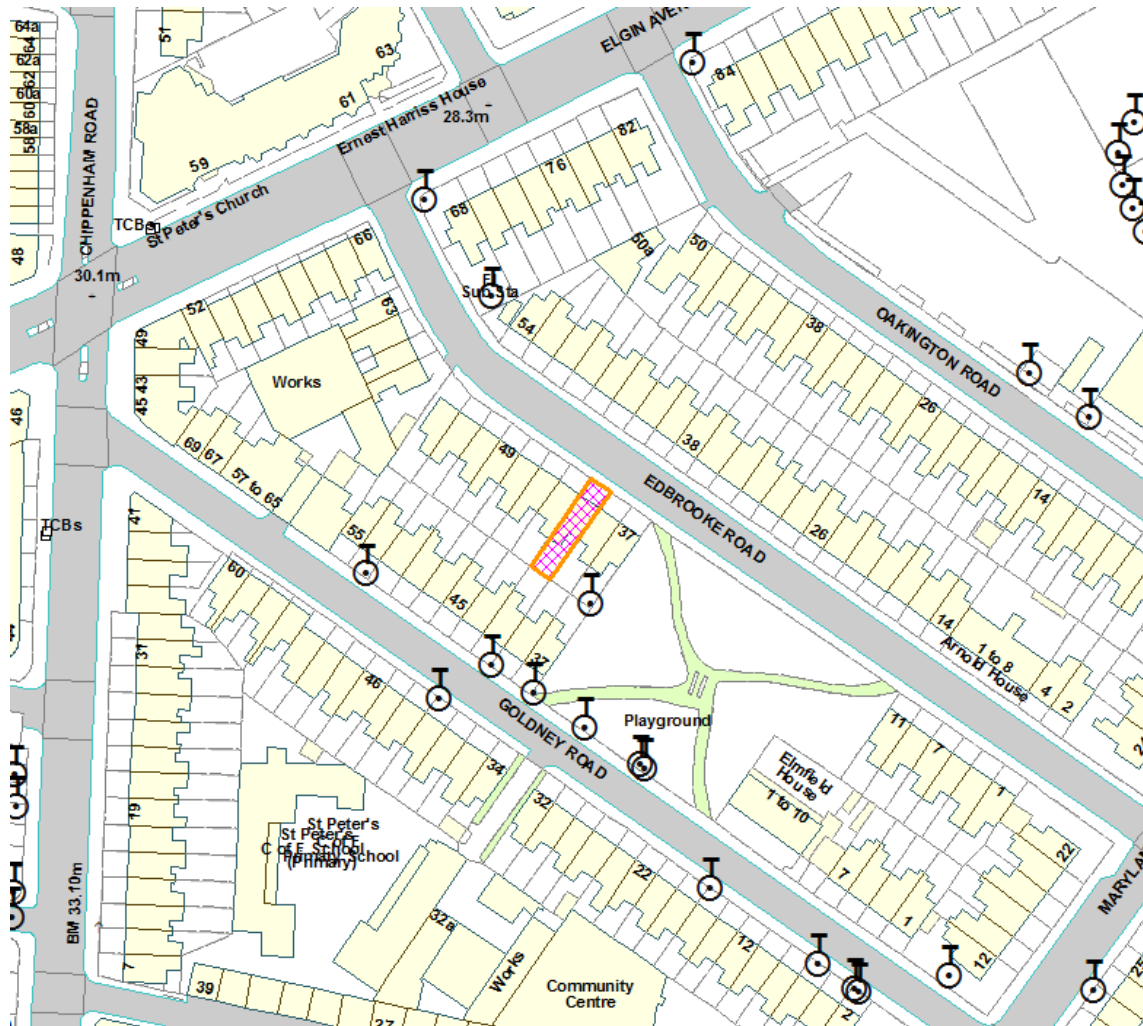
The key issues in this case are:

- The impact of the appearance of the building and this part of the City.
- The impact on the amenity of neighbouring occupiers.

The proposed development is considered to accord with the relevant Policies within Westminster's City Plan adopted in November 2016 (the City Plan) and the Unitary Development Plan adopted in

January 2007 (the UDP). Accordingly, it is recommended that permission is granted subject to the conditions set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front Elevation (top) and rear elevation with No.41 indicated by arrow (bottom).



Rear elevation in context with neighbouring properties at No.39 (on right) and No.43 (on left).

5. CONSULTATIONS

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 14.

Total No. of replies: 3.

No. of objections: 3.

No. in support: 0.

Three letters/ emails received raising objection on all or some of the following grounds:

Design

- Out of character with other properties on Edbrooke Road.

Amenity

- Overshadowing/ loss of light.
- Loss of privacy/ overlooking.

Other

- Noise and disruption during construction.
- Increase in amount of mice in their property.
- Impact of the noise and disruption on their mental health.
- Dust from construction works affecting their condition (asthma).
- Concerns over whether the extensions can be built without impacting on the building structurally.
- Strongly object; do not trust that their views will be taken into account.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises an upper floor maisonette located at first and second floors of the building, which is a mid-terrace, unlisted property located outside a conservation area. The building is not listed.

There is an existing closet extension to the rear of the lower maisonette at lower ground and ground floor level. At first floor level a shallow existing closet wing exists, which provides access on to the flat roof of this extension and the flat roof is in use as a terrace serving the upper floor maisonette.

Planning permission was previously granted in October 2016 for extension of the closet wing at first floor half landing level over the existing flat roof to enlarge the upper floor maisonette (see Section 6.2).

6.2 Recent Relevant History

16/06752/FULL

Erection of first floor extension to rear closet wing to enlarge existing flat at first and second floor levels.

Application Permitted 12 October 2016

15/00608/FULL

Erection of part single, part 2 storey rear extension with Juliette Balcony, infill at front lower ground floor to create new entrance door, hard and soft landscaping and associated alterations.

Application Permitted 16 March 2015

7. THE PROPOSAL

Planning permission is sought for the erection a two storey extension to the rear closet wing at first and second floor half landing level and installation of three rooflights within the to the main butterfly roof. The extension is proposed to provide an additional habitable floorspace for the existing first and second floor maisonette in the form of an additional bedroom/ study at first floor level and an additional bathroom at second floor level.

At first floor level the proposed extension would project 3.0m beyond the main rear wall, whilst at second floor level it would project 1.6m beyond the rear wall. The flat roof to the proposed first floor extension is proposed to be planted (i.e. a green roof or similar). Rooflights are proposed in the roof of the rear extension at both first and second floor levels.

The proposed rear extension has been revised since the original submission of the application in order to address officer concerns regarding its detailed design. The amendments comprise revision of the facing materials with the extension now proposed to be entirely finished in brick, rather than render at first floor level as initially proposed, the windows have been amended to timber sashes and a Juliette balcony initially proposed at first floor level has been omitted.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The provision of additional floor space to enlarge the existing upper floor maisonette is in accordance Policy H3 in the UDP and Policy S14 in the City Plan.

8.2 Townscape and Design

The application building is an attractive classically detailed mid 19th Century terraced property. The rear elevation has a utilitarian charm, featuring brickwork with punched openings and timber sash windows. Whilst there is some variety to bulk, form and height of rear extensions along the terrace, the predominant style is of half width closet wings, which create the typical 'L' plan form to the rear. The rear elevation is readily visible from the adjoining public gardens, which afford views down the centre of the block and as such, it is important that new additions positively contribute to the townscape of the area.

The proposed extension to the rear closet wing has been amended from its original design, which featured modern metal windows and doors and the use of a render finish. This approach would not have been in line with Policies DES1 and DES5 in the UDP.

While the proposed closet wing would be higher than others in the terrace, it would still terminate below the penultimate storey level at second floor level, and so will not interfere with parapet roof detail of the building. The set back to the proposed closet between first and second floor half landing levels affords some relief in terms of the bulk and form of the addition and replicates the form of other closet wings in the same terrace, which are often shallower higher up the building.

The use of London stock brickwork, timber sash windows with segmental arches is a sympathetic approach, befitting the period of the building. This material and detail approach effectively counter balances the additional height and bulk in a manner that render and metal windows could not.

The roof lights are acceptable in principle, but should not project as shown, as these are annotated as low profile, a condition can ensure they are flush to the roof.

Subject to conditions relating to the bricks, brickwork bond and pointing and the roof lights, the works accord with S 28, DES 1 and DES 5 and are recommended for approval.

8.3 Residential Amenity

Policies S29 in the City Plan and ENV13 in the UDP relate to protecting amenities, daylight and sunlight, and environmental quality. Part (D) of ENV13 states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings. Part (E) of ENV13 goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly to gardens, public open space or on adjoining buildings, whether in residential or public use.

It should be highlighted that an application has been granted planning permission on 12 October 2016 for a single storey extension at first floor level under RN 16/06752/FULL. This permission has not been implemented as yet. However, the approved extension is of the same scale as that proposed at first floor level on the current application. The proposed first floor element of this application has therefore already been deemed acceptable in terms of impact on neighbouring amenity having been granted permission already. The current application, however, includes the additional extension at second

floor level. The proposed extension at second floor level would not project as far as that at second floor, having a depth of 1.6m beyond the main rear wall of the building, and adjacent to both side boundaries.

Sunlight and Daylight

The submitted drawings show that the closest affected neighbouring window is a second floor window at no. 43. The mid-point of this window is sited 1.0m away from the flank wall of the proposed second floor extension. The proposed second floor extension would be behind a 45 degree angled line from the mid-point of this window. This complies with the BRE 45 degree test on Daylight and Sunlight. Windows at the other neighbouring property at no. 39 are set further away, at least 3.0 metres, and therefore would also comply with this 45 degree test. It is therefore considered that the proposed extension would not have an unduly harmful impact on the residential amenities of neighbouring properties at 43 and 39 Edbrooke Road in terms of daylight and sunlight.

Sense of Enclosure

The proposed first floor extension has already been deemed acceptable, by virtue of the planning permission for a first floor extension granted under RN 16/06752/FULL. The proposed second floor extension will be project 1.6m beyond the main rear wall. The closest window at no. 39 is a second floor window which is set 0.6m away from the proposed flank wall. The closest windows at the other neighbouring property are set over 3.0m away from this the flank wall of the proposed extension. In both cases, with the depth of the proposed second floor extension being only 1.6m, it is considered that the additional bulk at this level would not unduly affect the outlook from these rear windows of neighbouring properties, so as to result in a sense of enclosure.

Privacy

Objections have been received from neighbours at upper floors of both no. 39 and 43 Edbrooke Road on grounds that the use of the flat roof of the first floor extension would impact on their privacy. As the proposed second floor is not to project as far the proposed first floor, the flat roof of the first floor extension could be used for sitting out. It should be noted that there is an existing terrace at first floor level, which would be lost as a result of the first floor extension. Furthermore, the second floor extension is to accommodate a bathroom and is to have a window to the flat roof. A condition will be attached to ensure that the roof the extension is not used as a terrace to prevent overlooking to neighbouring windows and gardens.

Subject to this recommended condition, it is considered that the proposal would not result in harming neighbouring privacy.

Amenity Conclusion

The proposal is considered acceptable in amenity terms and is in accordance with Policies ENV6 and ENV13 in the UDP and S29 and S32 in the City Plan

8.4 Transportation/Parking

The development does not raise any transportation or parking issues.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

No changes are proposed to the existing access arrangements to this private dwelling.

8.7 Other UDP/ Westminster Policy Considerations

Not applicable.

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. The proposals are of insufficient scale to trigger a CIL payment.

8.11 Environmental Impact Assessment

Not applicable to a development of this scale.

8.12 Other Issues

Objections have been received from a neighbour raising concerns with regard to the disturbance during construction works. As with any building works, it is expected that during construction there would be an impact on neighbouring amenity and permission cannot be withheld for that reason. A condition restricting hours for building works will be attached, as is standard, and an appropriate informative will be attached advising the applicants to sign up to the Considerate Constructors Scheme.

Issues raised with regards to whether there may be structural issues when constructing the extension are matters for building control. Such matters when impacting on party walls, are not material planning considerations but are covered by the Party Wall Act.

Issues relating to health concerns due to dust arising from building works, such as asthma is not a planning matter. Nor is the impact of the development on the potential increase in mice in neighbouring properties.

One neighbour is concerned that their views would not be taken into account. Any material planning considerations have been addressed within other sections of this report, including section 8.2 on Design and Townscape and section 8.3 on Residential Amenity.

9. BACKGROUND PAPERS

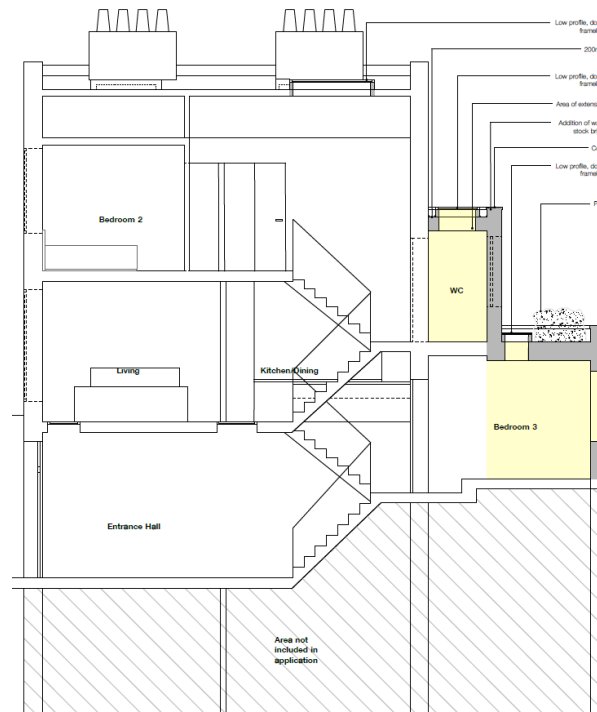
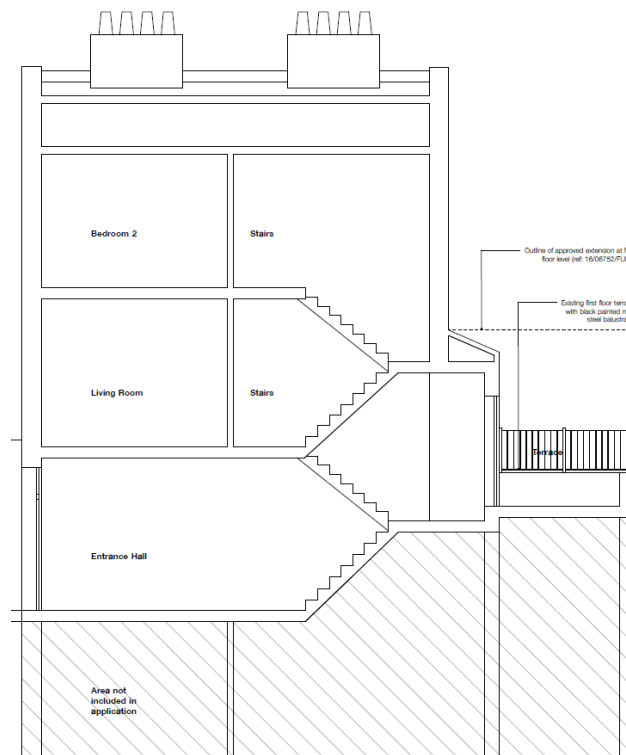
1. Application form.
2. Email from occupier of 43a Edbrooke Road dated 20 September 2017.
3. Email from occupier of 39a Edbrooke Road dated 20 September 2017.
4. Letter from occupier of First and Second Floor, 39 Edbrooke Road dated 20 September 2017.

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

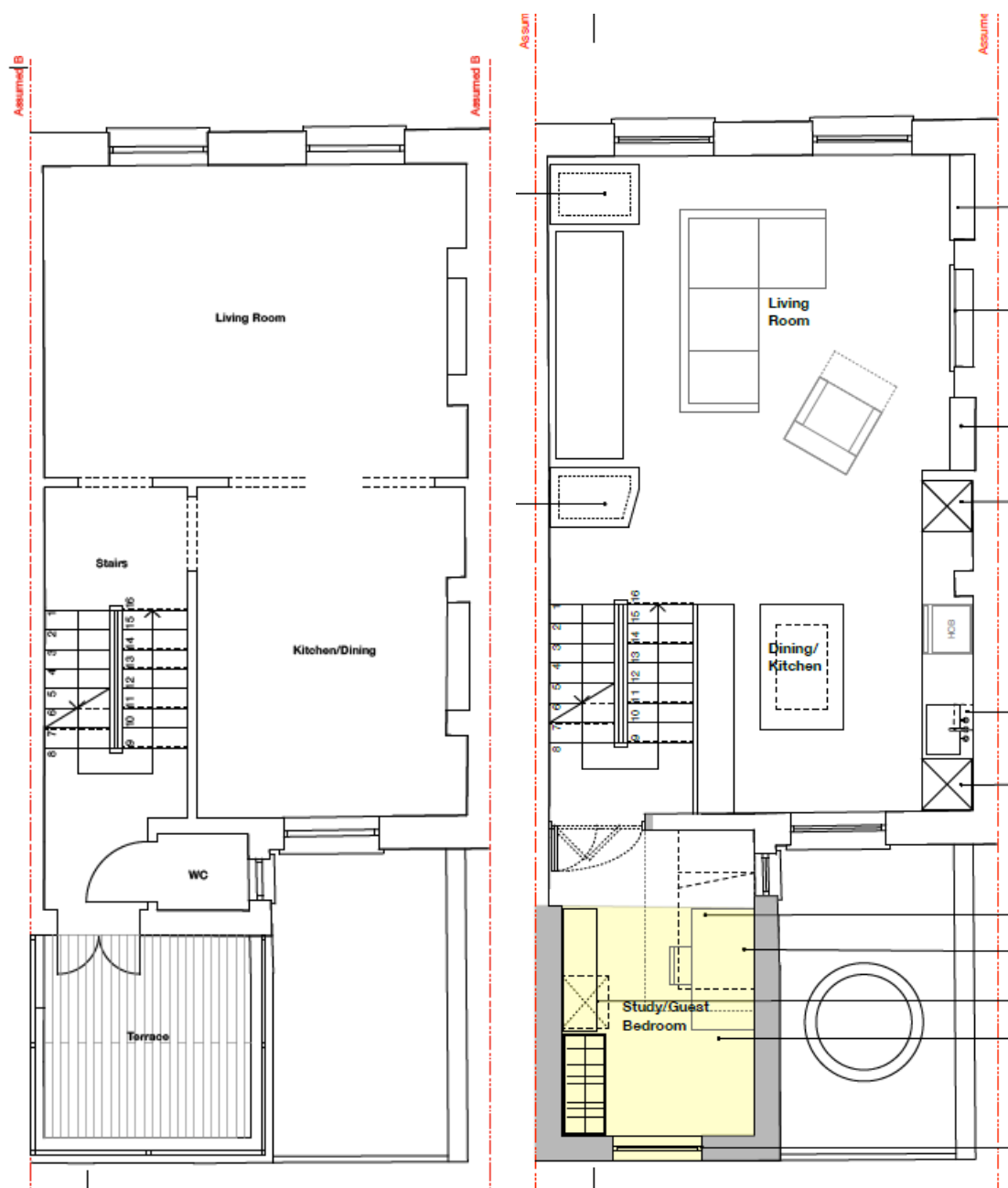
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON EMAIL AT ogibson@westminster.gov.uk.

Existing (left) and proposed (right) rear elevations.

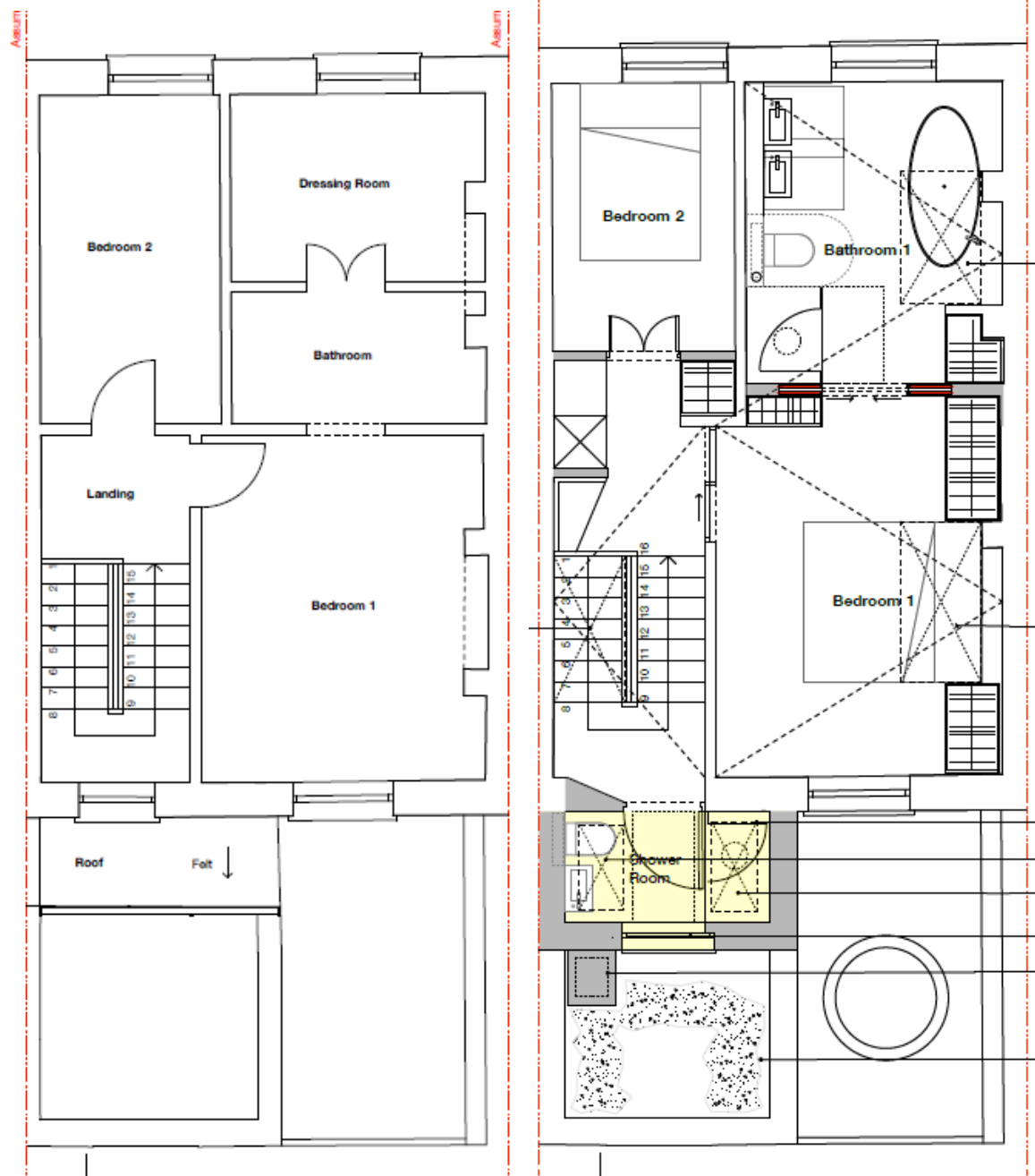
Existing (left) and proposed (right) rear elevations.



Existing (top) and proposed (bottom) sections.



Existing (left) and proposed (right) first floor plans.



Existing (left) and proposed (right) second floor plans.

DRAFT DECISION LETTER

Address: First Floor To Second Floor, 41 Edbrooke Road, London, W9 2DE

Proposal: Erection of a two storey extension to the rear closet wing at first and second floor half landing levels and installation of rooflights in main roof.

Plan Nos: 150-SU-L01; 150/SU/L02; 150/SU/P01; 150/SU/P02; 150/SU/P03; 150/SU/P04; 150/SU/P05; 150/SU/P06; 150/SU/P07; 150/SU/P08; 150/PL/01 (25 January 2018); 150/PL/02 (25 January 2018); 150/PL/03 (25 January 2018); 150/PL/04 (25 January 2018); 150/PL/05 (25 January 2018); 150/PL/06 (25 January 2018); 150/PL/07 (25 January 2018); Planning Statement.

Case Officer: Avani Raven

Direct Tel. No. 020 7641 2857

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 You must not use the roofs of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.