

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 31 May 2016	Classification For General Release	
Report of Director of Planning		Ward(s) involved Abbey Road	
Subject of Report	69A Clifton Hill, London, NW8 0JN		
Proposal	Erection of single storey outbuilding within the rear garden for ancillary use to ground floor flat.		
Agent	Mr Donald Shearer		
On behalf of	Mr Damien Nicol		
Registered Number	15/11400/FULL	Date amended/ completed	17 December 2015
Date Application Received	7 December 2015		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Permission is sought for the erection of an ancillary outbuilding within the rear garden of this unlisted semi-detached flatted property within the St John's Wood Conservation Area.

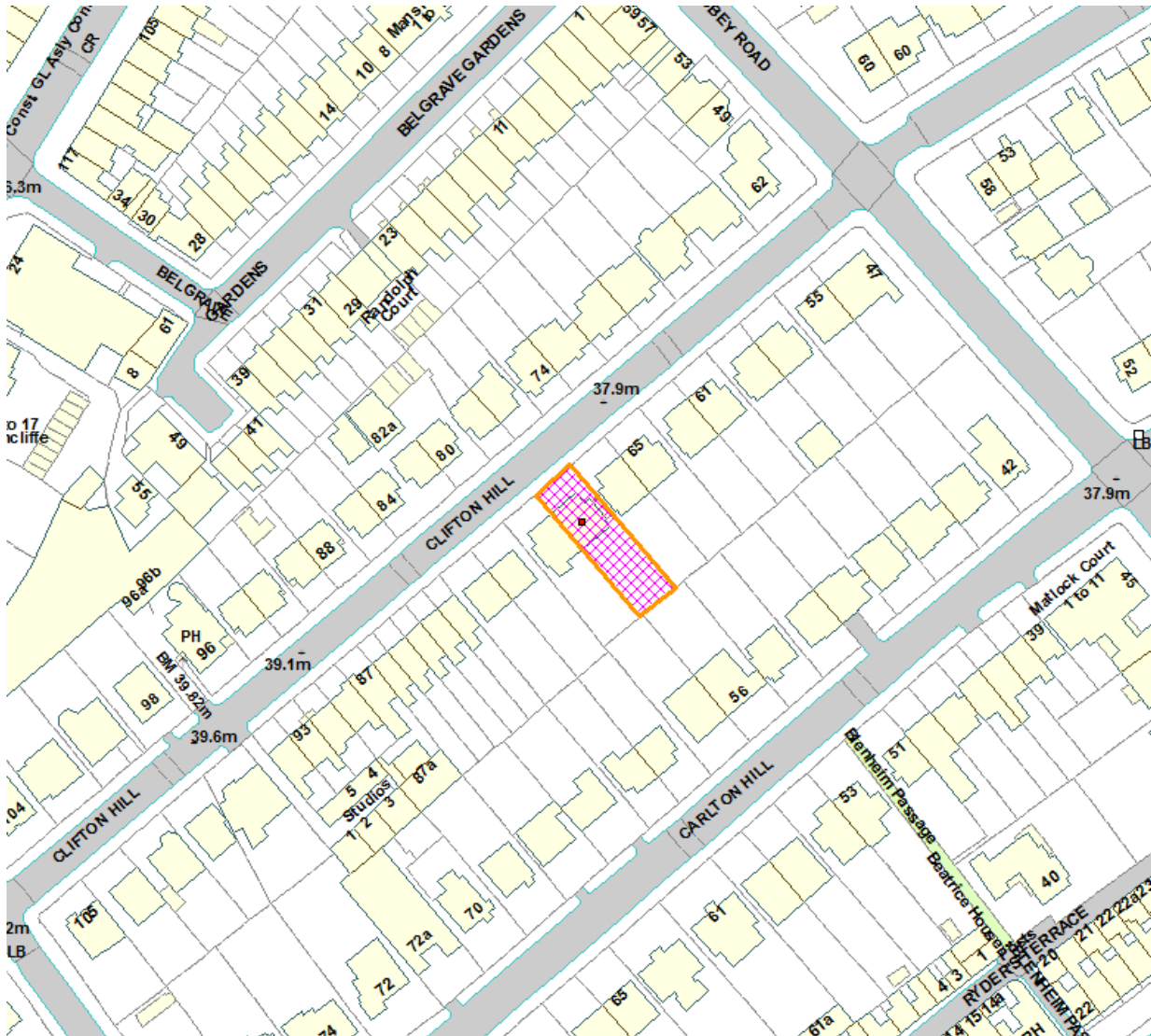
The St John's Wood Society and six local residents have raise objection on a number of grounds with respect to the impact on residential amenity, design, the proposed land use and impact on trees.

The key issues are:

- Impact on the character and appearance of the building and conservation area.
- Impact on the amenity of neighbouring residents.
- Impact on trees.

The proposed development accords with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan: Strategic Policies (the City Plan) and is therefore 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. LOCATION PLAN



This production includes mapping data licensed from Ordnance Survey with the permission of the controller of Her Majesty's Stationary Office (C) Crown Copyright and/or database rights 2013. All rights reserved License Number LA 100019597

4. PHOTOGRAPHS



5. CONSULTATIONS

ST JOHN'S WOOD SOCIETY

Objection; garden office will be overly dominant creating an unfortunate barrier across the end of the garden, loss of amenity to neighbours in terms of noise and loss of privacy and no trees of amenity value should be damaged or felled.

ARBORICULTURAL MANAGER

No objection subject to conditions to require minor amendments to tree protection details and also the provision of further details of the foundations and a landscaping plan.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 36

Total No. of replies: 7 (2 from same address)

No. of objections: 7

No. in support: 0

In summary, the following issues were raised:

Amenity:

- Potential noise should the structure be used as something noisy like a media room.
- Increased overlooking from windows.

Design:

- The structure is too large for the proportions of the garden.
- Precedent for other developments of this type in the street.

Land Use:

- Likely that the structure would be used as a clinic rather than an office resulting in increased visitors detracting from the peace and quiet of the neighbourhood.
- The structure should only be used for office and not additional accommodation.

Trees:

- Potential impact on adjacent trees.

Other:

- While the roofline will be higher than boundary walls, the walls and windows should not.
- Commercial buildings would have negative impact on the value of surrounding properties.
- Already stress on local parking. Potential that office could increase parking stress in the future as not possible to ensure that only the owner uses the facility. Builders would also increase this stress.
- Noise and disturbance from building work.

- Outlook of garden marred to the residential flats on the upper levels.
- Effect on water table
- Loss of house value

ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

69 Clifton Hill is an unlisted four storey semi-detached property located within the St John's Wood Conservation Area. The building has been subdivided into flats with 69A occupying the ground floor.

6.2 Recent Relevant History

Conditional permission granted for demolition of section of existing rear elevation and erection of single storey rear extension with green roof. (11/07396/FULL)

7. THE PROPOSAL

Planning permission is sought for the erection of a single storey detached outbuilding within the rear garden of the site. It would measure 3.19m by 5.57m and would be 2.57m in height with a flat roof. It is proposed to be constructed of redwood cladding with a sedum roof. The applicant has indicated that it is proposed to be used for purposes ancillary to the existing ground floor flat and is not in fact proposed to be used as an office. The applicant's agent has confirmed that reference to an "office garden building" in the original description was an error, as it relates to the name of the company that construct the building (garden office company).

8. DETAILED CONSIDERATIONS

8.1 Land Use

In terms of land use, the applicant has confirmed that the proposed outbuilding will be used ancillary to the existing dwelling. The principle of ancillary floor space to an existing dwelling, in this instance a flat, is considered to be acceptable in terms of land use.

8.2 Townscape and Design

The proposed garden structure is a single storey and located wholly to the rear of the property which is fully enclosed. The proposed outbuilding is considered to be appropriate in this context in terms of its footprint and height, and also in the context of the neighbouring properties. The design of the building and the use of redwood cladding is considered to result in an appropriately designed garden building.

The proposal is considered to be acceptable in terms of design as it complies with policies DES 1 of the UDP and S25 and S28 of the City Plan.

8.3 Residential Amenity

The proposed outbuilding is located to the rear of the garden adjacent to the rear boundary and is 2.57m in height. The surrounding boundaries are 1.4m in height and the rear boundary benefits from a number of trees.

The proposal is adjacent to the boundary with 56 Carlton Hill; no consultation response was received from the owners of this property. Given its location at the end of the garden and the distance between the rear of the property at 56 Carlton Hill and the boundary it is not considered that the proposed structure will cause harm in terms of loss of light, outlook or increased overlooking to adjacent residents. The proposal is not considered to raise issues in terms of sense of enclosure and given that its use will be ancillary to the existing dwelling does not raise concerns in terms of increased noise or disturbance to neighbouring occupiers.

The proposal is considered acceptable in terms of residential amenity as it complies with policies, ENV 13 and S29.

8.4 Transportation/Parking

Objections have been received on the grounds of increased traffic and parking implications as a result of the proposal. The applicant has confirmed that the building will not be used for a business and therefore the proposal will not generate transport or parking pressures.

8.5 Economic Considerations

Not applicable.

8.6 Access

The proposal does not have any adverse access implications.

8.7 Other UDP/Westminster Policy Considerations

Trees

There are several trees which could be affected by the development, including two mature lime trees (T1, T2) in the rear garden, a mulberry in the rear garden of 67 Clifton Hill (T6), and a mature lime tree at the front of the property (not surveyed for purposes of planning application). It is noted that the applicants have submitted a separate Section 211 notification of intent (15/11204/TCA) to remove the lime tree T2, on the grounds that the tree has decay at the base and is leaning across the garden. They propose to plant a new tree in the same location. In view of the decay and the proposal to plant a new tree it is likely that this tree application will be recommended favourably.

The City Council's tree officer is satisfied with the proposal, subject to conditions to secure soft landscaping, foundation details and tree protection.

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

Not applicable.

8.11 Environmental Impact Assessment

An Environmental Impact Assessment was not required for a development of this scale.

9. BACKGROUND PAPERS

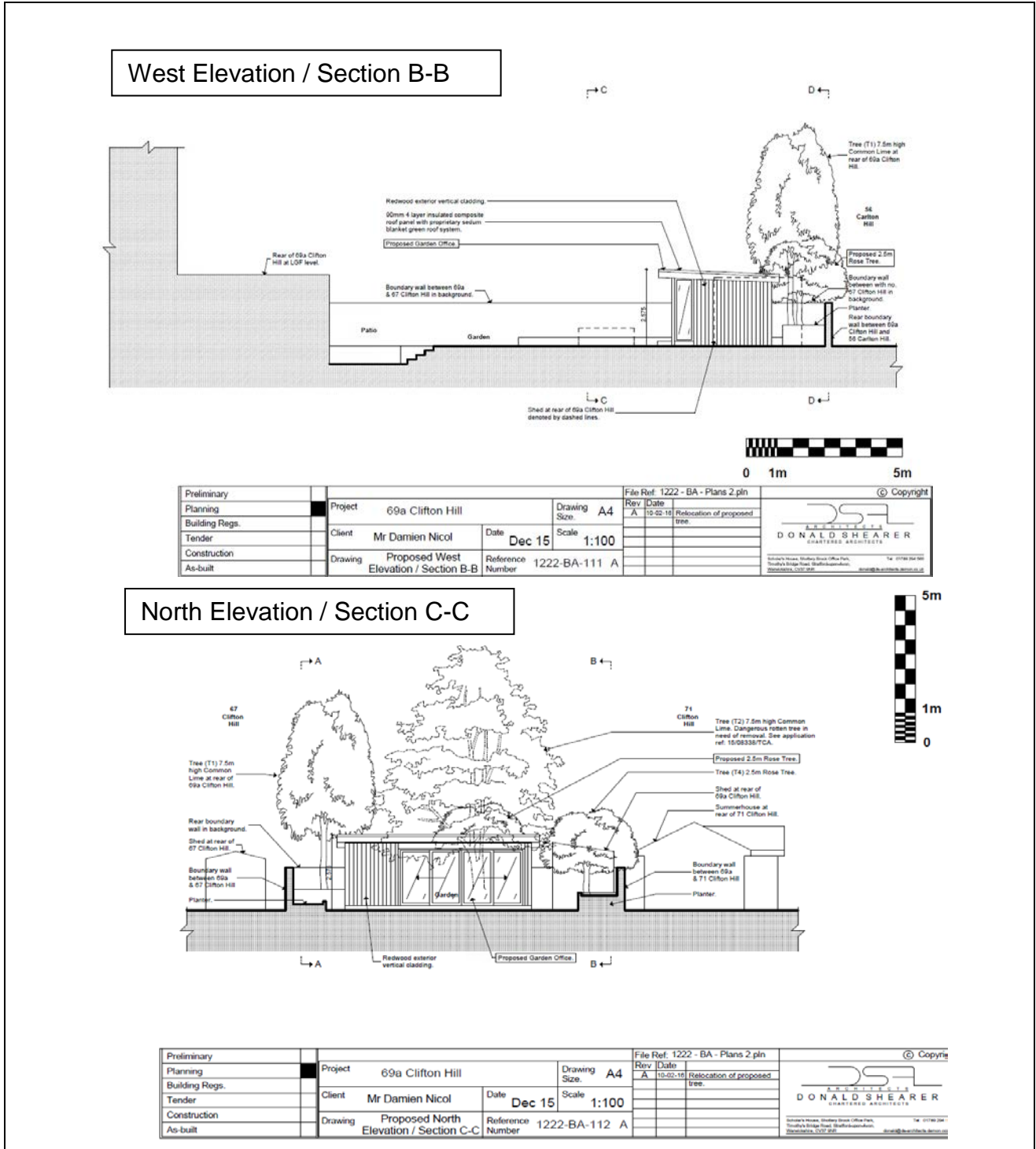
1. Application form
2. Response from St John's Wood Society, dated 2 February 2016
3. Response from Arboricultural Manager, dated 27 January 2016
4. Letter from occupier of 60 Carlton Hill, London, dated 20 January 2016
5. Letter from occupier of 69 Clifton Hill, London, dated 20 January 2016
6. Letter from occupier of 71A Clifton Hill, London, dated 22 January 2016 + 24 January
7. Letter from occupier of 71b Clifton Hill, London, dated 27 January 2016
8. Letter from occupiers of neighbouring flat in Clifton Hill dated 24 January 2016
9. Letter from occupier of Flat 2, 69 Clifton Hill, dated 24 January 2016

Selected relevant drawings

(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 VICTORIA COELHO ON 020 7641 6204 OR BY EMAIL AT northplanningteam@westminster.gov.uk

9. KEY DRAWINGS



DRAFT DECISION LETTER

Address: 69 Clifton Hill, London, NW8 0JN,

Proposal: Erection of single storey outbuilding within the rear garden for ancillary use to ground floor flat.

Plan Nos: 1222-BA-101; 1222-BA-102; 1222-BA-103; 1222-BA-104; 1222-BA-105; 1222-BA-106; 1222-BA-107A; 1222-BA-108A; 1222-BA-109A; 1222-BA-110A; 1222-BA-111A; 1222-BA-112A; 1222-BA-113A. Design and Access Statement, Tree Report.

Case Officer: Victoria Coelho

Direct Tel. No. 020 7641 6204

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 **Pre Commencement Condition.** You must apply to us for our approval of the depth and methods to be used to dig the foundations. You must not start any work until we have approved what you have sent to us. The excavation and foundations must be carried out according to the approved details. (C31MA)

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 4 **Pre Commencement Condition.** You must apply to us for approval of an amended Arboricultural Report that gives due consideration to the mature lime tree at the front of the property. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To make sure that the trees on the site are adequately protected during building works. This is as set out in S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31AC)

- 5 The single storey outbuilding shall not be used as habitable accommodation including overnight sleeping and shall only be used for other purposes incidental to the enjoyment of the ground floor flat at 69A Clifton Hill, NW8 0JN.

Reason:

To protect neighbouring residents from noise nuisance, as set out in S24, 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.

- 6 You must apply to us for approval of detailed drawings of a planting scheme which includes the number, size, species and position of trees and shrubs. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then carry out the planting within one planting season of completing the development (or within any other time limit we agree to in writing).

If you remove any trees or find that they are dying, severely damaged or diseased within 5 years of planting them, you must replace them with trees of a similar size and species. (C30BB)

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the St John's Wood Conservation Area, and to improve its contribution to biodiversity and the local environment. This is as set out in S25, S28 and S38 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 16, ENV 17, DES 1 (A) and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R30CD)

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.