

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 8 September 2015	Classification For General Release	
Report of Director of Planning		Wards involved Bayswater	
Subject of Report	8 Sunderland Terrace, London, W2 5PA		
Proposal	Erection of dormer windows to front and rear roof slopes.		
Agent	BLA Architects		
On behalf of	Mr Cyrus Jilla		
Registered Number	15/04641/FULL	TP / PP No	TP/13140
Date of Application	22.05.2015	Date amended/ completed	26.05.2015
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne		
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

Refuse permission - design grounds.





8 SUNDERLAND TERRACE, W2

2. SUMMARY

Permission is sought for the erection of a rear dormer and enlargement of an existing front dormer in connection with the enlargement of the existing dwellinghouse at fourth floor level. The current application follows the refusal of a similar scheme, which was subsequently dismissed at appeal in March 2015. The principal difference between the current scheme and that which was recently dismissed at appeal is that the width of the proposed front and rear dormers have now been reduced.

The key issue in this case is:

- The impact of the proposed dormers on the appearance of the building and the character and appearance of the Westbourne Conservation Area.

Whilst the amendments to the front dormer have overcome the concerns raised previously in respect of the scheme dismissed at appeal in early 2015, the proposed rear dormer is considered to harm the appearance of the building and the character, appearance and unity of the terrace of which it forms a part, which remains predominantly undeveloped to the rear roof slope. The rear dormer would also harm the character and appearance of the Westbourne Conservation Area and would be contrary to Policies DES1, DES6 and DES9 in the Unitary Development Plan (UDP) and Policies S25 and S28 in Westminster's City Plan: Strategic Policies (the City Plan).

3. CONSULTATIONS

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Objection. In view of recent appeal decision and letter of advice from the City Council, object to the proposed rear dormer window. No objection in respect to the front dormer provided it meets the City Council's normal design requirements. If necessary, permitted development rights should be removed to prevent the front parapet wall from being removed or altered.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 33; Total No. of Replies: 0.

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site is a three storey terrace property and comprises part of a group of unlisted mid-19th century buildings within the Westbourne Conservation Area. The building is not listed, nor are there any listed buildings located adjacent to the site.

4.2 Relevant History

20 May 2014 – Permission was refused for increase of the width of existing front roof dormer and construction of new rear dormer (13/11365/FULL). Permission was refused on design grounds. A subsequent appeal was dismissed on 6 March 2015.

In reaching this decision the Inspector had regard for the predominantly undeveloped rear roof plane on the north side of Sunderland Terrace and modest scale of front dormers that have been erected. Consequentially, the Inspector concluded that the enlarged front dormer and proposed rear dormer would detract from the character and appearance of the surrounding area and unity of the terrace, contrary to Policies S25 and S28 in the City Plan and Policies DES6 and DES9 in the UDP.

The Inspector acknowledged that the rear dormer would not be visible from the public highway, although he gave weight to the substantial views of the rear of 8 Sunderland Terrace from the upper floor windows from Durham Terrace to the rear.

In accordance with the NPPF, the Inspector concluded that the dormers would result in harm to the special character of the heritage asset, and the relative gains of providing improved levels of light and accommodation in the roof space would not be sufficient to outweigh the harm caused.

5. THE PROPOSAL

The application seeks permission for the erection of a replacement dormer window to the front roof slope and a new dormer window to the rear roof slope.

6. DETAILED CONSIDERATIONS

6.1 Land Use

Policy S14 in the City Plan and Policy H3 in the UDP seek to maximise the amount of land or buildings in residential use. The creation of additional residential floorspace in connection with the existing dwellinghouse is therefore not objectionable in land use terms.

6.2 Townscape/Design

The Westbourne Conservation Area Audit outlines that unbroken roof lines make a distinctive contribution to the local scene. The terrace of which the application site forms a part has an attractive and largely uniform appearance. This uniform appearance extends to its roofscape, where nearly all of the properties retain their pitched roof profile, particularly to the rear roof slope, which is more visible owing to the lack of a roof edge parapet to the rear.

Policies DES6 and DES9 of the UDP are the most directly applicable design policies. Policy DES6 indicates that roof level alterations and extensions are likely to be refused where the development would affect the architectural character or unity of a building, or group of buildings, and would be visually intrusive or unsightly when viewed from public or private views.

6.2.1 Proposed Rear Dormer

With the exception of the neighbouring property at No.7 and in part No.11, the prevailing character of the roofscape of Sunderland Terrace is that it does not feature rear dormers. This point was observed in the Inspector's appeal decision dated 6 March 2015 (see Background Papers). With regard to the rear dormer at No.7, permission was granted in 1995 and therefore it predates the adoption of the current UDP in 2007 and the Westbourne Conservation Area Audit in 2002. Accordingly, it can be afforded little weight. Furthermore, the Inspector's decision from March 2015 highlights that these dormers are unsympathetic and not a suitable example to follow.

At No.11D, a discreet rear dormer window was permitted in 2006, although this also predates the adoption of the current UDP. More weight must be given to the City Council's decisions in 2007 and 2014 to refuse permission for dormer extensions at Nos.6D and 8 Sunderland Terrace.

With regard to the proposed rear roof dormer, it would be centrally positioned on the roof slope and set up from the eaves by 1.3m. It would contain two timber sash windows and would have lead clad dormer cheeks. The previously refused dormer had the same

positioning but contained three window units and occupied a greater proportion of the overall rear roof slope. In terms of views of the roof at the rear, the rear elevation walls at Nos.1-12 terminate at the eaves and there are prominent views of its rear roofscape seen from the upper floor levels of surrounding buildings and also from Alexander Mews.

It is acknowledged that the scale of the proposed dormer has been reduced compared to that which was previously refused and the materials and detailing are not out of keeping with the host building. However, the dormer itself would, in this location, break up the largely unaltered roof profile in conflict with Policies DES1 and DES6 in the UDP and Policy S28 in the City Plan. As a consequence, the proposed dormer would harm the appearance and unity of the rear roofscape of this terrace.

As such, whilst the rear dormer has been reduced in size compared to the previously refused proposal, it would remain disruptive upon the existing consistency of the roofline of the terrace, which is particularly apparent from the rear and would be detrimental to the architectural integrity and character of the building and of the terrace. Consequentially, it would fail to preserve or enhance the character or appearance of the conservation area, which is both a statutory duty for the local planning authority and the aim of Policy DES9 in the UDP and S25 in the City Plan. In accordance with the NPPF, the relative gains in terms of the improved levels of light and accommodation at fourth floor level within the dwellinghouse are not considered sufficient to outweigh the harm identified.

6.2.2 Front Dormer

The front of this terrace grouping is characterised by uniform parapet walls which terminate higher than the eaves, but lower than the height of the ridge of the roof. As such, when viewed from street level the pitched roofs of the terrace at Nos.1-12 Sunderland Terrace are largely screened by its front parapet wall (the submitted drawings of No.8 indicate the parapet wall is some 1.5m high) and any street level views of the roofs are minimal, although the upper part of the roof slope are prominently visible from the properties on the upper floor levels of buildings opposite.

The proposed replacement front dormer would be centrally positioned on the roof slope behind the parapet and is set back from the roofs edge. It would contain two timber sash windows and would have lead dormer cheeks. The previously refused dormer had the same positioning but contained three window units and thus would have occupied a greater proportion of the front roof slope.

It is acknowledged that the roofscape to the front of the terrace is more varied with a number of properties having modestly-scaled dormers. This proposal is for a slightly wider dormer than currently exists, but is narrower than the one at No.7 and narrower than the previous refused front dormer. In these circumstances, it is considered that the overall impact of the proposed front dormer upon the character and appearance of the conservation area would on balance be acceptable and no objection is raised in design terms in relation to this part of the current scheme.

6.3 Amenity

Policy ENV13 in the UDP states that the Council will resist proposals that would result in a material loss of daylight/sunlight, particularly to dwellings, and that developments should not result in a significant increased sense of enclosure, overlooking or cause unacceptable overshadowing. Similarly, Policy S29 in the City Plan aims to protect the amenity of residents from the effects of development.

In this case, given the location of the proposed development at roof level set within the existing roof slopes, it would not give rise to any significant concerns in amenity terms. The proposals therefore accord with Policy ENV13 in the UDP and Policy S29 in the City Plan.

6.4 Transportation/Parking

Not applicable.

6.5 Economic Considerations.

Not applicable.

6.6 Equalities and Diversities (including Access)

The proposed development would have no impact on the accessibility of the existing private dwellinghouse.

6.7 Other UDP/Westminster Policy Considerations

None relevant.

6.8 London Plan

The proposal does not raise strategic issues and does not have significant implications for the London Plan.

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 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

Not relevant given the limited scale of the proposed development.

6.12 Other Matters

None relevant.

7. CONCLUSION

For the reasons set out in Section 6.2 of the report, the proposed rear dormer would detract from the appearance of the building, the unity of the terrace of which the host building forms a part and would harm the character and appearance of the Westbourne Conservation Area. This would be contrary to Policies S25 and S28 in the City Plan and Policies DES1, DES6 and DES9 in the adopted UDP.

BACKGROUND PAPERS

1. Application form.
2. Letter from South East Bayswater Residents Association dated 17 July 2015.
3. Appeal decision dated 6 March 2015, previous decision letter dated 20 May 2014 and associated drawings.

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

DRAFT DECISION LETTER

Address: 8 Sunderland Terrace, London, W2 5PA

Proposal: Erection of dormer windows to front and rear roof slopes.

Plan Nos: Site location plan, 02, 03, 06, 105, 22, 23, 25, 26, 27, 'Rear Elevation Terrace Image in Context', 'Front Elevation Terrace Image in Context', 'Existing Elevation Images' photo sheet and Design and Access Statement.

Case Officer: Samuel Gerstein

Direct Tel. No. 020 7641 4273

Recommended Reason(s) for Refusal:

Reason:

- 1 Because its location, height, width and form, the rear dormer extension would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Westbourne Conservation Area. This would not meet S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1, DES 6, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. The proposal would also be contrary to advice in the City Council's Supplementary Planning Guidance "Westbourne Conservation Area Audit" (2002); and "Roofs A Guide to Alterations and Extensions on Domestic Buildings" (1995).

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 so far as practicable. 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 the applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition further guidance was offered to the applicant at pre application stage, principally that a rear dormer would not be acceptable although a modest front dormer would likely be acceptable. However the advice of Officers was not adhered to. You are therefore encouraged to consider submission of a fresh application incorporating the material amendments set out below which are necessary to make the scheme acceptable.

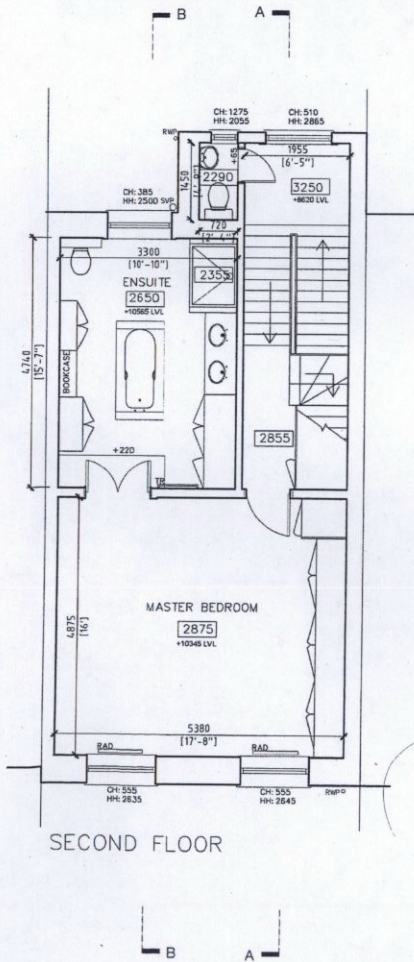
Required amendments:

- Revised application comprising a modestly scaled front dormer and "Conservation Style" rooflights to the rear roof slope.

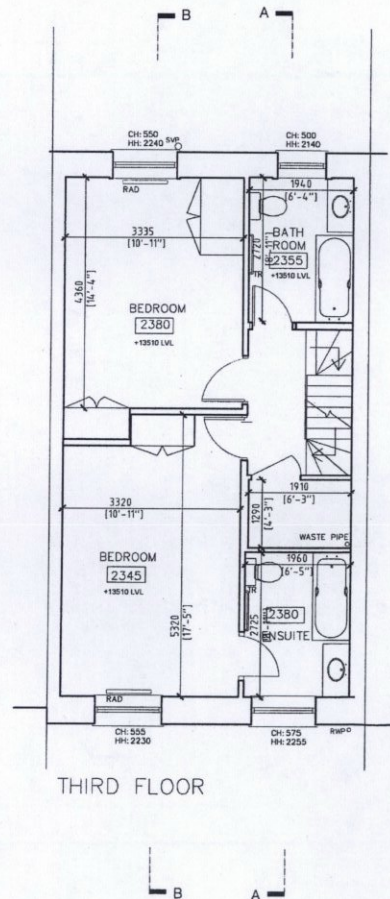
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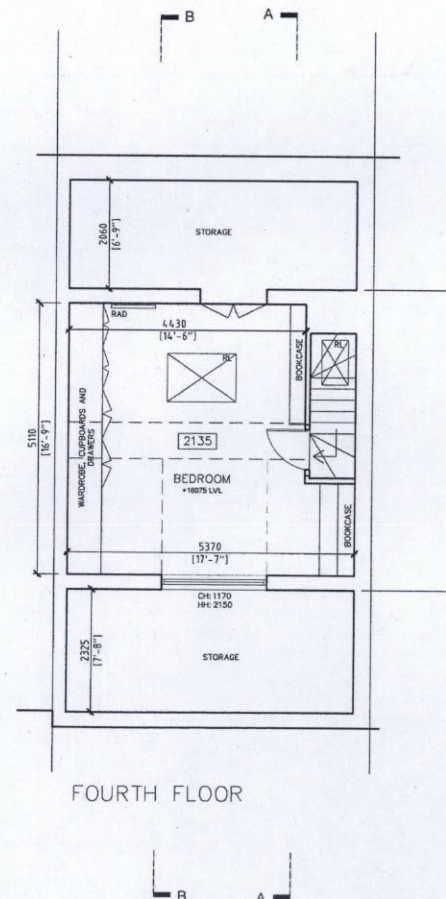
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SECOND FLOOR



THIRD FLOOR



FOURTH FLOOR

Rev.	Date	By	Description
STATUS			
EXISTING			
B L A ARCHITECTS ARCHITECTURE • INTERIOR DESIGN • PROJECT MANAGEMENT 10-11 BAKER STREET 2ND FLOOR LONDON W1R 4DE Tel: 020 7564 8333 mail@bla-architects.com www.bla-architects.com			
ELEV: MR & MRS JILLA			
PROJECT: 8 SUNDERLAND TERRACE LONDON W2			
DRAWING: EXISTING PLANS SECOND, THIRD AND FOURTH FLOORS			
DRAWING: 1:50 @ A1 1:100 @ A3	DATE: MAR 2015	DRAWN BY: JS	
JOB NO: 309	DRAWING NO: 02	REV:	

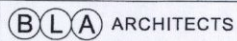
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FRONT ELEVATION

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STATUS EXISTING			
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CLIENT MR & MRS JILLA			
PROJECT 8 SUNDERLAND TERRACE LONDON W2			
DRAWING EXISTING FRONT ELEVATION			
DRAWING 1:50 @ A1 1:100 @ A3		DATE AUG 2013	DRAWN BY RA
JOB NO. 309	DRAWING NO. 105	REV	

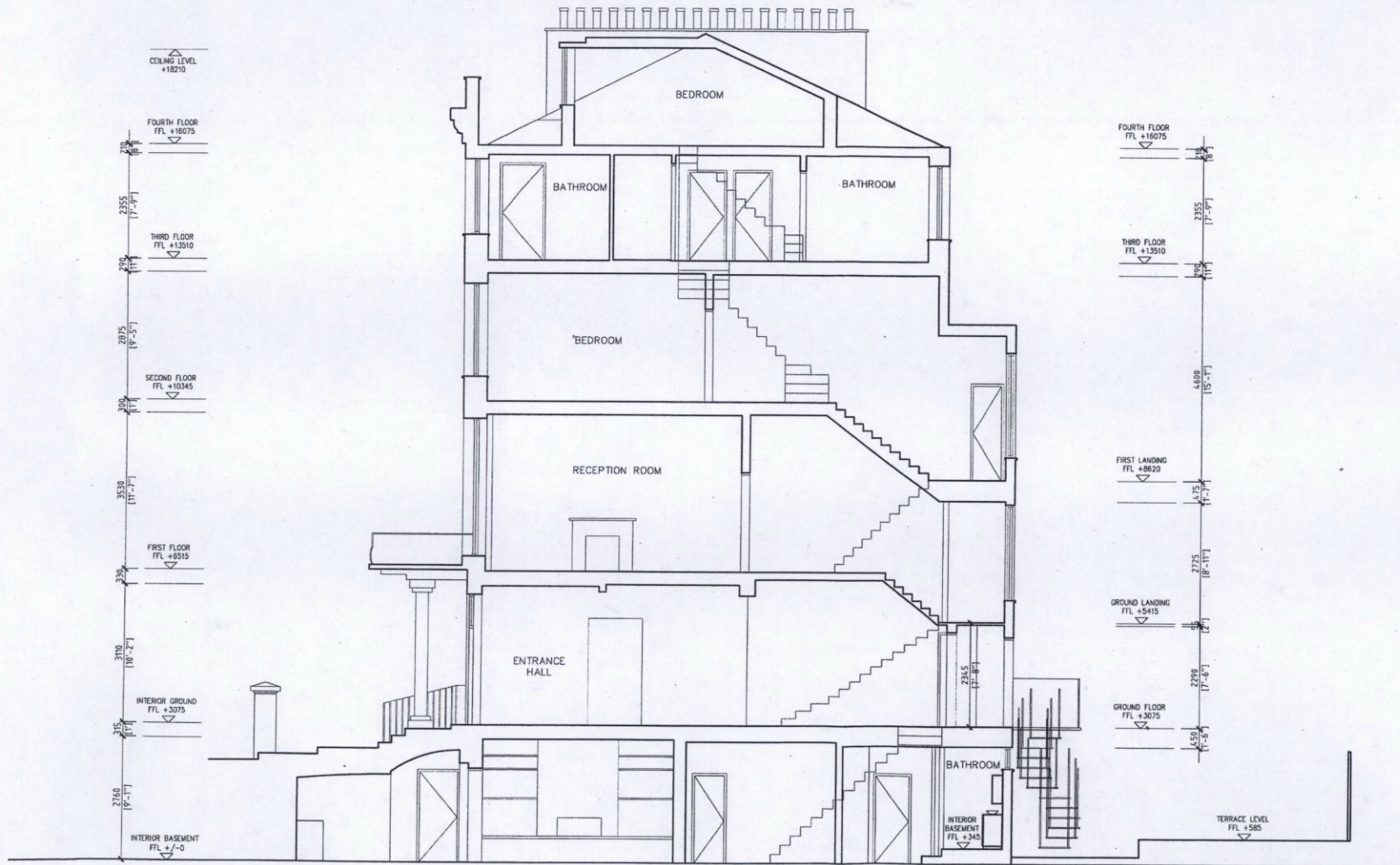
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REAR ELEVATION

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STATUS			
EXISTING			
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CLIENT			
MR & MRS JILLA			
PROJECT			
8 SUNDERLAND TERRACE LONDON W2			
DRAWING			
EXISTING REAR ELEVATION			
DRAWING		DATE	DRAWN BY
1:50 @ A1 1:100 @ A3		MAR 2015	JS
JOB NO.	DRAWING NO.	REV	
309	06		

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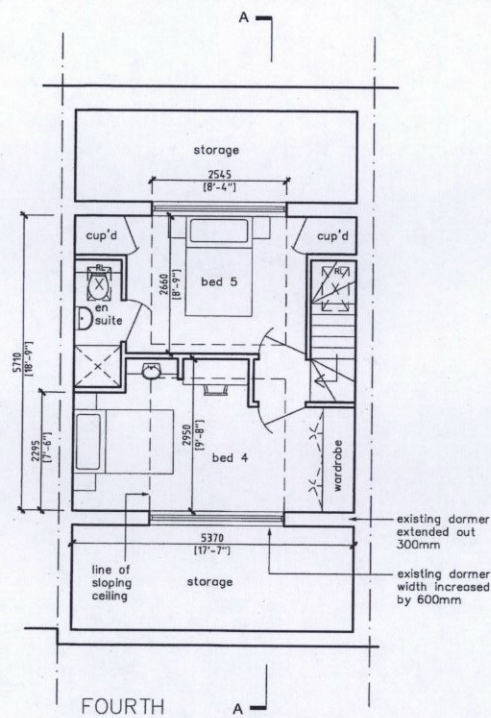
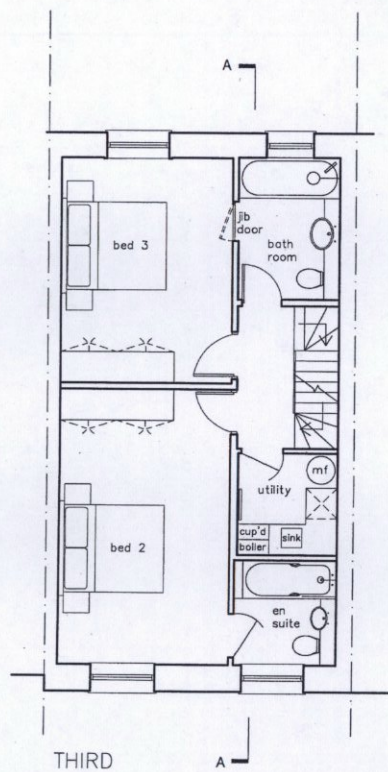
SECTION A-A

No.	Date	By	Description
STATUS EXISTING			
BLA ARCHITECTS ARCHITECTURE • INTERIOR DESIGN • PROJECT MANAGEMENT 91-93 BAKER STREET (2ND FLOOR) LONDON W1D 6SQ Tel: 020 7436 8333 mail@bla-architects.com www.bla-architects.com			
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existing dormer extended out 300mm
existing dormer width increased by 600mm

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STATUS			PLANNING
<small>ARCHITECTURE • INTERIOR DESIGN • PROJECT MANAGEMENT</small> <small>11-11 BAKER STREET (2ND FLOOR) LONDON W1U 6QQ</small> <small>Tel: 020 7486 8333 mail@bla-architects.com www.bla-architects.com</small>			
CLIENT			MR & MRS JILLA
PROJECT			8 SUNDERLAND TERRACE LONDON W2
DRAWING			PROPOSED PLANS THIRD AND FOURTH FLOORS
DRAWING		DATE	DRAWN BY
1:50 @ A1 1:100 @ A3		AUG 2013	RA
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309	22		

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FRONT ELEVATION

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CLIENT **MR & MRS JILLA**

PROJECT **8 SUNDERLAND TERRACE
LONDON W2**

DRAWING **PROPOSED FRONT ELEVATION**

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CLIENT MR & MRS JILLA

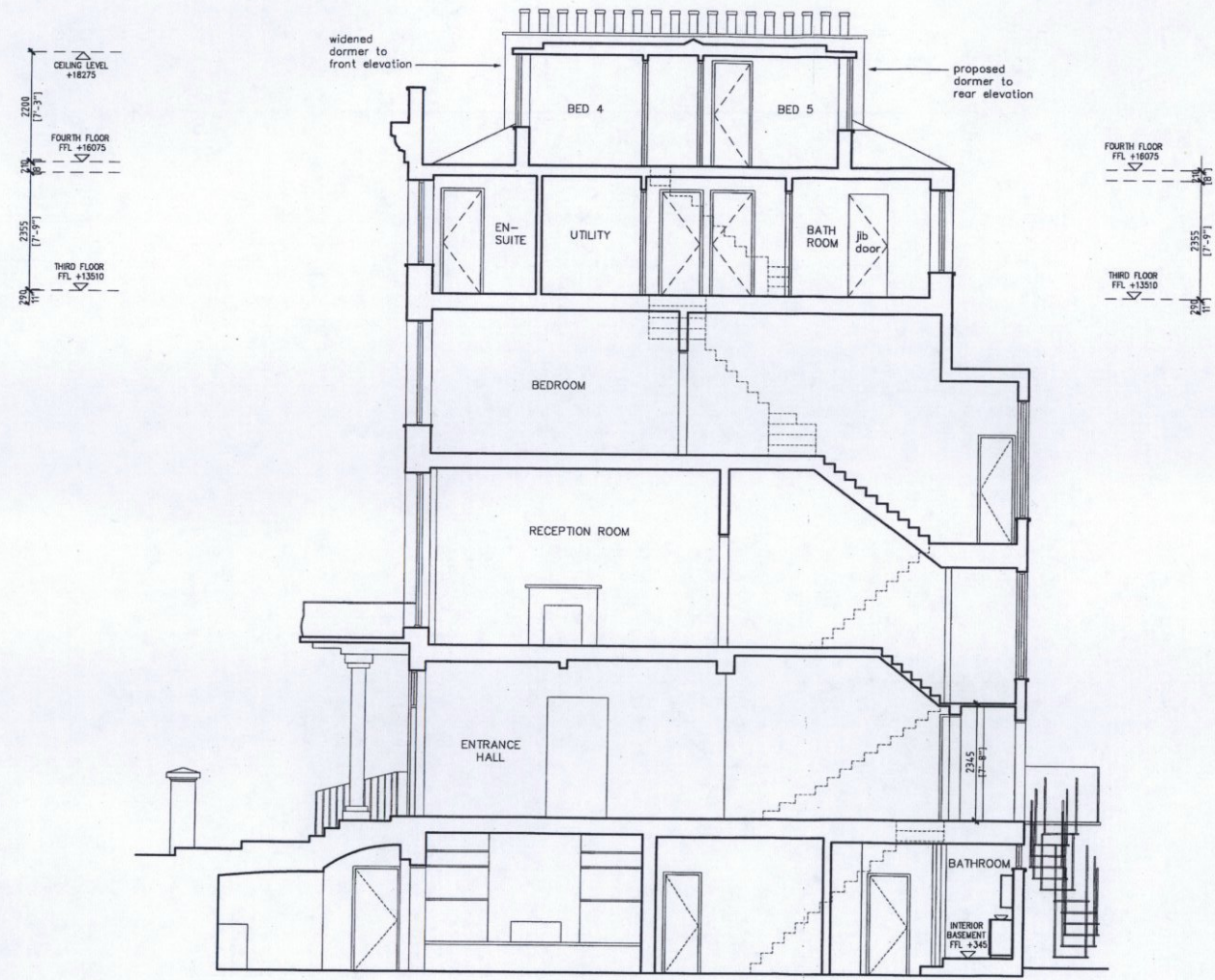
PROJECT 8 SUNDERLAND TERRACE LONDON W2

DRAWING PROPOSED REAR ELEVATION

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CLIENT **MR & MRS JILLA**

PROJECT **8 SUNDERLAND TERRACE
LONDON W2**

DRAWING **PROPOSED SECTION AA**

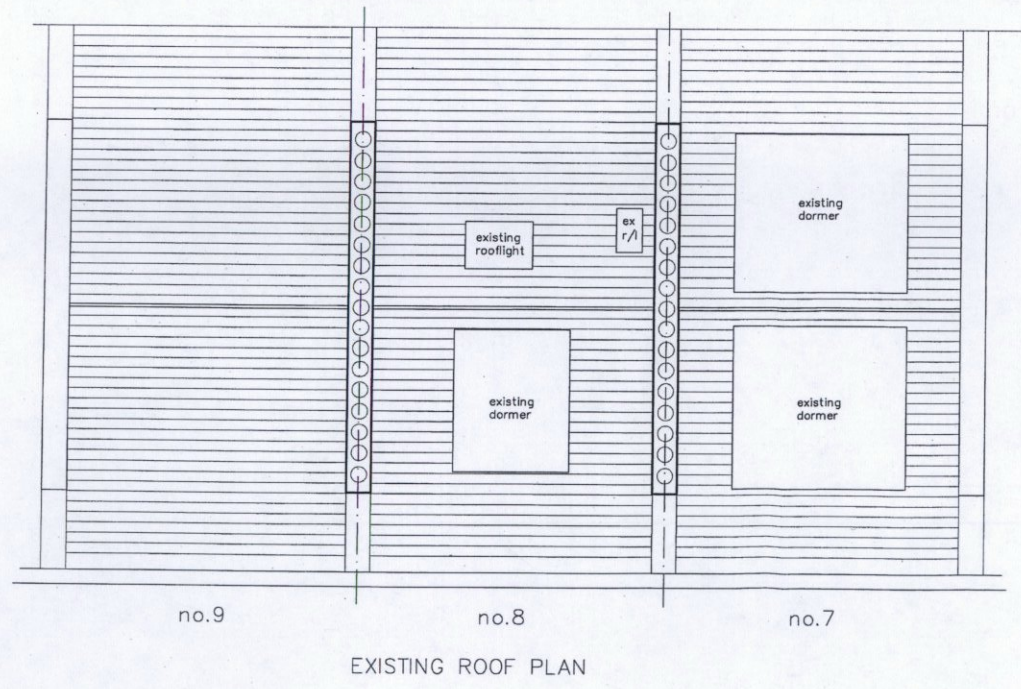
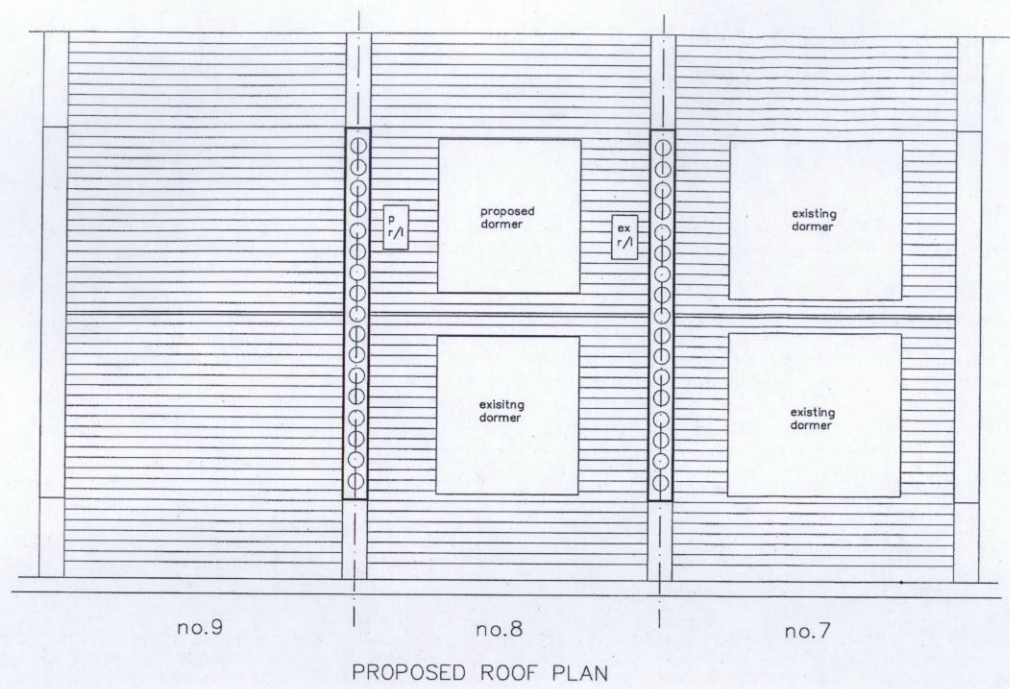
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CLIENT MR & MRS JILLA			
PROJECT 8 SUNDERLAND TERRACE LONDON W2			
DRAWING EXISTING & PROPOSED ROOF PLANS			
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