

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 28 April 2015	Classification For General Release	
Report of Director of Planning		Wards involved Maida Vale	
Subject of Report	79 Shirland Road, London, W9 2EL		
Proposal	Erection of two front dormer windows to front roof slope and a single dormer roof extension to rear roof slope.		
Agent	Nu Space		
On behalf of	Mrs Amanda Wong		
Registered Number	15/00789/FULL	TP / PP No	TP/12964 : PP-03949286
Date of Application	30.01.2015	Date amended/ completed	03.02.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

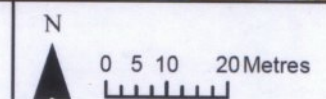
Grant conditional permission.



City of Westminster

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79 Shirland Road, W9

2. SUMMARY

Permission is sought for the insertion of two dormer windows to the front roofslope and one dormer window to the rear roofslope, in connection with the enlargement of the top floor flat.

The key issues are:

- The impact on the appearance of the building.
- The impact on the amenity of neighbouring residents.

The proposed development accords with the relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan) and is therefore considered to be acceptable in land use, design and amenity terms. As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. CONSULTATIONS

COUNCILLOR PRENDERGAST:

Request that application is reported to Committee for determination.

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY:

- Note that others in terrace have dormers, therefore, powerless to object
- Windows should be conditioned to match existing
- Rear dormer should be more sympathetic to remainder of elevation
- Please take neighbours' views into consideration.

ADJOINING OWNERS/OCCUPIERS:

Total no. consulted: 24

Total no. responses: 2

Object

- No neighbour notification sent
- Noise and disturbance will be detrimental
- House is 160 years old and crumbling
- Foundations will not take more loading from building above
- Tall tree grows outside the building above current roof and has conservation order on it
- Extension will affect privacy and right to light
- Plans not in keeping with area
- Adjoining properties in same row have roof extensions without obtaining planning permission
- Severe subsidence and dry rot is present in the building

ADVETRTISEMENT/ SITE NOTICE/PRESS:

Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site is a second floor flat in an unlisted four storey Victorian terraced property located on the north side of Shirland Road between the junctions of Sutherland Avenue and Elgin Avenue. The building is not listed and lies outside of a conservation area.

4.2 Relevant History

14/10530/FULL

Mansard roof extension with 2 front dormers and single rear dormer with Juliette balcony and use of rear first floor flat roof as a terrace with 1.7 metre high obscure glass balustrade (Flat C).

Application Refused 29 December 2014

5. THE PROPOSAL

Permission is sought for the insertion of two dormers to the front roofslope and one dormer window to the rear roofslope, balcony in connection with the enlargement of the top floor flat.

The application is a resubmission of a previous proposal for which permission was refused in 2014, for a flat top mansard roof extension, incorporating 2no. front dormers, 1no. rear dormer with juliet balcony and use of the first floor closet wing as a roof terrace. The application was refused on 29 December 2014 on the basis of the overlooking impact and loss of privacy from the proposed roof terrace to the top of the closet wing and the size, bulk and design of the mansard roof extension, dormers and the structures associated with the roof terrace.

The mansard roof extension and roof terrace are omitted from this application, and the dormers are reduced in size.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The enlargement of the existing dwelling is acceptable in land use terms and would accord with Policy H3 of the UDP.

6.2 Design and Townscape

The building forms part of a Victorian terrace with a pitch roof incorporating a central expanse of flat roof. Many of the properties in the terrace have been extended at roof level: 17 out of 22 have dormer windows on the front and rear roofslopes, and the majority have been in place for a number of years, although they vary in quality, scale and number (No.73 - 04/03892/FULL, No. 79 - 08/01782/FULL and No. 77D - 12/11447/FULL). The principle of dormer windows is therefore acceptable. The placing of two dormer windows to follow the vertical arrangement of windows below on the front elevation is considered to be an acceptable form found elsewhere in the terrace. The dormers will be tile hung in slate with timber frames and sash windows. A condition is recommended requiring the front dormers to be reduced in width so that they are narrower than the windows below.

To the rear, the roofline of the terrace is much altered and contains many examples of larger dormer windows. The rear roofline is not visible from street views and faces the BBC studios in Delaware Road, the brick flank wall of which abuts rear gardens of the terrace. The rear roofline is therefore only visible in views from private rear gardens. The five rooflights will not be visible in views, given their elevated position and profile on the central expanse of the roof.

The previous scheme proposed a larger, top heavy dormer, incorporating a juliet balcony. Following amendments to the scheme, the juliet balcony is removed from the scheme and the design reflects others in the terrace. The overall scale, form and height of the rear dormer is much reduced from the refused scheme. Given the presence of larger dormers on the rear roofslope, the proposal is acceptable in design terms, in accordance with Policy DES1 and DES6 of the UDP, and S28 of the City Plan.

The Paddington Waterways and Maida Vale Society comments that there are other properties in the terrace with dormer windows and do not therefore object to the principle. They add that the windows should be conditioned to match the existing, with no increase in height to the ridge, and the rear dormer should be more sympathetic to the form, scale and design to the remainder of the elevation. For clarification, the proposal does not seek to increase the ridge height of the terrace and a condition is recommended to secure matching external materials and timber window frames. The juliet balcony is omitted and the rear dormer is now more sympathetic to the rest of the terrace.

6.3 Amenity

Following consultation with neighbours, objections have been received from a flat within the application property regarding loss of sunlight/daylight to rear garden, loss of privacy from overlooking and the structural integrity of the terrace.

Whilst it is acknowledged that construction works may cause some inconvenience to local residents, this is not a reasonable ground to refuse permission and the hours of construction activity may be controlled by condition.

The introduction of a rear dormer window will marginally increase overlooking to rear gardens in the terrace, but gardens are already heavily overlooked by windows in the terrace, including dormer windows immediately adjoining at No's 75 and 77 and existing windows at lower levels. Although the objector cites that these neighbouring dormers are unauthorised, a review of the planning history shows that the dormers are authorised. A refusal on these grounds is therefore not sustained. The rear juliet balcony has since been omitted from the proposed scheme and the use of the flat roof area of the rear closet wing as a roof terrace is omitted from the current application. In relation to loss of light to rear gardens, the proposal does not seek to raise the ridge height of the terrace, and the scale and size of the rear dormer is such that there is unlikely to be a perceptible loss of daylight or sunlight to neighbouring properties.

The proposal is therefore considered to be acceptable in amenity terms, in accordance with Policy ENV 13 of the UDP and Policy S29 of the City Plan.

6.4 Transportation / Parking

Not applicable.

6.5 Economic Considerations

Not applicable.

6.6 Equalities and Diversities (including Access)

No alteration to existing means of access to the private dwelling is proposed.

6.7 Other City Plan/ UDP/ Westminster Considerations

None relevant.

6.8 London Plan

The application does not raise strategic issues.

6.9 Other UDP/Westminster Policy 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 this application are considered to be consistent with the NPPF unless stated otherwise.

6.10 Planning Obligations

The proposal is of insufficient scale to generate the need for planning obligations.

6.11 Environmental Assessment including Sustainability and Biodiversity issues

None relevant.

6.12 Other Issues

An objection has been received regarding lack of neighbour notification, the impact on a street tree to the front of the building, dry rot and subsidence.

The application has been subject to publicity in the press and with a site notice in the normal way, and a total of 24 neighbours were consulted on the application. A further neighbour notification has been sent to the objector on 25 February 2015.

The street tree to the front of the property is not protected by a Tree Preservation Order; nor is it protected through Conservation Area legislation, as the site is not located in a Conservation Area. In any event the alterations at roof level are very unlikely to have an impact on this tree.

Although some cracks were observed in the rear elevation of the terrace at ground floor level, there is no evidence submitted to indicate that the building is structurally unsound, and dry rot/subsidence is not reasonable grounds to refuse planning permission. Such matters would be dealt with under party wall agreements and the Building Regulations.

7. CONCLUSION

In summary, the proposed development is to be acceptable in land use, design, amenity, and environment terms and would accord with the relevant policies in the UDP and City Plan. Therefore, subject to the conditions set out in the draft decision letter, it is recommended that permission is granted.

BACKGROUND PAPERS

1. Application form.
2. Email from Councillor Prendergast dated 25 March 2015.
2. Letter from the Paddington Waterways and Maida Vale Society dated 11 February 2015.
3. Email from the owner of flat at No. 79 Shirland Road dated 24 February 2015, 26 February 2015.
4. Email on behalf of a flat owner at No. 79 Shirland Road dated 23 February 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT CLARAGH MULHERN ON 020 7641 2535 OR BY E-MAIL – cmulhern@westminster.gov.uk

DRAFT DECISION LETTER

Address: 79 Shirland Road, London, W9 2EL

Proposal: Erection of two front dormer windows to front roof slope and a single dormer roof extension to rear roof slope.

Plan Nos: Design and Access Statement, 101(P), 102(P), 103(P), 104(P) A, 105(P) A.

Case Officer: Katherine Rawlins

Direct Tel. No. 020 7641 6204

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 You must carry out any building work which can be heard at the boundary of the site only:

- * between 08.00 and 18.00 Monday to Friday;
- * between 08.00 and 13.00 on Saturday; and
- * not at all on Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 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 S26 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 4 The windows in the front dormers must be vertical sliding sashes formed of painted timber to match the colour of the existing lower floor level windows in the building. The windows in the rear dormer must be formed of painted timber to match the colour of the existing lower floor level windows in the 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: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

- 5 You must apply to us for approval of detailed drawings showing the following alteration(s) to the scheme:

- Reduced width of dormer windows to front elevation.

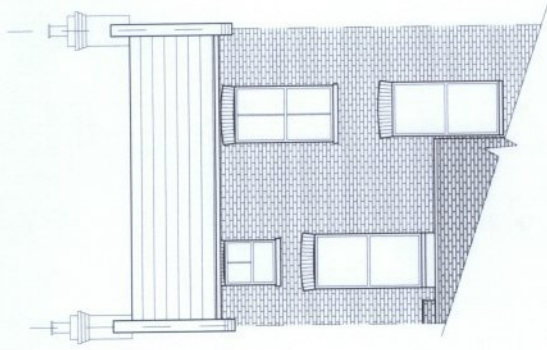
You must not start on these parts of the work until we have approved what you have sent us. You must then carry out the work according to the approved drawings. (C26UB)

Reason:

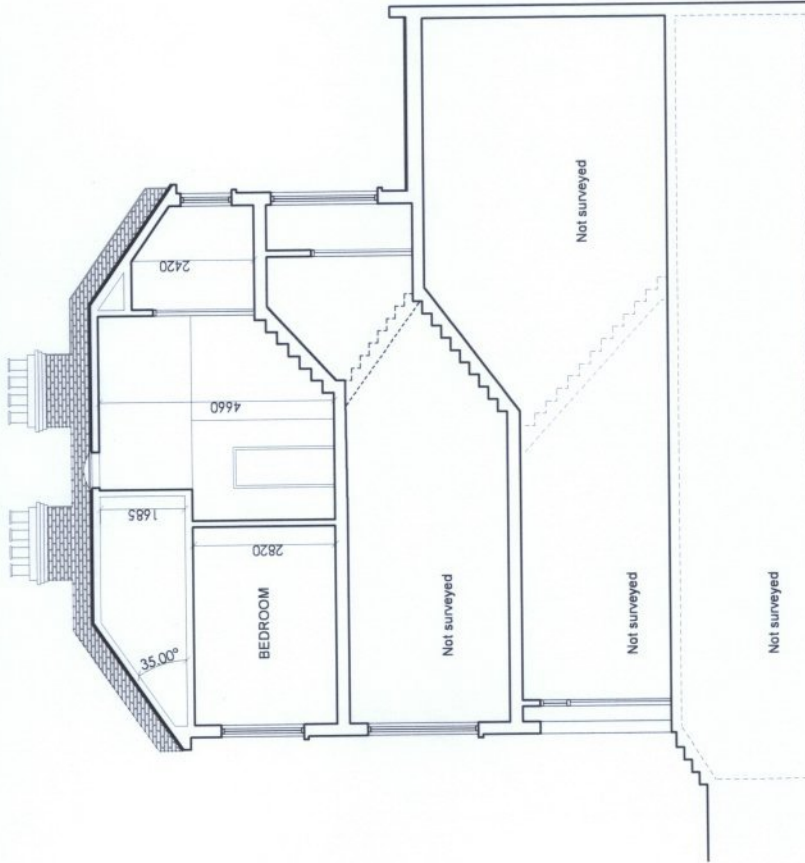
To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

Informative(s):

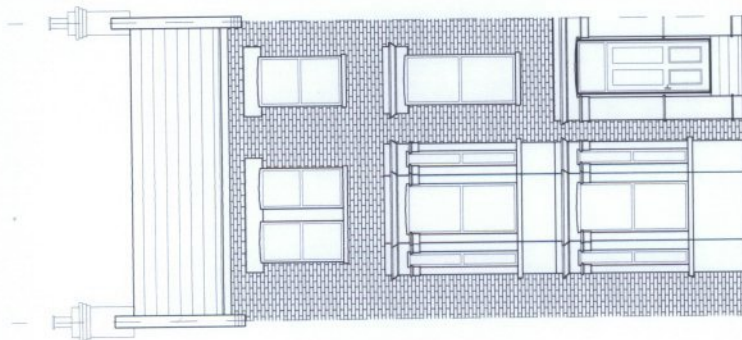
- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan: Strategic Policies adopted November 2013, 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 With regard to Condition 6, you are advised that the dormer windows should be narrower than the existing windows at the floor level below. You should refer to the planning permission granted on 05 April 2013 in respect of 77D Shirland Road (RN 12/11447).



Rear Elevation



Section A - A



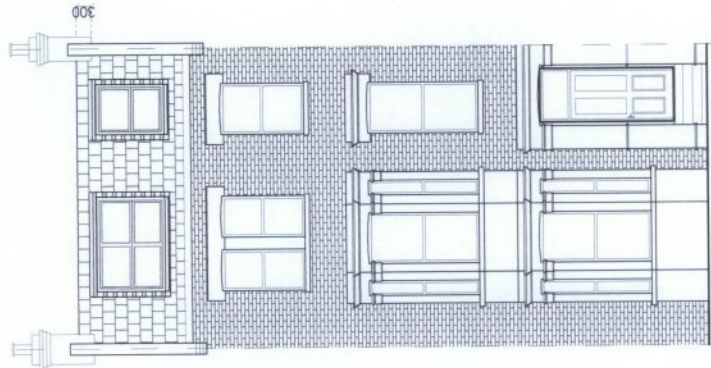
Front Elevation



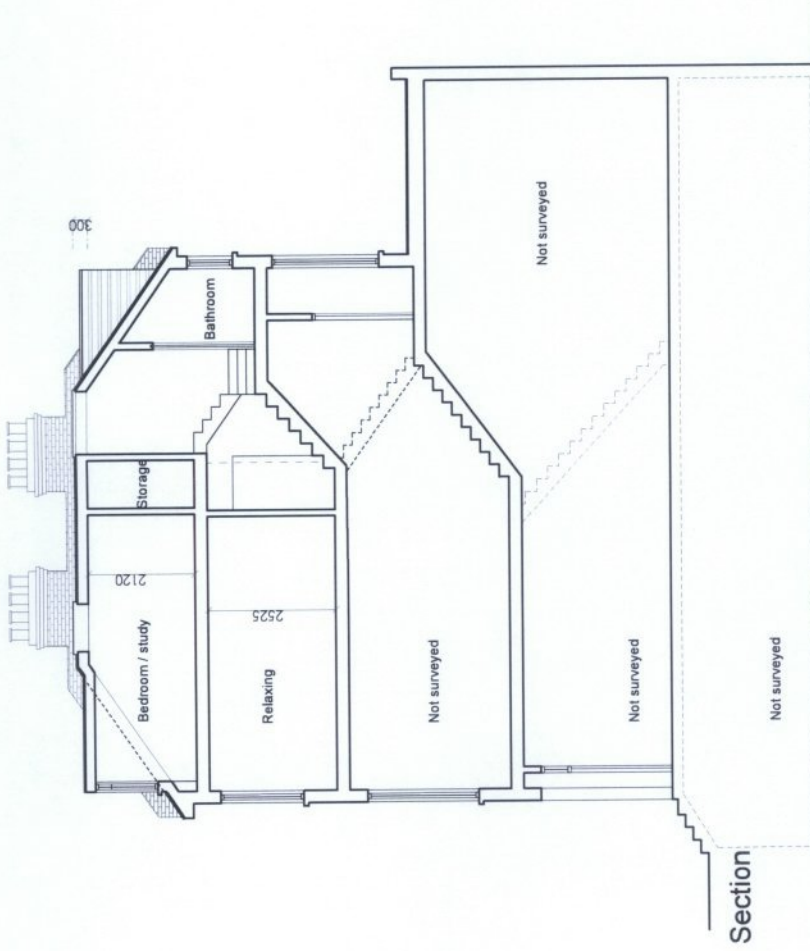
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Project	79C SHIRLAND ROAD LONDON W9 2EL	Scale	1:100 @ A3
Job Title	LOFT CONVERSION	Date	Sept 2014
Drawing Title	Existing Elevations and Section A-A	Drawing No.	103 (P)
Drawn	SW	Amendment	



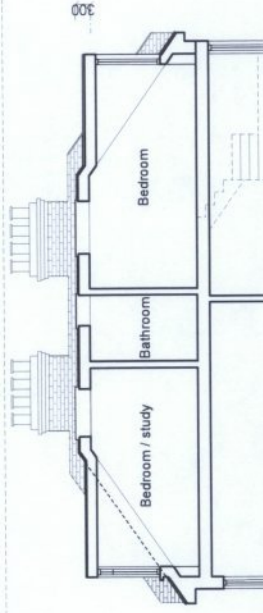
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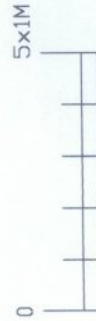
Front Elevation



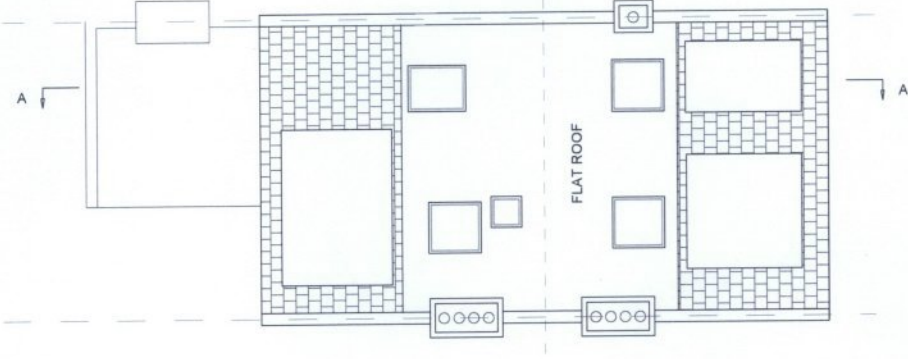
Section



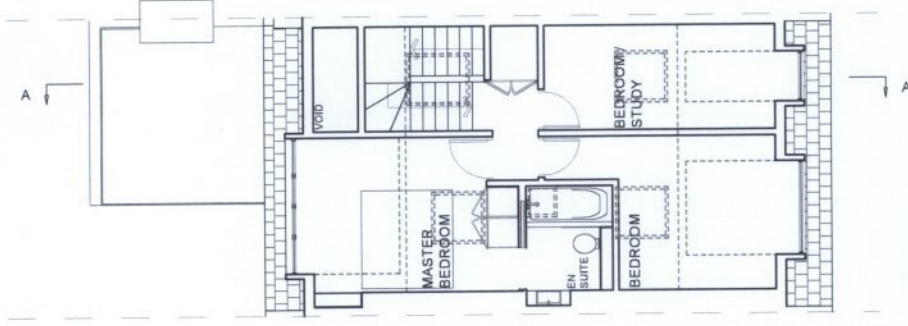
Section (through windows)



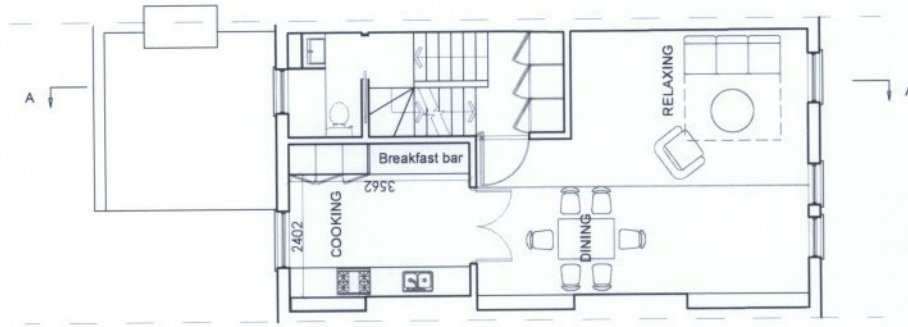
Client	AMANDA WONG	 nuspace LONDON 08770 609 1014 www.nuspace.co.uk
Project	79C SHIRLAND ROAD LONDON W9 2EL	
Job Title	LOFT CONVERSION	Drawn: UW Date: Sept. 2014 Drawing No.: 105 (P)
Drawing Title	Proposed Elevations and Section A-A	Checked: JL Scale: 1:100 @ A3 Amendment: A



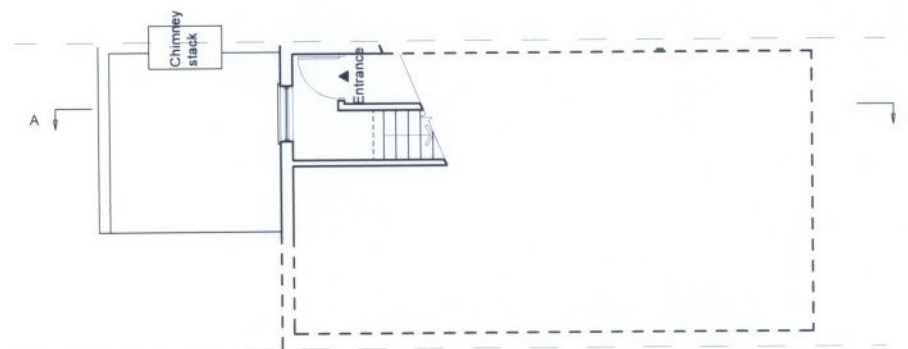
Loft Plan



Second Floor Plan



First Floor Plan



Client	AMANDA WONG
Project	78C SHIRLAND ROAD LONDON W8 2EL
Job Title	LOFT CONVERSION
Drawing Title	Proposed Plans
Drawn	uw
Date	Sept 2014
Checked	ll
Scale	1:100 @ A3
Drawing No.	104 (P)
Amendment	A



