

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 1 March 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	51 Marlborough Place, London, NW8 0PS		
Proposal	Demolition of an existing rear two storey rear extension at lower ground and ground floor levels and other associated works to the rear garden and terracing, and the erection of new single storey rear extension to lower ground floor and new doors to rear ground floor level above, and a new brick faced lift shaft extension from upper ground to third floor levels incorporating an extended mansard structure to rear third floor level with associated alterations to the rear elevation.		
Agent	Mr Mike Slade		
On behalf of	Mr Marek Wojciechowski		
Registered Number	15/09615/FULL	Date amended/ completed	18 January 2016
Date Application Received	14 October 2015		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

The application site is a single dwelling house on the south side of Marlborough Place. The building is unlisted and is located within the St John's Wood Conservation Area. Permission is sought for the demolition of an existing rear two storey rear extension at lower ground and ground floor levels and other associated works to the rear garden and terracing, and the erection of a new single storey rear extension to lower ground floor and new doors to rear ground floor level above, and a new extension incorporating a lift shaft and which rises from upper ground to third floor levels including incorporating an extended mansard structure to rear third floor level and with associated alterations to the rear elevation.

The key issues in this case are:

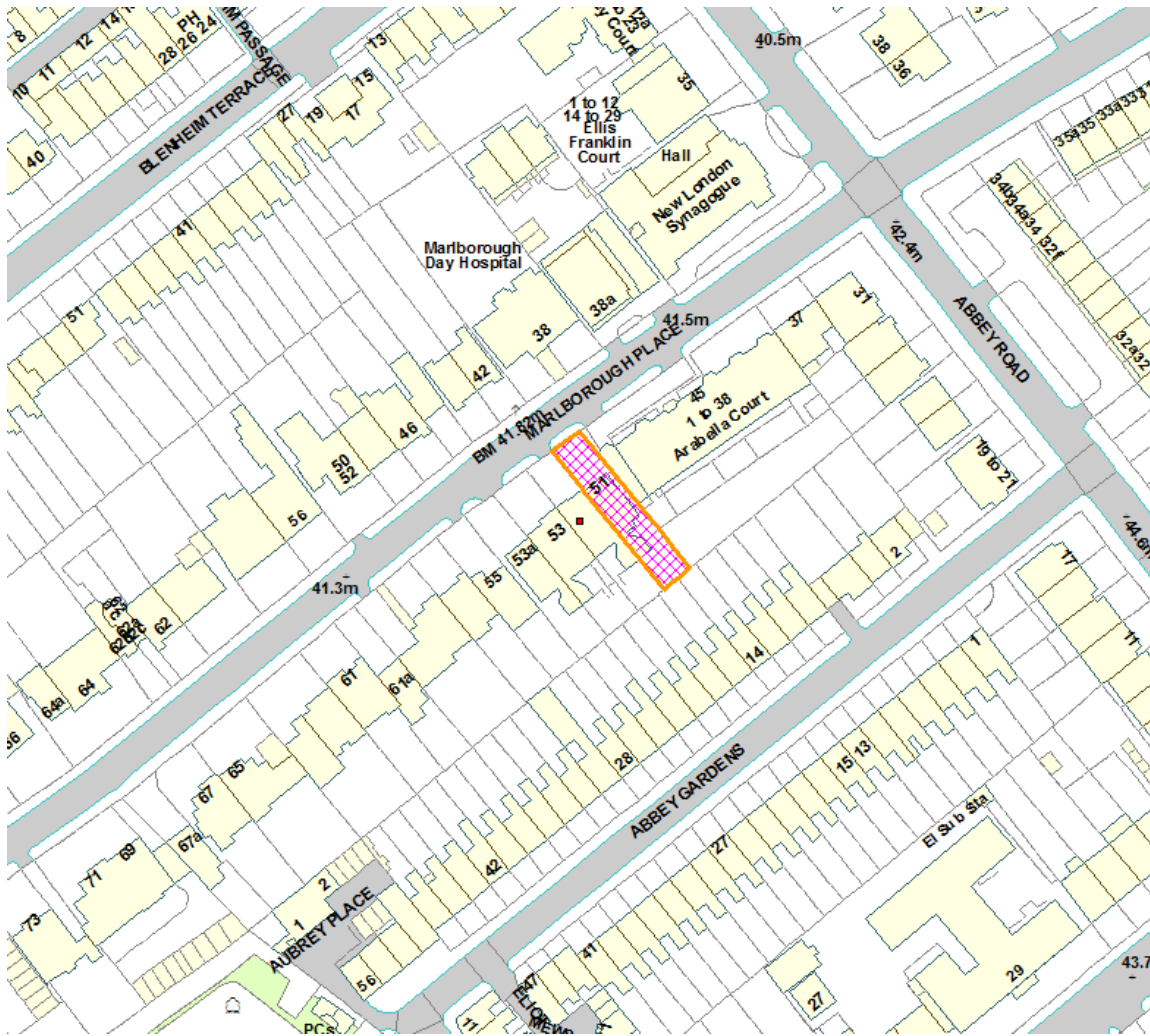
- * The impact on the character and appearance of the building and surrounding conservation area.
- * The impact on the amenity of neighbouring residents.

Item No.

10

<p>Subject to appropriate conditions, the proposal is considered acceptable in design and amenity terms. The application is therefore recommended for approval being in compliance with the relevant Unitary Development Plan (UDP) and City Plan policies.</p>

3. LOCATION PLAN



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4. PHOTOGRAPHS







View from the Rear Garden of 45 Marlborough Place



5. CONSULTATIONS

St John's Wood Society
No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 53
Total No. of replies: 6
No. of objections: 6
No. in support: 0

The objection letters received raise concerns on the following grounds:-

Design Issues

- Concern expressed about unattractive appearance of lift shaft extension.
- Concern expressed that the lift would detract from the unity of this group of buildings.

Amenity Issues

- Concern expressed about a loss of light to adjacent gardens from the construction of the lift shaft.

Other Issues

- Comment that the conservatory structure to the rear of the building is only one storey high not two as described.
- Concerns expressed about the cumulative nature of the works within the various applications submitted in recent years, and view expressed that applicants should submit all works desired in one single application submission.
- View expressed that the lift shaft should be located internally to the building.
- View expressed that the owner should move if the house is not of desired size.
- Concern expressed about the noise and disruption the works would give rise to.
- View expressed that the additional section of mansard may be converted into a room.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is single dwelling house which covers lower ground, ground and three upper floors. It has render facing to the lower ground and ground floors of the front elevation, and exposed brickwork to the first and second floor front elevation and brickwork to the full sheer height of side and rear, and with a slate clad mansard to third floor level. The building is not listed and it is located within the St John's Wood Conservation Area. It forms part of a run of four houses located on the south side of Marlborough Place which were together designed as a unified and classically inspired architectural composition, and which were erected in accordance with an appeal decision of 17 July 2001.

6.2 Recent Relevant History

15/03037/CLOPUD

Demolition of rear conservatory extension and erection of rear extension, excavation works and alterations to rear fenestration.

Application Permitted 10 June 2014

00/02136/FULL

Demolition of existing buildings, including garages and out buildings at rear and front boundary wall and redevelopment of the site by the erection of four dwelling houses with basement garages.

Application Refused 12 January 2001

Appeal against refusal allowed on 17 July 2001

7. THE PROPOSAL

The application seeks permission for the removal of an existing rear two storey rear extension at lower ground and ground floor levels and other associated works to the rear garden and terracing, and its replacement with a new single storey rear extension to lower ground floor and new doors to rear ground floor level above. The application also proposes a new brick faced lift shaft extension infilling a currently inset corner between main front and rear elevations and which rises from ground to third floors with the third floor level designed as a continuation of the existing mansard, and the floors below designed with exposed brickwork and blind window panels to integrate with the main rear elevation. An existing window to the rear elevation at ground floor level is proposed to be removed and replaced with a pair of opening doors flanked to each side by window panels, with these doors opening over the flat roof of the lower ground floor extension proposed.

The application proposals were amended during the course of the application to reduce the bulk of the lift shaft structure at third floor level, which had formerly been proposed as a large lead clad box like structure but is now designed as a traditional sloping mansard roof structure to match the existing section of mansard roof adjacent.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The additions to this single dwelling house represented by the new rear extensions proposed at lower ground floor to third floor levels are modest in scale and are considered acceptable in principle in land use terms and in accordance with Policy H3 in the Unitary Development Plan (UDP).

One of the objectors has expressed a concern that the additional section of mansard may be converted into a room. However, the plans submitted show a staircase landing within the new section of mansard, as in its amended form the lift does not project up to the full height of this new extension. Notwithstanding this and even if the mansard contained a new or extended habitable room, this too would be in accordance with Policy H3.

Objectors have also expressed a view that if the house is of insufficient size then the owners should consider moving. However, this is not a planning consideration and as such cannot influence a decision on a planning application.

8.2 Townscape and Design

The building is a single dwelling house which is unlisted and is located within the St John's Wood Conservation Area. The building is modern in date of construction, arising from an appeal decision of 2001 which granted consent for new four buildings to the south side of Marlborough Place designed in a unified composition and in a classical style. The architectural styling to the front elevation of the building is designed with a high degree of grandeur, with numerous architectural embellishments. The rear elevations however are relatively plain, though with some restrained architectural quality, and still designed in traditional style with timber windows and a slate clad roof structure to third floor level.

To the rear of the building is an existing two storey rear extension, which incorporates a more solid facing to its lower ground floor and a more traditional conservatory styling to ground floor. Several objectors have expressed a view that the 'conservatory' to be demolished as stated by the applicants could only refer to the ground floor element, however the plans submitted are clear that both the lower ground floor and ground floor levels of this two storey rear extension are to be demolished and replaced by a single storey extension at lower ground floor level, with a further rear extension incorporating a lift shaft extending up from it at ground to third floor levels.

The existing rear extension at lower ground and ground floor levels is of no particular architectural quality and as with the remainder of the building dates only from the 2001 appeal decision. Its removal is not considered contentious. The new lower ground floor rear extension proposed matches the one previously considered under the Certificate of Lawfulness issued on 10 June 2014, and it is designed with a simply detailed render frame containing glazing, and to this discreet location set down into the garden behind relatively high boundary walls this extension is considered acceptable in design terms. The small area of railings proposed to the roof of this extension will not unduly clutter the impression of this new extension (with this aspect of the proposals discussed in more detail and in respect of the amenity implications of this small terrace area to the roof of the lower ground floor extension separately in this report).

The extension which rises up the rear of the building infills the cut-away section of the corner between the side and rear elevations of this building and creates an extension incorporating a lift shaft. An objector has expressed a concern that the extension would detract from the unity of this group of four buildings. However, the building to the west end of the terrace (no. 53A Marlborough Place) has its corner squared off in exactly the manner proposed in this application and thus the extension is considered to add to the unity of the rear of this terrace, and to give a simpler and neater finish to this part of the application building.

Concerns have also been raised by an objector about an unattractive appearance to the new lift shaft extension. However, it is designed in brickwork to match the existing building, with blind window panels inset to the rear elevation to give some visual relief and provide a rhythm of 'window' openings, and with the new section of slate clad mansard to third floor level designed as a seamless continuation of the existing mansard. Though

noting the concerns raised, the extension is considered to integrate well with the existing building and as such the concern raised on this ground is not sustainable.

A view is also expressed by an objector that the lift shaft should be located internally to the building, however though noting these points, the applicants seek permission for a largely external structure, and the application must be considered on its merits.

Given the above therefore, the extensions proposed to the rear of the building are considered to be acceptable in design and conservation terms and would accord with Policies DES1, DES5, DES9 and DES 10 in the UDP and S25 and S28 in the City Plan.

8.3 Residential Amenity

Sunlight and Daylight / Sense of Enclosure

Policy ENV13 of the UDP states that 'The City Council will normally resist proposals that result in a material loss of daylight/sunlight, particularly to existing dwellings and educational buildings. In cases where the resulting level is unacceptable, permission will be refused.' Policy S29 of the City Plan states that 'The Council will resist proposals that result in an unacceptable material loss of residential amenity and developments should aim to improve the residential environment.'

The extension proposed most closely impacts upon the rear windows within the bay to the west end of the adjoining residential mansion block at no. 45 Marlborough Place. To this bay there are two windows to each floor level from first floor and upwards, with the ground floor given over to the car park entrance area. No objections have been received from the residents of the flats served by the windows within this bay, though an objection has been received from a resident of a flat to ground floor level located further along the rear elevation expressing concern about a loss of light to the rear garden area of no. 45 Marlborough Place.

A Daylight and Sunlight Assessment has been submitted by the applicants which assesses the impact of the extension on the windows to this bay of the neighbouring property in accordance with the Building Research Establishment (BRE) Guidelines. The BRE Guidelines state that daylight to living rooms, kitchens, and bedrooms should be assessed but bathrooms, toilets, storerooms and circulation areas and garages need not be analysed. Access has not been available into these flats, however from floorplans available it appears that each of the windows lights a bedroom.

The applicant has considered the impact of the additional bulk on the Vertical Sky Component (VSC) available to these windows. VSC is a measure of the amount of sky visible from the centre point of a window on its outside face. If this achieves 27% or more, the BRE advise that the window will have the potential to provide good levels of daylight. The guidelines also suggest that reductions from existing values of more than 20% should be avoided as occupiers are likely to notice the change.

The Assessment submitted concludes that the two rear windows to first floor level would experience an 11.4% loss and a 4.2% loss respectively which would accord with the BRE Guidelines with regards to VSC losses. The Assessment also concludes that the two rear windows each at second, third and fourth floor levels would remain with a VSC of at least

27% or more, and as such these windows would also accord with the BRE Guidelines with regards to VSC losses.

In terms of an impact upon sunlight, the BRE Guidelines state that all windows within 90 degrees of due south should be considered, and the south-east facing rear windows to the adjoining bay of no. 45 Marlborough Place are therefore considered by the Assessment. The BRE guidance states that if any window receives more than 25% of the Annual Probable Sunlight Hours (APSH, where the total APSH is 1486 hours in London), including at least 5% during winter months (21 September to 21 March) then the room should receive enough sunlight. The BRE guide suggests that any reduction in sunlight below this level should be kept to a minimum. If the proposed sunlight is below 25% (and 5% in winter) and the loss is greater than 20% either over the whole year or just during winter months, then the occupants of the existing building are likely to notice the loss of sunlight. The applicants Daylight and Sunlight Assessment considers the impact of the extension in these terms and concludes that the impact upon these windows would accord with the BRE Guidelines in terms of sunlight.

It is of note also that the submitted Daylight and Sunlight report was written on the basis of the scheme as initially submitted, however the later revisions to reduce the bulk of the extension at third floor level would be anticipated to make at least some marginal improvements in terms of the impact on the amenity of the adjoining properties.

Though the Daylight and Sunlight Assessment does not consider the impact on the rear garden area of no. 45 Marlborough Place which is an area of concern for one objector, the extension proposed above lower ground floor level principally infills an inset corner area of the building and as such, though there will be a degree of greater bulk to the building, it would not be anticipated to have a significant impact upon the adjoining rear garden area and the concern expressed on this ground is not considered sustainable.

In sense of enclosure terms, the extension proposed would not project beyond the main side or main rear elevation lines to the existing building. It is noted that the side elevation of the application building already projects approximately 1.8m further rearward than the rear elevation line of no. 45 Marlborough Place, and by infilling the currently inset corner area the extension proposed will continue the side elevation by another 1.8m. It is recognised that the extension proposed will be readily visible on angle from the windows to the west end of the rear elevation of no. 45 Marlborough Place. These rear windows to no. 45 Marlborough Place however will retain a large open aspect over their generously proportioned rear garden, and as such, the addition of the extension is not considered to give rise to an unacceptable increase in sense of enclosure to these windows.

Privacy

The Certificate of Lawfulness issued on 10th June 2014 involved the demolition of the existing two storey rear extension at lower ground and ground floor levels, its replacement with a new single storey rear extension at lower ground floor level, and also other works which included the removal of an existing window to the main rear elevation at ground floor level and its replacement with a larger opening containing a pair of opening doors flanked by window panels. Though on the plans submitted with the Certificate of Lawfulness these new ground floor doors opened out onto the flat roof of the lower ground floor extension, the extension itself had no form of balustrading or other edge protection or other means of containing access from the doors, and the flat roof was not described as a

terrace on that application submission. A proposal for a terrace to the roof of the extension would have resulted in it not being capable of being considered permitted development.

In this current application the existing window to rear ground floor level is again proposed for removal and replacement with a pair of opening doors flanked with windows which are a match in design for those included in the Certificate of Lawfulness application, and these would again open over the flat roof of the lower ground floor extension. Though again, no guardrails or edge protection is shown on the application drawings, it is noted that the lower ground floor extension projects close to the eastern side boundary wall and in this position persons standing on the flat roof would have direct and relatively close range views into the rear windows to first floor particularly of flats within the mansion block at 45 Marlborough Place, and into the rear private garden to the ground floor at the rear of this adjoining building. To more definitively resolve this issue, a condition is recommended requiring the submission of revised drawings showing inward opening doors and a Juliet balcony to prevent use of this roof as a terrace.

Conclusion on Amenity

In summary, the extensions are not considered to have any unacceptable impact upon the amenity of surrounding occupiers and the proposals are considered to be acceptable in amenity terms and would accord with Policy S29 in the City Plan and Policy ENV13 in the UDP.

8.4 Transportation/Parking

The proposals do not raise transportation or parking considerations. The issues related to the construction of the scheme are considered separately below.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The works include the construction of a lift shaft to serve the half landings between ground and second floors. Though it is recognised that there remains stepped access to enter the building and to reach the lift, nonetheless the lift will improve disabled access internally, and as such the lift is welcomed in access terms.

8.7 Other UDP/Westminster Policy Considerations

Trees

There are no trees in close proximity to the lower ground floor extension and as such no trees will be affected by these proposals.

8.8 London Plan

This application raises no 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.

8.11 Environmental Impact Assessment

Environmental Impact issues are not relevant in the determination of this application.

8.12 Other Issues

A Construction Management Plan (CMP) has been submitted which gives some information as to how the construction process would be managed. This is relatively small scale project however and as such, with the information attached, with the provisions set out in the CMP and with the hours of works condition attached, it is not considered that the concerns expressed in terms of the noise and disturbance of the works are sustainable.

Objectors to the application have also expressed concern that this is one of a series of applications which have been submitted in recent years to the building. Though noting these concerns, this current application proposes a self-contained package of works which must be considered on its merits, and as such the concerns expressed about works proposed or previously approved in other applications are not considered sustainable for this application.

9. BACKGROUND PAPERS

1. Application form.
2. Response from St John's Wood Society, dated 2 November 2015.
3. Letters from occupier of Flat 19, 45 Marlborough Place, dated 1 December 2015 and 25 January 2016.
4. Letter from occupier of Flat 6, 45 Marlborough Place, London, dated 23 January 2016.
5. Letters from occupier of Flat 37, 45 Marlborough Place, dated 30 November 2015, 23 January 2016, and 27 January 2016.

(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 ALISTAIR TAYLOR ON 020 7641 2979 OR BY EMAIL AT NorthPlanningTeam@westminster.gov.uk

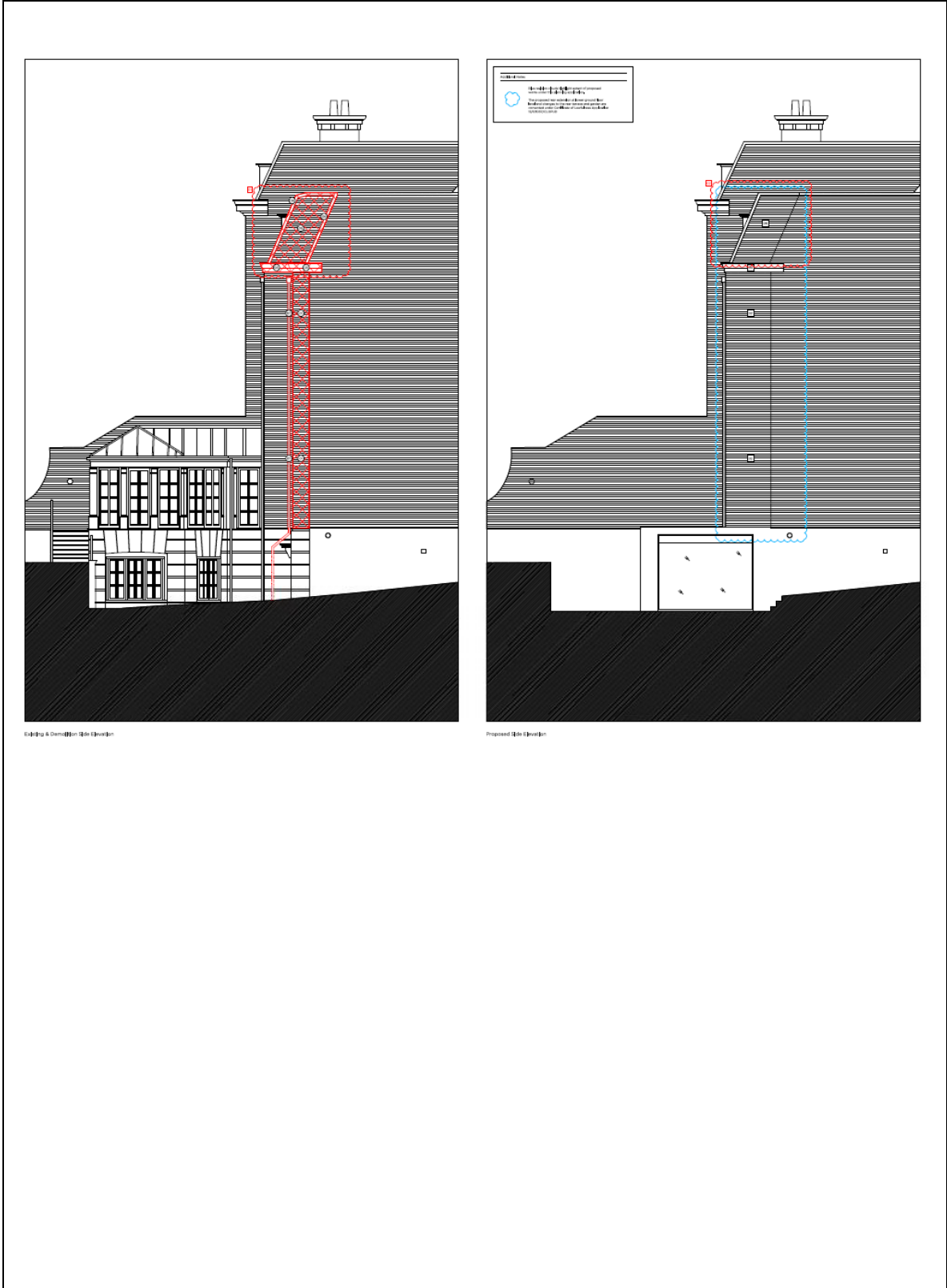
10. KEY DRAWINGS



Existing & Demolition Rear Elevation



Proposed Rear Elevation



DRAFT DECISION LETTER

Address: 51 Marlborough Place, London, NW8 0PS,

Proposal: Demolition of existing rear two storey conservatory and external steps, and erection of new single storey rear extension to lower ground floor, with new french doors to the rear elevation at lower ground floor, and new brick lift shaft from upper ground to third floor levels incorporating an extended mansard structure to rear third floor level. Associated alterations to rear garden and terracing,

Reference: 15/09615/FULL

Plan Nos: location plan, P-06B, P-07B, P-08, P-01A, P-02A, P-03A, P-04B, P-05B, visual montage of rear of building titled 'Existing Rear Elevation', visual montage of rear of building titled 'Proposed Rear Elevation (Revised 13.01.2016)', Daylight and Sunlight report from CHP Surveyors dated 13th October 2015, Construction Management Plan revision A dated 13th October 2015

Case Officer: Alistair Taylor **Direct Tel. No.** 020 7641 2979

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 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 this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 4 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 5 The new pitched roofslope shall be clad in slates to match the existing pitched roofslope adjacent, and the new coping shall match the material and profile of the existing coping to the existing parapet to the rear elevation

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St John's Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

- 6 You must apply to us for approval of detailed drawings showing the following alteration to the scheme:

- Installation of inward opening external French doors and a Juliet balcony in place of the outward opening doors depicted under annotation 09 on drawing no. P_01 Revision A.

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.

You must not use the roof of the lower ground floor extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency.

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: Strategic Policies adopted November 2013 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: 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 You need to speak to our Highways section about any work which will affect public roads. This includes new pavement crossovers, removal of redundant crossovers, changes in threshold levels, changes to on-street parking arrangements, and work which will affect pavement vaults. You will have to pay all administration, design, supervision and other costs of the work. We will carry out any work which affects the highway. When considering the desired timing of highway works in relation to your own development programme please bear in mind that, under the Traffic Management Act 2004, all works on the highway require a permit, and (depending on the length of the highway works) up to three months advance notice may need to be given. For more advice, please phone 020 7641 2642. However, please note that if any part of your proposals would require the removal or relocation of an on-street parking bay, this is unlikely to be approved by the City Council (as highway authority). (I09AC)
- 3 It is noted that the submitted Construction Management Plan (CMP) refers to works which have previously been considered under other application proposals, including works to create a new basement underneath the front garden. For the purposes of this application 15/15/09615/FULL you are advised that this CMP has been considered only on the basis of the Construction Management Plan Revision A dated 16 December 2015 including the locations of the skip, site office, works zone, hoarding location, tree protection and suggestion of parking arrangement, and other works to the front garden shown on the plan titled 'Storage of Plant and Materials: Phases 1-3' including works involved in raising the front garden are not considered under this application submission.

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.