

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 20 March 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Regent's Park	
<b>Subject of Report</b>	<b>10 Melina Place, London, NW8 9SA</b>		
<b>Proposal</b>	Erection of second floor extension to north wing and use of adjacent roof as a terrace, with associated railing and party wall build up.		
<b>Agent</b>	Mr Iain Wadham		
<b>On behalf of</b>	Mr & Mrs White		
<b>Registered Number</b>	17/10522/FULL	<b>Date amended/ completed</b>	27 November 2017
<b>Date Application Received</b>	27 November 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	St John's Wood		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

Permission is sought for the erection of a second floor extension above the 2no storey later addition to the building located towards the north of the site. It is also proposed to use the adjacent flat roof as a terrace, with associated works including a new railing and party wall build up. An objection has been received from the local amenity society on design grounds and objections have been received from neighbouring properties on the grounds of loss of daylight and sunlight and overlooking.

The key issues in this case are:

- \* The impact of the proposal in amenity terms;
- \* The impact of the proposal on the appearance of this house and on the character and appearance of this part of the St John's Wood Conservation Area.

The proposed development is considered to comply with the Council's policies in relation to design, amenity and land use and it is recommended that permission is granted 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



Front elevation



Side elevation

Location of extension

## 5. CONSULTATIONS

ST JOHN'S WOOD SOCIETY:  
Objection on design and amenity grounds.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 6

No. Responses: 3 from 2no properties, objecting on all or some of the following grounds:

- Overlooking.
- Loss of light to garden and rooms on rear elevation.

### ADVERTISEMENT/SITE NOTICE:

Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises a semi-detached property that shares a long party wall line with its neighbour No.11 to the rear. The building has been modified in the past with later additions, although the whole composition represents a satisfactory and complete design. The building is not listed but is included within the St Johns Wood Conservation Area.

The application site currently sits on a north-west access with the building occupying the full length of the plot abutting the boundary with the rear garden of 4 Denning Close. The buildings on Denning Close sit perpendicular to the application site, with the rear windows facing the side and rear elevations of the application site. The buildings on Denning Close have 11m deep gardens and no.4 Denning Close has obscured the brick boundary with the application site with mature planting, including trees which reach above the boundary wall.

### 6.2 Recent Relevant History

On 8 October 2014 planning permission was granted for the erection of a single storey ground floor extension to studio and replacement of part hipped roof to existing garage and studio with flat roof. (RN:14/05356/FULL).

On 12 July 2011 planning permission was granted for the erection of single storey wood shed attached to existing ancillary workshop building (RN: 11/02240/FULL).

On 26 February 2007 planning permission was granted for the remodelling and extension of the rear at ground and first floor level, extension to bathroom at second floor level and provision of plant in courtyard adjacent garage (RN 06/09806/FULL).

## 7. THE PROPOSAL

Planning permission is sought for the erection of a second floor extension above the 2nd storey later addition to the building located towards the north of the site. The extension takes the form of an additional storey with the existing roof form maintained at the new level. There will be a single window on the west elevation and access onto a terrace on the south elevation, associated works are proposed to install railings and increase the height of the boundary wall.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The provision of additional floor space to the existing dwellinghouse is inline with the City Councils policies H3 of the UDP (January 2007) and S14 of the City Plan (November 2017).

### **8.2 Townscape and Design**

Extensions and alterations to existing buildings are permissible under UDP policy DES 5, which states that development will generally be granted where it is confined to the rear of the building, is not visually dominant, is in scale with the existing building and the design and materials are in keeping with the host building and its surroundings. The development will also have to be considered in relation to part B(1) of the building which restricts extensions rising above the penultimate storey.

The site is screened by a high boundary wall to Melina Place and by a high boundary wall to north and as a result is not highly visible from the public realm. The site is visible in private views from Denning Close to the side and in some oblique private views from Hall Gate. Therefore, the bulk of the extension will only be perceived in established views of the site.

The local amenity society have raised an objection, citing the extension is not subservient to the host building. Given the separation between the location of the extension, on the north wing and the core of the building separated by the two storey section in-between, the principle of the extension is considered to be acceptable in this context as it will not visually compete with the original part of the building, nor dominate the core.

The scale of the extension has been established by the footprint of the lower levels and it has been designed so as to be in keeping with the host building. The existing pitched roof, set within parapet wall will be re-introduced so that the ridge level of the extension can be kept as low as possible. The new window is proportionate to its location and relates to those found on the host building. The extension is therefore considered to accord with the aims of DES 5 and is considered to have a limited impact on the character and appearance of the conservation area.

There is an existing roof terrace on part of the two storey mid-section of the house. It is proposed to extend this terrace over the full flat roof and will be accessible from the new extension. The rear boundary wall between 10 and 11 is to be continued along the rest

of the flat roof and railings along the front. These alterations are not contentious in design or heritage terms replicating the existing boundary and railings.

The proposals are considered to accord with the aims of UDP policy DES 5 and S25 and S28 of the City Plan, preserving the character and appearance of the conservation area.

### **8.3 Residential Amenity**

Policies S29 in the City Plan and ENV13 in the UDP relate to protecting amenities, daylight and sunlight, and environmental quality. Part (D) of ENV13 states that the City Council will resist proposals which result in a material loss of daylight/sunlight, particularly to existing dwellings. Part (E) of ENV13 goes on to state that developments should not result in a significant increase in sense of enclosure, overlooking, or cause unacceptable overshadowing, particularly to gardens, public open space or on adjoining buildings, whether in residential or public use.

#### **Sunlight and Daylight**

A Daylight and Sunlight Assessment has been submitted with the proposals assessing the nearest and most affected residential property, 4 Denning Close. As this is the most affected property, it has not been deemed necessary to assess the impact on No.5.

The daylight assessment establishes that all windows within the rear elevation of 4 Denning Close will continue to meet BRE guidelines with only minor losses recorded.

In terms of sunlight, the rear windows were assessed as these all face due south and again the assessment indicates that there would only be very minor losses to any of these windows. The proposals therefore comply with the BRE guidelines in this regard.

The daylight and sunlight losses are well within the tolerances of the BRE guidelines and it is unlikely that the occupiers of 4 Denning Close will experience any impact upon sunlight and daylight to their rooms.

The assessment also looks at overshadowing to the garden to 4 Denning Close. The garden located at 4 Denning Close is the space that would be affected by the proposals due to its location to the north of the development site. The results show only very minor increases in terms of over-shadowing. Given the very small loss (0.2% on 21 March) and the size of the garden, the losses are considered acceptable.

#### **Sense of Enclosure**

The current distance between the rear elevation of 4 Denning Close and the northern elevation of the application site (the depth of the garden at 4 Denning Close) is 11 metres. The current rear elevation of the application site measures 5.5 metres in height to the parapet and 7.1 metres to the ridge of the roof. The owner of 4 Denning Close has an established planting scheme which obscures the boundary wall between the two properties. The proposal would increase the height of the rear elevation to 8 metres to the parapet and to an overall ridge height to 10.7 metres. Given the garden depth of 11 metres and the minor increase in height of 2.5 metres, not including to the ridge height given this is set back, whilst noticeable is not considered that this additional bulk would unduly affect the outlook from the rear windows of 4 Denning Close (at

ground floor level servicing a living room and first floor serving bedrooms) so as to result in a sense of enclosure.

In relation to 11 Melina Place, it is proposed to build up the boundary wall along the rear of the extended terrace. This will match the height of the existing boundary which runs down the rear of the existing section of terrace. Given its location, height and location of adjacent windows (a door with inset window), it is not considered that this will result in any significant sense of enclosure.

### **Privacy**

No.5 Denning Close has raised an objection on the grounds that the new rear window in the extension will result in overlooking into the first floor level of their property. Given the distance of the building from the application site and the oblique view line, it is not considered that the proposed extension would result in considerable overlooking to the properties on Denning Close.

In relation to overlooking from the terrace, as this extends an existing terrace and its location adjacent to the new extension, it is not considered that it will result in a material increase in overlooking.

### **Amenity Conclusion:**

The proposal is considered to be acceptable in amenity terms and in accordance with policy.

## **8.4 Transportation/Parking**

The development does not raise any new issues on these grounds.

## **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size.

## **8.6 Access**

No change to existing arrangements.

## **8.7 Other UDP/Westminster Policy Considerations**

Not applicable.

## **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. The proposals are of insufficient scale to trigger a Community Infrastructure Payment.

#### **8.11 Environmental Impact Assessment**

Not applicable to a development of this scale.

#### **8.12 Other Issues**

No other issues.

### **9. BACKGROUND PAPERS**

1. Application form
2. Response from St John's Wood Society, dated 18 December 2017
3. Letters from occupier of 5 Denning Close, London, dated 12 December 2017 and 25 February 2018.
4. Letter from occupier of 4 Denning Close, London, dated 22 December 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: RUPERT HANDLEY BY EMAIL AT [rhandley@westminster.gov.uk](mailto:rhandley@westminster.gov.uk)

### 10. KEY DRAWINGS

Existing South West Elevation



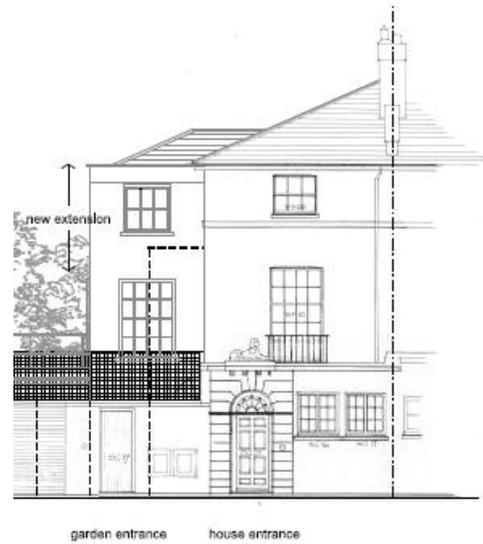
Proposed South West Elevation



Existing South East Elevation



Proposed South East Elevation



**DRAFT DECISION LETTER**

**Address:** 10 Melina Place, London, NW8 9SA,

**Proposal:** Erection of second floor extension to north wing and use of adjacent roof as a terrace, with associated railing and party wall build up [Amended description].

**Plan Nos:** 0500\_01 PL01; 0500\_02 PL01; 0500\_03 PL01; 0500\_04 PL01; 0500\_05 PL01; 0500\_06 PL01; 0500\_07 PL01; 0500\_08 PL01; Daylight and Sunlight Report dated February 2018 by Point Surveyors.

**Case Officer:** Rebecca Mason

**Direct Tel. No.** 020 7641 7540

**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 St John's Wood 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 Notwithstanding details shown on the approved drawings the new fenestration hereby permitted shall be constructed in timber and painted white and maintained as such hereafter.

**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 (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)

**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 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, [sitenquiries@ccscheme.org.uk](mailto:sitenquiries@ccscheme.org.uk) or visit [www.ccscheme.org.uk](http://www.ccscheme.org.uk).