

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 December 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	97 Randolph Avenue, London, W9 1DL		
Proposal	Variation of Condition 1 of planning permission dated 7 October 2014 (RN: 14/04980/FULL) for the excavation of basement extension under garden and house, lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation, insertion of four rooflights. NAMELY, to amend the arrangement of rooflights in the roof of the lower ground floor rear extension from 3 rooflights to one larger rooflight.		
Agent	D u s t Design Limited		
On behalf of	Mrs Mary-claire Pereira		
Registered Number	17/03517/FULL	Date amended/ completed	24 April 2017
Date Application Received	24 April 2017		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application seeks permission for the variation of Condition 1 of planning permission dated 7 October 2014 (RN: 14/04980/FULL) for the excavation of a basement extension under the garden and house, erection of a lower ground floor rear and side extension and conversion of the roof space to provide habitable accommodation. The amendment sought is namely to vary the approved drawings to amend the arrangement of rooflights in the roof of the lower ground floor rear extension from 3 rooflights to one larger rooflight.

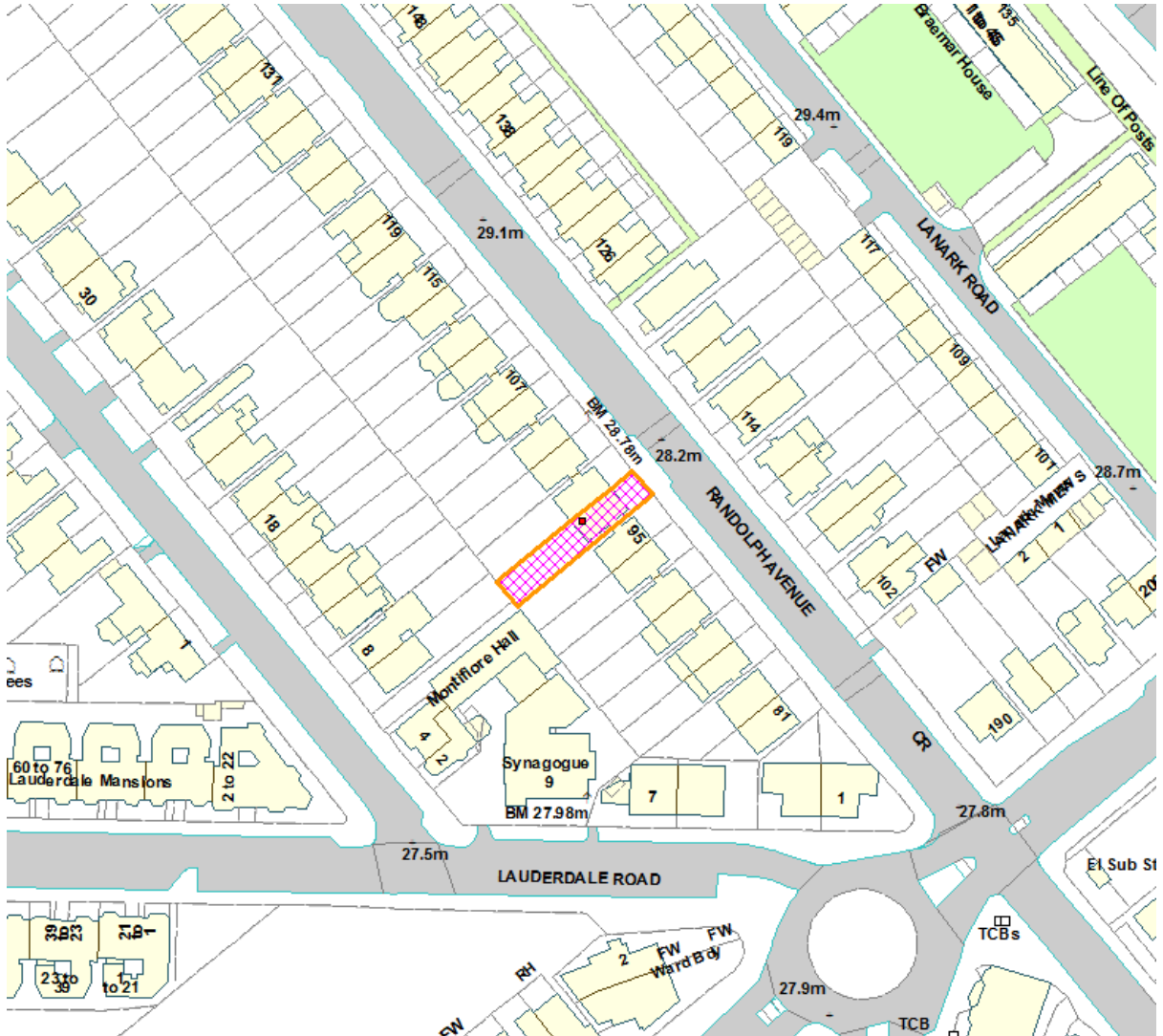
The key issues in this case are:

- The impact on the appearance of the building and the character and appearance of the Maida Vale Conservation Area.

- The impact on the amenity of neighbouring residents.

The revised rooflight arrangement is not considered to result in an unacceptable level of light spillage so as to reasonably warrant withholding permission on amenity grounds and would not harm the appearance of the building or the character or appearance of the conservation area. Subject to the recommended conditions, the proposal would accord with the relevant policies in Westminster's City Plan adopted in November 2016 (the City Plan) and the Unitary Development Plan adopted in January 2007 (UDP). It is therefore recommended that conditional permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of partially completed rear extension.

5. CONSULTATIONS

COUNCILOR PRENDERGAST

Objection on the grounds the proposed rooflight would cause increased light pollution to neighbours at No.99 Randolph Avenue.

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY

No objection. Ask that neighbours' views are taken into consideration.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 13.

Total No. of replies: 1.

No. of objections: 1.

No. in support: 0.

One email/ letter received from the occupier of No.99 Randolph Avenue raising objection on the grounds of light pollution as a result of one large rooflight with a greater glazed area than the previously approved three smaller ones.

ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises an unlisted single family dwellinghouse located within the Maida Vale Conservation Area. The application relates to the arrangement of rooflights in the roof of the lower ground floor rear extension which was approved on 7 October 2014 and is currently under construction.

6.2 Recent Relevant History

14/04980/FULL

Excavation of basement extension under garden and house, lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation, insertion of 4no. rooflights.

Application Permitted 7 October 2014

14/11361/ADFULL

Details of a revised Arboricultural Impact Assessment including a method statement, pursuant to Condition 8 of planning permission dated 07 October 2014 (RN: 14/04980/FULL).

Application Permitted 7 January 2015

17/02121/NMA

Amendments to planning permission dated 7 October 2014 (RN: 14/04980) for:

Excavation of basement extension under garden and house, lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation, insertion

of 4 rooflights. Namely, the replacement of an approved grey metal fascia with a brick band in a soldier course arrangement.

Application Permitted 27 March 2017

17/02065/NMA

Amendments to planning permission dated 7 October 2014 (RN: 14/04980) for: Excavation of basement extension under garden and house, lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation, insertion of 4 rooflights. Namely, amendment of location of approved rooflights and installation of additional rooflight in flat roof element of main roof.

Application Permitted 28 March 2017

7. THE PROPOSAL

The application seeks permission for the variation of Condition 1 of planning permission dated 7 October 2014 (RN: 14/04980/FULL) for the excavation of basement extension under garden and house, erection of a lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation and insertion of 4no. rooflights. The permission has been partially implemented on site to date with the basement excavated and the lower ground floor extension structure erected.

The variation sought by the current application is namely to vary the approved drawing numbers to allow the replacement of the three rooflights in the roof of the lower ground floor rear extension that were previously approved, with a single larger rooflight.

Whilst the latest version of the City Plan was adopted in November 2016, following the determination of the original planning application in October 2014, it is not considered that the material changes in policy this introduced in respect of basement development (Policy CM28.1) represent grounds on which to reasonably withhold permission for the current application. This is because the basement element of the approved development is substantially complete and has been lawfully implemented to date pursuant to the original October 2014 permission. Other than in respect of basement development, the latest version of the City Plan adopted in November 2016 does not introduce any other substantive changes in policy context in respect of other aspects of the previously approved development, which it is now proposed to vary. Therefore the remainder of this report focuses only on the amendments to sought to the rooflight arrangement in the roof of the lower ground floor rear extension.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The enlargement of the existing dwellinghouse is in accordance with Policy H3 in the UDP and Policy S14 in the City Plan.

8.2 Townscape and Design

The proposed amendments to the arrangements of the rooflights on the flat roof of the rear extension will have limited visual impact on the appearance of the building due to the discreet location of this alteration to the rear of the site. The alterations proposed, which are appropriately designed and no bulkier than the approved arrangement of three rooflights, would not therefore have any adverse impact on the appearance of the building or the character and appearance of the Maida Vale Conservation Area. As such, the proposal would accord with Policies DES5 and DES9 of the UDP and Policies S25 and S28 in the City Plan.

8.3 Residential Amenity

An objection has been received from the neighbouring occupier of No.99 Randolph Avenue on the grounds that the proposed amendment to provide a single large rooflight in the roof of the lower ground floor rear extension would increase the potential light pollution to the rear windows of their property. The original 2014 permission was amended during the course of that application from an entirely glazed rear extension to a solid structure with three rooflights in response to objections at that time from the occupiers of No.99 Randolph Avenue on light pollution grounds, particularly at night.

The applicant has highlighted, as part of the supporting justification for this application, that since the original planning permission granted in October 2014 permission was granted at No.95 Randolph Avenue in November 2016 (RN: 16/08162/FULL) for a similar sized rear extension with a fully glazed element to the rear, which is larger in size than the proposed rooflight. The glazed element to the extension at No.95 measures 7.95m², whereas the proposed rooflight would measure 6.97m². At No.95 the glazed element of the roof of the extension is sited further away from the rear elevation than is proposed in the current application at No.97.

The proposal would retain the predominantly solid form of the previously approved rear extension, save for the glazed area of the rooflight. The proposed single rooflight set back approximately a metre from the boundary with both neighbouring properties. Although there would be a small increase in the area of glazing to the roof as a result of the proposed amendment, from 4.32m² to 6.97m², it is not considered that this would result in a significant increase in light pollution into the neighbours property given the set back of the rooflight from the side boundaries and as the additional glazed area now proposed would be no closer to the neighbouring properties than in the approved scheme (i.e. the additional glazed area is between the three previously approved rooflights). Additionally, as per the approved scheme, the rooflight would be located close to the main rear elevation of the upper floors of the dwellinghouse such that the angles of view from the rear windows of the neighbouring properties towards the proposed rooflight would be oblique. As a result of these factors, it is not considered that the proposed rooflight would materially increase the level of light spill from the roof of the rear extension and therefore despite the objections raised on light pollution grounds, it is not considered that permission could reasonably be withheld on this ground. The proposal is considered to accord with Policy S29 in the City Plan and ENV13 in the UDP.

8.4 Transportation/ Parking

None relevant

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The access arrangements to this existing private dwellinghouse will remain unchanged.

8.7 Other UDP/ Westminster Policy Considerations

None relevant.

8.8 London Plan

The application does not raise any 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

The development is of insufficient scale to require the submission of an Environmental Impact Assessment.

8.12 Other Matters

None relevant.

9. BACKGROUND PAPERS

1. Application form.
2. Email from Councillor Prendergast dated 15 May 2017.
3. Email from the Paddington Waterways and Maida Vale Society dated 4 May 2017.
4. Letter from occupier of 99 Randolph Avenue dated 14 May 2017.

(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 THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

DRAFT DECISION LETTER

Address: 97 Randolph Avenue, London, W9 1DL,

Proposal: Variation of Condition 1 of planning permission dated 7 October 2014 (RN: 14/04980/FULL) for the excavation of basement extension under garden and house, lower ground floor rear and side extension, conversion of roof space to provide habitable accommodation, insertion of four rooflights. NAMELY, to amend the arrangement of rooflights in the roof of the lower ground floor rear extension from 3 rooflights to one larger rooflight.

Plan Nos: **Drawings and Documents Approved Under 14/04980/FULL:**
Site location plan; PL-010; PL011; PL012RevB; PL20; PL21; PL22; PL23; PL25; PL27; PL099RevE; PL100RevB; PL101RevB; PL200RevE; PL201RevB; PL202RevB; PL203RevB; PL204RevB; PL207RevB; PL305RevB; PL306RevB; Design and Access Statement; Arboricultural Report; Construction Management Plan RevD; Ground Investigation Report (for information only).

As Non-Materially Amended by Drawings and Documents Under:
17/02065/NMA: Planning Statement; A-127-RAN-ELE-010RevPL; A-127-RAN-PL-005RevPL; A-127-RAN-PL-006RevPL; A-127-RAN-SEC-032RevPL.

As Non-Materially Amended by Drawings and Documents Under:
17/02121/NMA: Site Location Plan; Planning Statement; Drawing numbers A-127-RAN-PL-001 Rev PL, A-127-RAN-PL-002 Rev PL, A-127-RAN-ELE-010 RevPL, A-127-RAN-SEC-030 Rev PL, A-127-RAN-SEC-032 Rev PL.

As Amended by Drawings and Documents Hereby Approved: A-127-RAN-PL-002 Rev.PL; A127-RAN-ELE-010 Rev.PL; A127-RAN-SEC-030 Rev.PL.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

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 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
 - o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) 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 Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) 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 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 5 You must apply to us for approval of detailed drawings of the following part of the development:
- The front boundary railings and gates, elevations at a scale of 1:10 and final details at a scale of 1:5.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these details.

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 Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) 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 carry out the development associated with the excavation of the basement, including any works of demolition, in accordance with the submitted Construction Management Plan dated 19/08/2014 unless you apply to us and we approve an alternative construction management plan prior to commencement of development, including works of demolition. If we approve an alternative construction management plan you must then carry out the development, including any works of demolition, in accordance with the alternative construction management plan we approve.

Reason:

To protect the environment of residents and the area generally as set out in S29 of Westminster's City Plan: Strategic Policies adopted November 2016 and STRA 25, TRANS 23, ENV 5 and ENV 6 of our Unitary Development Plan that we adopted in January 2007

- 7 You must apply to us for approval of detailed drawings of a hard and soft landscaping 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 landscaping and planting within 1 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.

Reason:

To improve the appearance of the development, to make sure that it contributes to the character and appearance of this part of the Westbourne 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 2016 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

- 8 You must carry out the construction works in accordance with the tree protection measures we approved on 7 January 2015 (RN: 14/11361/ADFULL).

Reason:

To protect the trees and the character and appearance of this part of the Maida Vale Conservation Area. This is as set out in S25, S28 and S38 of Westminster's City Plan (November 2016) 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. (R31DC)

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 (November 2016), 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 are advised that the City Council's Environmental Health Consultation Team have raised concerns about your proposal on the grounds that the kitchen at lower ground floor level does not appear to be adequately separated from the main internal escape staircase so as to provide a protected route for occupiers of the bedrooms. They have also advised that the basement family room does not appear to have adequate ventilation and that if the "guest bedroom" at basement level was separately occupied, for example by live in staff this accommodation would have inadequate natural light as required by the Housing Act.

- 3 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.