

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 8 September 2015	Classification For General Release	
Addendum Report of Director of Planning		Wards involved Harrow Road	
Subject of Report	31 Chippenham Road, London, W9 2AH		
Proposal	Erection of single storey rear extension at lower ground floor level and associated increase in height of boundary walls to rear garden.		
Agent	MZA Planning		
On behalf of	Mr Neal Khera		
Registered Number	15/03069/FULL	TP / PP No	TP/16761
Date of Application	08.04.2015	Date amended/ completed	20.04.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Outside Conservation Area		
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 Within North Westminster Economic Development Area		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.





31 CHIPPENHAM ROAD, W9

2. SUMMARY

This application was reported to the Planning Applications Committee on 30 June 2015 at which the Committee resolved to defer the application to enable the applicant to clarify the method of rainwater discharge from the roof of the new extension.

It has been confirmed that the extension has a hidden gutter at the boundary with No.29 Chippenham Road, which drains into a downpipe located within the small lightwell that has been created between the new extension and the rear elevation of the original building (see bottom photograph at the beginning of this report). Consequently, the extension does not cause rainwater to run off the roof of the extension and onto the boundary wall with No.29 Chippenham Road. In addition, the District Surveyor has confirmed that the drainage measures that have been installed are sufficient and a Certificate of Completion has been issued by Building Control (see background papers).

3. CONSULTATIONS

ADDITIONAL CONSULTATIONS SINCE PLANNING APPLICATIONS COMMITTEE ON 30 JUNE 2015

BUILDING CONTROL

Extension has been signed off and a Certificate of Completion issued. Note that there appears to be sufficient drainage in place for the extension and boundary wall would not be subject to any greater water run off than was previously the case.

BACKGROUND PAPERS

1. Application form.
2. Email from District Surveyor dated 1 July 2015 with Certificate of Completion dated 28 April 2015.
3. Representations reported to the Planning Applications Committee dated 30 June 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT OLIVER GIBSON ON 020 7641 2680 OR BY E-MAIL – ogibson@westminster.gov.uk

Planning Applications Committee (2)
30 June 2015

(R)

RESOLUTION

7 31 CHIPPENHAM ROAD, W9

Erection of single storey rear extension at lower ground floor level and associated increase in height of boundary walls to rear garden.

RESOLVED:

That the application be deferred, to enable the applicant to clarify the method for rainwater discharge.

APPENDIX

Item No.

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 30 June 2015	Classification For General Release	
Report of Director of Planning	Wards involved Harrow Road		
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Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Retrospective planning permission is sought to retain a rear extension at lower ground floor level.

Planning permission was granted at Planning Applications Sub-Committee for a similar extension on 12 February 2013. The current proposal differs to the approved permission in that it directly abuts the boundary wall with No. 29 rather than being set back from it and is higher at an increased extension wall being 2.7 metres rather than 2.3 metres. The extension under consideration is also largely aluminium framed glazing as opposed to timber framed and includes a small lightwell between it and the main rear elevation of the building.

The proposal raises the following key issues:

- The acceptability of the extension as built in townscape terms.
- The impact of the extension on the amenity of the neighbouring property particularly in terms of loss of light, sense of enclosure, privacy and light pollution.

Whilst it is regrettable that the extension has not been built in accordance with the 2013 permission, it is not considered to be so harmful to the amenities of the adjoining flats or flats above to warrant refusal of permission.

3. CONSULTATIONS

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 16; Total No. of Replies: 2.

Two objections from the owner/occupiers of the garden flat and top floor flat of No. 29 Chippenham Road on the following grounds:

Amenity

- Loss of light and sense of enclosure to No. 29 Chippenham Road. Disagree with applicant's Design and Access Statement that there will be no loss of light.
- Overlooking to neighbours patio from 3m wide window.
- Light pollution from the glass structure which constantly invades neighbours' privacy and is very intrusive.
- Noise from within the extension.

Design

- Proposal is ugly and not in keeping with surrounding buildings.

Other Matters

- The extension was not built according to the approved conditions and that conditions (approval of obscure glass) were not discharged.
- A boiler flue has been constructed near the neighbours window and applicant removed part of neighbours wall without their permission.
- No rainwater provision and as a result rainwater is running off the roof onto neighbouring wall and will cause damage to brickwork.
- Extension abuts boundary wall.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

The application relates to the lower ground floor flat of No. 31 Chippenham Road which is a four storey terraced, unlisted property subdivided into four residential units. The property is not within a conservation area.

4.2 Relevant History

On 12 February 2013 planning permission was granted at Planning Applications Sub-Committee for the erection of rear extension at lower ground floor level and associated increase in height of boundary walls to rear garden.

The current application has been submitted following an enforcement investigation that the rear extension had not been built in accordance with the approved drawings.

5. THE PROPOSAL

Retrospective planning permission is now sought for the retention of a rear extension at lower ground floor level which differs to the approved permission in that it directly abuts the boundary wall with No. 29 rather than being set back from it and is higher at 2.7m rather than 2.3m adjacent the boundary wall. The extension as built is also largely aluminium framed glazing as opposed to timber framed and includes a small lightwell between it and the main rear elevation of the building.

6. DETAILED CONSIDERATIONS

6.1 Land Use

The extension accords with Policy H3 of the UDP which aims to increase the amount of housing in the City. Policy H3(E) specifically states that extensions to existing housing will be acceptable in principle and S14 of our City Plan Strategy which states that residential use is a priority in Westminster.

6.2 Townscape and Design

An objection has been received from the adjoining occupier at No. 29 Chippenham Road on the grounds that the extension does not fit into the surrounding buildings. Although the rear extension is taller and built on the party wall, it retains the appearance of a lightweight structure subservient to the original building. In respect of the materials used, the approved scheme was for a timber framed extension, in this case aluminium framing has been used. Given this site is located outside a conservation area, and the extension is located at the rear, this material is not considered to be harmful. The creation of a small lightwell between the main rear façade and the new extension is considered difficult to resist in townscape terms.

6.3 Amenity

The increase in height and the location of the extension has resulted in a further loss of light and increased sense of enclosure to the adjoining flat at No. 29, however, the loss of amenity is not considered to be material. The windows in the side elevation of the extension are obscure to reduce overlooking. In respect of light pollution, the City Council has already granted permission for a predominantly glazed extension with a glass roof, and it is not considered that the extension as built is materially worse.

Sound transmission between the structure and the neighbour is a Building Control matter.

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7

Whilst it is most regrettable that the applicant has built the rear extension not in accordance with the consented scheme, it is not considered to cause material harm

Daylight/Sunlight/Overlooking

Objections have been received from two flat owners of 29 Chippenham Road on the grounds of loss of light, increased sense of enclosure, light pollution and noise from within the extension.

6.4 Transportation/Parking

Not applicable in the determination of this application.

6.5 Equalities and Diversities

The access arrangements to the building remain unaffected by these proposals.

6.6 Economic Considerations

Not relevant.

6.7 Other UDP/Westminster Policy Considerations

Not applicable.

6.8 London Plan

The proposal does not raise 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 is a limited degree of conflict with the framework. The City Council is now required to give due weight to the 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 policies in 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

Not applicable.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

The proposal is not of a sufficient scale to require an environmental assessment.

6.12 Other Issues

Objections have been made on the grounds that a boiler flue has been constructed near the neighbour's window. This flue is not part of the proposed scheme and boiler flues are normally considered to be 'deminimus' operations and as such do not normally require permission.

Although it is that the extension was not built according to the approved conditions and that conditions were not discharged, this retrospective application has to be considered on its planning merits.

An objection has been made on the grounds that no rainwater provision has been made for the proposal and therefore concern has been raised that this may impact on the stability of the boundary wall. This is a party wall and a Building Regulations issue rather than a planning issue and is not a sustainable reason for refusal. However, the formal views of Building Control will be reported verbally to Committee.

7. CONCLUSION

The application is considered acceptable in terms of design and amenity and is therefore recommended for conditional approval.

BACKGROUND PAPERS

1. Application form.
2. Email from occupier of garden flat 29 Chippenham Road, W9 dated 12.05.15.
3. Letter from occupier of top floor flat 29 Chippenham Road W9 dated 13.05.15.
4. Planning Applications Sub-Committee report dated 12 February 2013 and decision letter.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT AMANDA COULSON ON 020 7641 2875 OR BY E-MAIL – acoulson@westminster.gov.uk

DRAFT DECISION LETTER

Address: 31 Chippenham Road, London, W9 2AH

Proposal: Erection of single storey rear extension at lower ground floor level and associated increase in height of boundary walls to rear garden.

Plan Nos: Site location plan; A0200; A0310 Rev.C; A0320 Rev.D; A0410; Design and Access Statement.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

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 The glazing in the side elevation of the rear extension on the boundary with 29 Chippenham Road shall only contain obscure glass and be permanently fixed shut. You must not change the obscure glass without our written permission.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 13 of our Unitary Development Plan that we adopted in January 2007

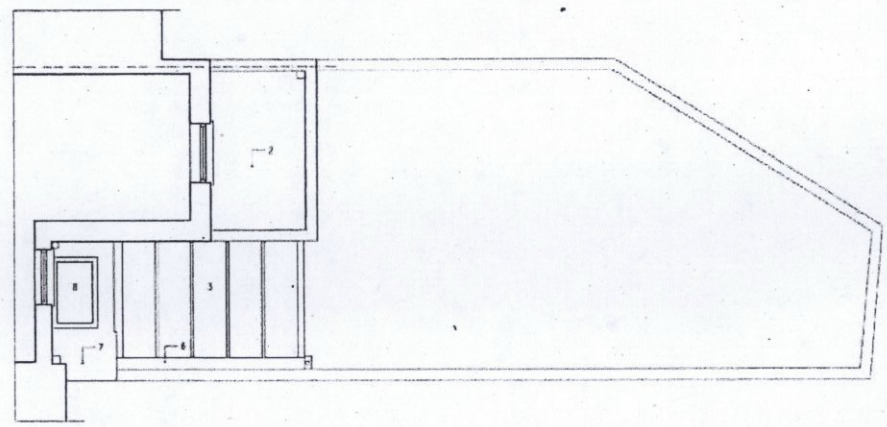
Informative(s):

- 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.

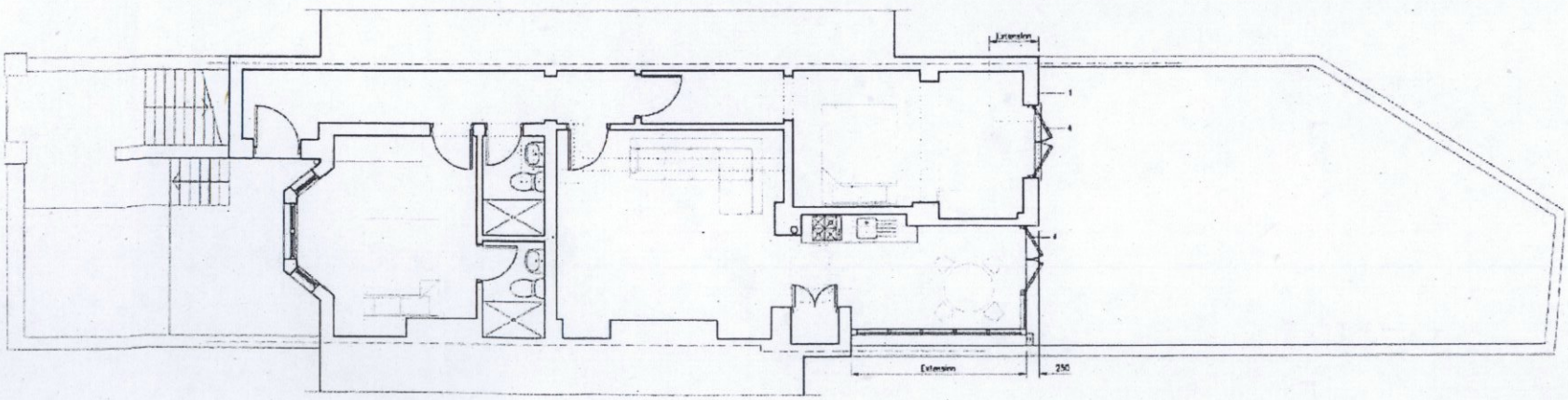
- 2 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005).

Notes:
 Copyright belongs to M A King Plans
 Linear dimensions are in millimetres
 Levels are in metres
 All dimensions to be checked on site

As Approved 2013



Roof Plan



Lower Ground Floor

- C 12.12.12 Glazing balconies 45° right line
- B 28.05.12 Add glass roof
- A 04.05.12 Amend following planning refusal


M A King Plans
 2A Theobalds Road
 London
 WC1X 8PN
 T: +44 (0) 7976 603076
 E: info@makingplans.eu

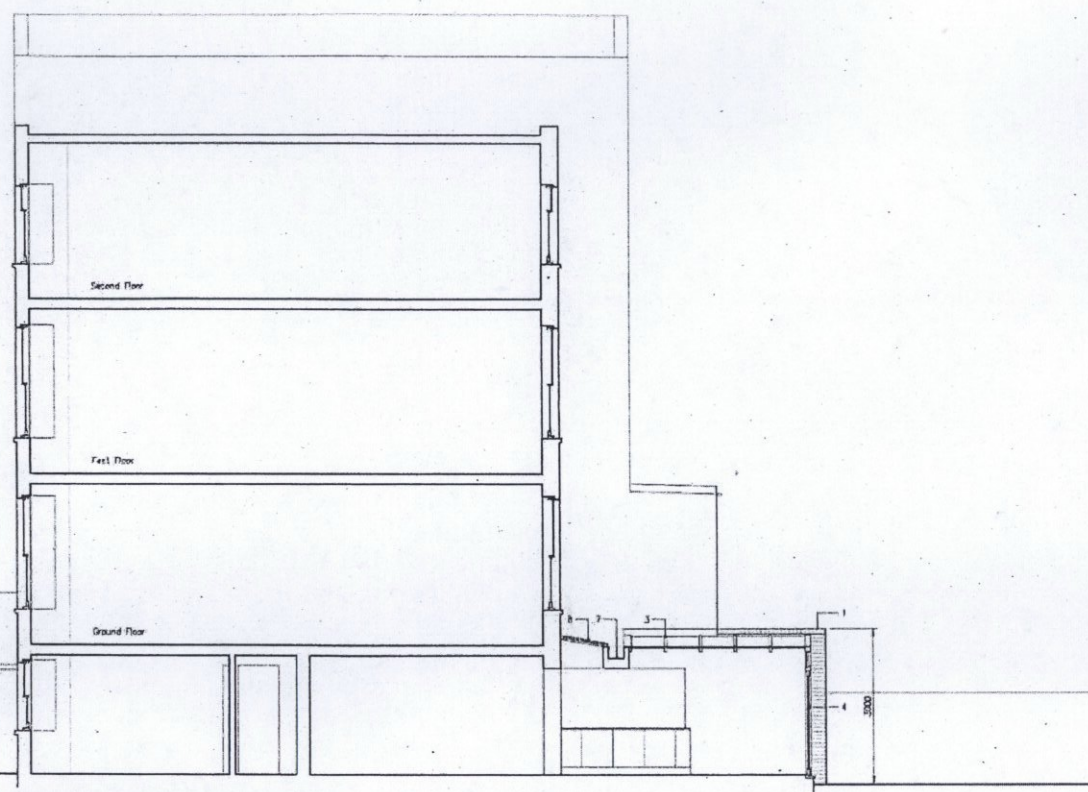
Project:
Basement Flat
 31B Chippenham Road
 London W9 2AH

Title:
Plans as Approved

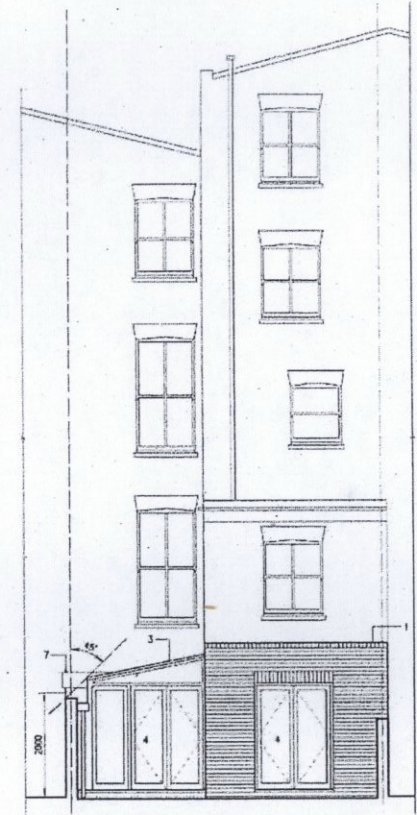
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Date	25 February 2012	
Scale	1/100, A3	
Project Number	KSN31CR	
Drawing No./Revision	A0310	C

As Approved 2013

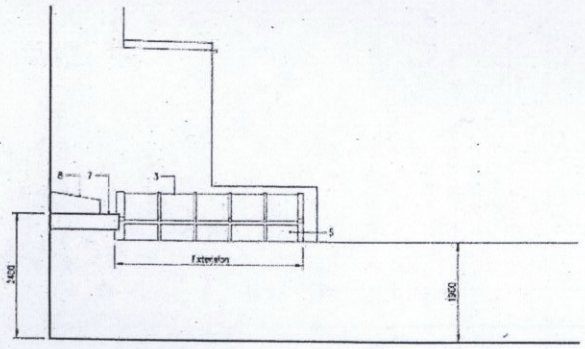
Notes:
 Copyright belongs to M A King Plans
 Linear dimensions are in millimetres
 Levels are in metres
 All dimensions to be checked on site
Schedule of Proposed Works & Materials:
 1 Brickwork to match existing
 2 Flat roof behind parapet wall
 3 Glazed roof
 4 French doors
 5 Vertical obscured glazing
 6 Hidden lead gutter
 7 Existing flat roof
 8 Fire rated rooftop



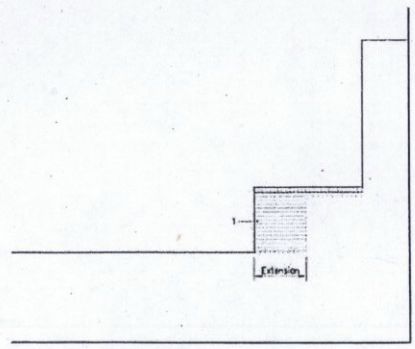
Section



Rear Elevation



Side Elevation
29 Chippenham Road



Side Elevation
33 Chippenham Road

- B 12.12.12 Glazing behind 45° light line
- C 05.11.12 Gable glass roof towards party wall
- B 28.05.12 Add glass roof
- A 04.05.12 Amend following planning refusal

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 London
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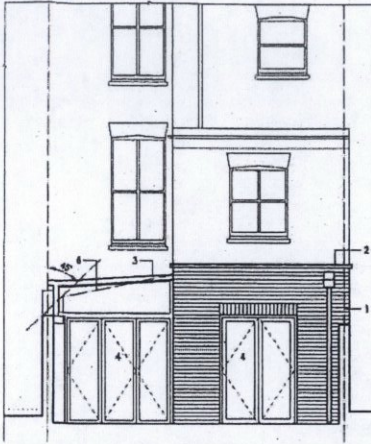
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 Elevations as Approved

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Date	25 February 2012
Scale	1/100 @ A1
Project Number	KSN31CR
Drawing No./Revision	A0320 D

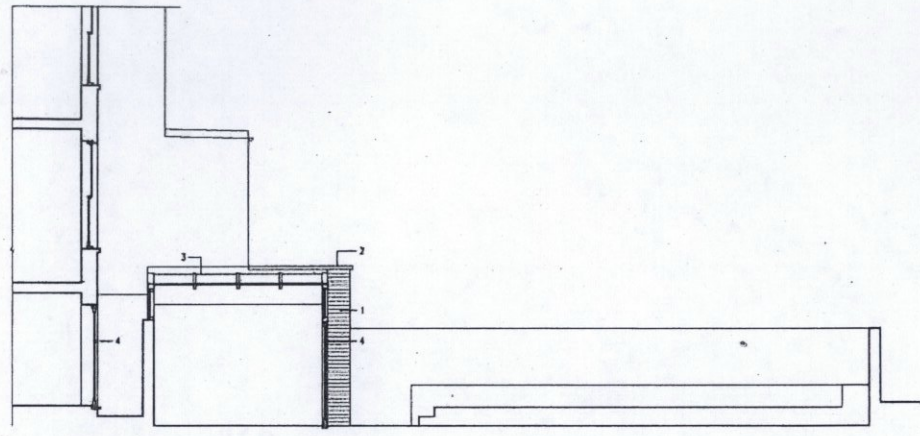
Current Application

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 Levels are in metres
 All dimensions to be checked on site

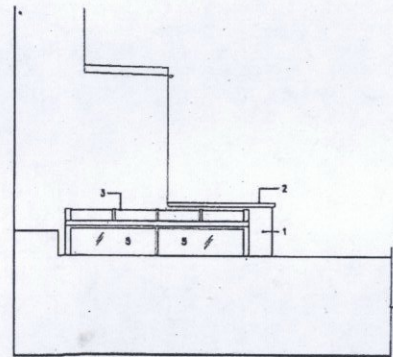
- 1 Brickwork to match existing
- 2 Flown stone coping
- 3 Clipped roof
- 4 French doors
- 5 Vertical obscured glazing
- 6 Planning Permission 12-00374-FULL



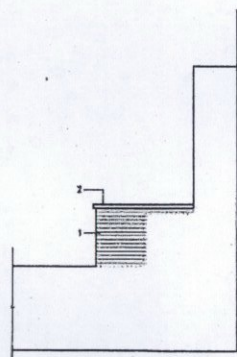
Rear Elevation



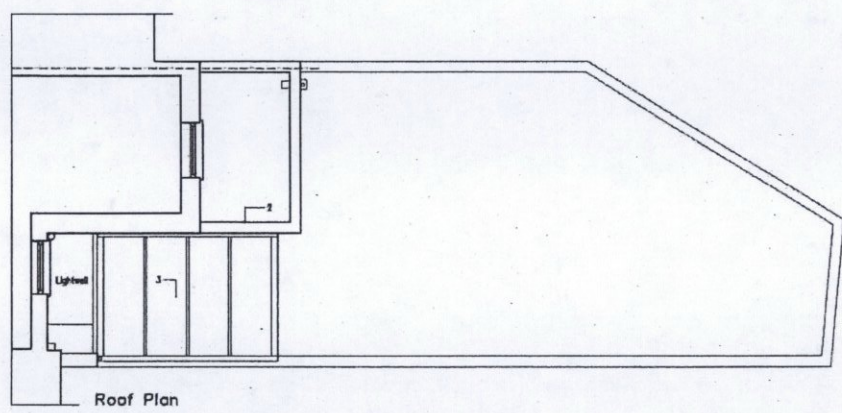
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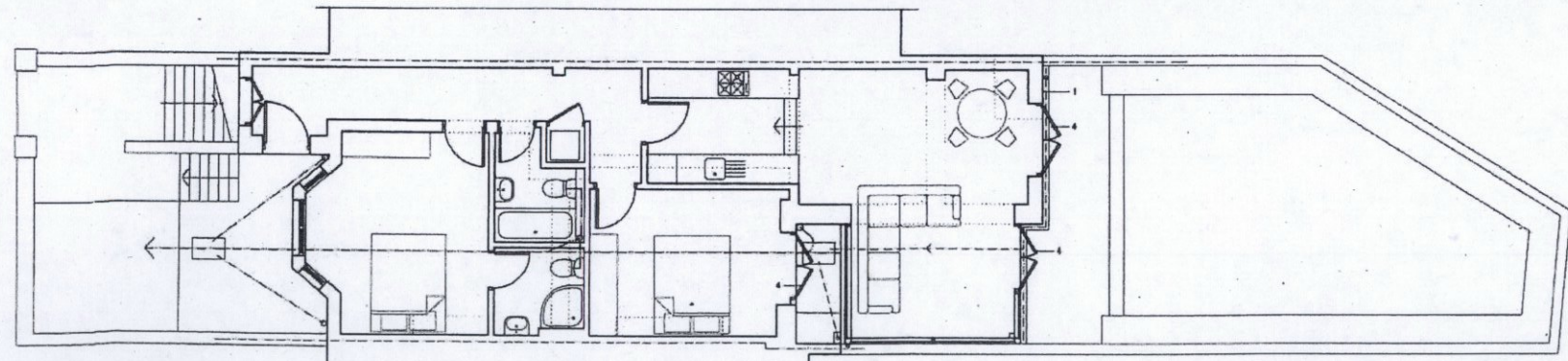
Side Elevation
29 Chippenham Road



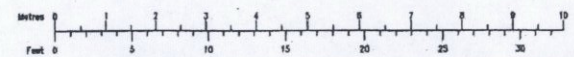
Side Elevation
33 Chippenham Road



Roof Plan



Lower Ground Floor



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Project
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The
 Plans & Elevations As Built

Drawn/Checked	NRK	mkh
Date	13 March 2015	
Scale	1/100 @ A3	
Project Number	KSN31CR	
Drawing No./Revision	AD410	-