

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 28 August 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bayswater	
Subject of Report	8 Monmouth Road, London, W2 5SB		
Proposal	Erection of single storey side/ front infill extension at second floor level and installation of glazed balustrade at rear of third floor roof.		
Agent	Aspect Property Services Limited		
On behalf of	Mr Charles Payne		
Registered Number	18/04040/FULL	Date amended/ completed	18 July 2018
Date Application Received	16 May 2018		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne		

1. RECOMMENDATION

Refuse permission – design.

2. SUMMARY

The application site is one half of a three storey unlisted semi-detached villa within the Westbourne Conservation Area.

Planning permission is sought for the erection of a single storey side infill extension at second floor level and the erection of a glazed balustrade to the rear of the third floor level flat roof.

The applicant is a relative of Councillor Payne.

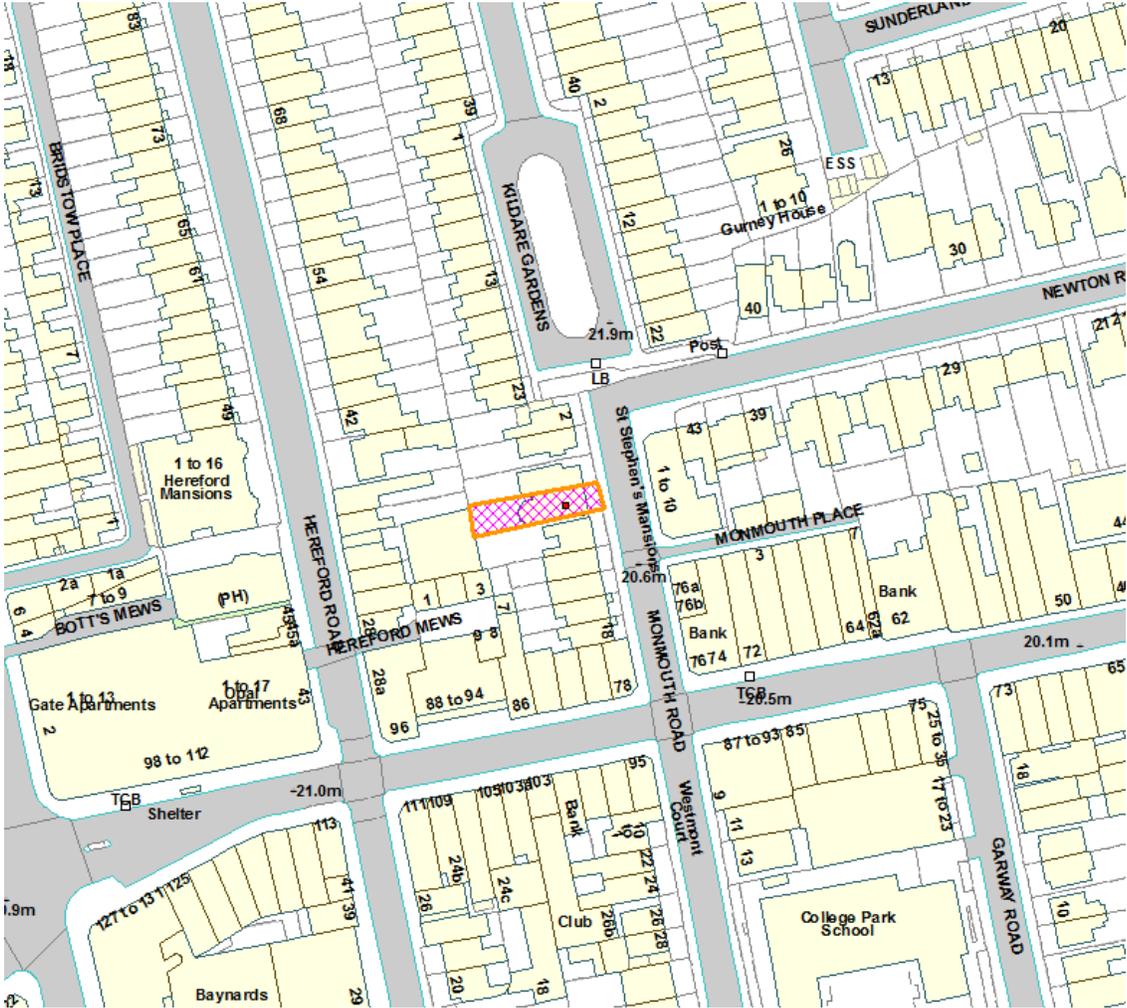
Planning permission has previously been refused for similar extensions in 2016 and 2017. Both previous refusals have been the subject of planning appeals and both appeals have been dismissed (see appeal decisions in the background papers). The application differs from the 2016 application in that it proposes a reduction in height so that it is below the eaves of the main building and from the 2017 application in that the extension has a small set back from the front wall of the property. Neither of the refused applications included the addition of the glazed balustrade at third floor level, which is included in this application.

The key issues in this case are:

- The impact of the proposal on the character and appearance of the Westbourne Conservation Area; and
- The impact of the proposal on the amenity of neighbouring residents.

The modest changes to the front building line and parapet in comparison to previously refused schemes are insufficient to overcome the concerns regarding the bulk and visual impact of the proposed side extension, as outlined in earlier appeal decisions. In addition, the proposed glazed balustrade is considered to be unacceptable in design terms. It is considered that the proposal 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 (November 2016) (the City Plan) and DES 1, DES 5, DES 6 and DES 9 of the Unitary Development Plan (January 2007) (the UDP).

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front of application site.



Rear of application site

5. CONSULTATIONS

COUNCILLOR CARMAN

Supports application on the grounds that the extension would be unobtrusive and in harmony with its surroundings. Also states that the applicant has offered a further modification to help preserve the roofline (a low structure at a 45 degree angle instead of glass panels on the outer walls).

NOTTING HILL EAST NEIGHBOURHOOD FORUM

Any response to be reported verbally.

BAYSWATER RESIDENTS ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 14.

Total No. of replies: 0.

No. of objections: 0.

No. in support: 0.

PRESS ADVERTISEMENT/ SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is one half of a three storey unlisted 1840s semi detached villa within the Westbourne Conservation Area. The property is a single dwellinghouse although it is currently unoccupied while rear extensions and a basement extension are under construction (see RNs: 16/05882/FULL and 16/04450/FULL).

6.2 Recent Relevant History

16/05882/FULL

Erection of a single-storey rear extension at first floor level.

Application Granted 19 December 2016

16/04450/FULL

Basement with front and rear lightwells and alterations to front elevation, single storey rear extension to replace existing conservatory.

Application Refused 11 July 2016

An appeal was allowed 1st March 2017.

16/10459/FULL

Erection of second floor front infill extension.

Application Refused 8 December 2016

An appeal was dismissed 1st March 2017 (see copy of appeal decision in the background papers).

17/03961/FULL

Erection of second floor front infill extension.

Application Refused 21 June 2017

An appeal was dismissed 20th December 2017 (see copy of appeal decision in the background papers).

7. THE PROPOSAL

Permission is sought for the erection of a single storey side/ front infill extension at second floor level and erection of a glazed balustrade at third floor flat roof level towards the rear of the property.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed extension of the existing dwellinghouse accords with Policy S14 of the City Plan and Policy H3 of the UDP, which encourage the provision of additional residential floorspace.

8.2 Townscape and Design

Proposals for a second floor infill extension have been refused on design grounds twice previously. In the decision dated 20 December 2017 (ref APP/X5990/D/17/3183474), the Inspector commented (para. 7-9):

“The proposed extension would effectively infill between the existing canted second floor extension and the front of the dwelling. While No 8 has been extended to the side and in line with the front elevation, I consider that a further extension at second floor level would form a prominent and dominant addition which would further unbalance the semi-detached pair to a harmful degree.

This effect would not be overcome by the small set-back of the extension from the front wall of the dwelling. Moreover, the proposed flat roof and upstand would be above the level of the eaves of the existing hipped roof and would have a particularly awkward relationship with this and would further emphasise the incongruity of the development.

As a villa depicting one of the early phases of 19th Century development of the area, the appeal property makes a positive contribution to the character of the CA, in terms of its architecture and in terms of its age and history as part of the growth and development of the area during that period. The proposed development would be highly visible in the street scene and accordingly would also cause harm to the character and appearance of the CA”.

A second scheme for a similar extension was also dismissed at appeal on 9 May 2018 (APP/X5990/D/18/3193343) with the Inspector noting (para. 7):

“The proposed infill extension at second floor level would be flush with the main front wall of the house and have a flat roof tucking under the eaves to the hipped roof over the original dwelling. Whilst it would hide the present chamfered wall at second floor level, it would result in a bulky addition that would be prominent in the street scene. The additional width at second floor level would affect the proportions of the dwelling in relation to the roof and would detract from the appearance of the building itself and from the pair of semi-detached dwellings”.

The second Inspector agreed with the first Inspectors findings when stating (para. 8):

“In this respect, I concur with the findings of the Inspector who determined an appeal in 2017 for a similar infill extension at second floor level at the appeal site. She commented, “While No 8 has been extended to the side and in line with the front elevation, I consider that a further extension at second floor level would form a prominent and dominant addition which would further unbalance the semi-detached pair to a harmful degree”. That proposal differed from the current proposal in that it would have been set back from the front wall and would have had a parapet wall to the flat roof. The changes made to the current proposal do not overcome the harm identified in relation to the previous appeal. Indeed the forward siting of the extension to be flush with the main front wall would mean that the original form and profile of the dwelling below eaves level would be lost”.

The principle of the front second floor extension has been found unacceptable in the two refusals and dismissed by the aforementioned appeal decisions. This scheme is slightly different in that it includes both a set back from the front elevation and a slight lowering of the parapet at eaves level. These modest changes to the front building line and parapet do not overcome objections to the bulk and visual impact of the extension, as outlined in previous refusals and the appeal decisions of two Inspectors.

The principal difference with this scheme is that it also includes a glass balustrade fixed to the parapet, which would formalise the use of the roof area for sitting out as a terrace. The glass balustrade has not been included in previous proposals and would be a high level and prominent addition. It would add roof level clutter and make the side extension, already harmful in its own right, even more visible. Despite being set back, the glass balustrade would be visible from a variety of vantage points, in oblique views from the front, from buildings opposite and from rear gardens and the many overlooking windows. The glass material of the balustrade would be eye-catching through its reflectivity, with the glinting of sunlight ensuring the glazed balustrade would appear as a dissonant addition at roof level.

Given the above, the proposed second floor front extension and glazed balustrade would be contrary to Policies S25 and S28 of the City Plan and Policies DES 1, DES5, DES6 and DES9 of the UDP.

8.3 Residential Amenity

The proposed extension would not project beyond the existing building line and therefore would have no amenity impact on the neighbouring properties (No.10) front elevation windows in terms of sense of enclosure and loss of daylight or sunlight. There is a small window in the side elevation at No.10 which would be affected as the extension would

infill the chamfered corner of the building at second floor level adjacent to the window. However, the neighbouring window is obscure glazed and appears to serve a bathroom rather than a habitable room. The window would also remain approximately 1.5 metres from the extension due to the gap between these buildings. Because of these factors and given its flank wall location, this window can be afforded only limited protection in any case. It is not considered that permission for this extension could be refused because of its amenity impact on this window.

Windows are proposed in the side elevation of the property facing onto No.10. However, the drawings indicate that these would be obscure glazed on the submitted drawings and could be conditioned as such if the application was acceptable in all other regards.

The flat roof area to which the balustrading is proposed appears to have been used for sitting out on for some time. The applicant has produced an estate agent's brochure from 1988 which describes the existence of a "sunroof terrace" Notwithstanding this, as the property is a dwellinghouse, the use of roof for purposes incidental to the enjoyment of the dwellinghouse would not require planning permission in any event. Nevertheless, it is necessary to consider the impact the balustrade would have in terms of facilitating more intensive use of the roof. It is apparent that the existing use of the roof affords oblique views into some windows and the garden of the neighbouring property and given this, whilst some intensification of the use of the roof for sitting out on would occur as a result of the installation of balustrading, it is not considered that this would be such a significant increase relative to the existing lawful situation so as to warrant withholding permission on overlooking grounds.

For the reasons set out in this section it is considered that the proposals are acceptable in amenity terms and would accord with Policies ENV6 and ENV13 in the UDP and S29 and S32 in the City Plan.

8.4 Transportation/ Parking

The proposal involves the extension of an existing dwellinghouse with no increase in units. Therefore, there are no parking or transportation implications.

8.5 Economic Considerations

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

8.6 Access

The proposal would not result in any changes to the existing access arrangements to the property.

8.7 Other UDP/ Westminster Policy Considerations

None relevant.

8.8 London Plan

This 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 (July 2018) unless stated otherwise.

8.10 Planning Obligations

Planning obligations are not relevant in the determination of this application.

8.11 Environmental Impact Assessment

The application is of insufficient scale to require an environmental impact assessment.

8.12 Other Issues.

Councillor Carman mentions in her letter of support that a similar extension has been completed nearby at No. 25 Newton Road. This example has been highlighted by the applicant and considered by the Council and Inspectorate in previous applications and appeals. In the most recent appeal decision dated 9th May 2018 the Inspector stated:

“The appellant has made reference to a recent permission for a similar extension at 25 Newton Road. The second floor extension here balances that to no.23 with which the property is paired and abuts a similar extension to the adjacent building at 27 Newton Road. The site circumstances therefore are different to those at the appeal site (8 Monmouth Road) and this recent addition does not set a precedent for the appeal proposal”.

Councillor Carman also states that the applicant has suggested a further modification involving a *“low structure at a 45 degree angle which would provide safety while preserving the roofline of the building”*. However, no drawings of this have been submitted for consideration during the current application. As the principal of the extension is unacceptable in any event, it is not considered that the amendment referred to would overcome the significant concerns set out in Section 8.2 of this report.

(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

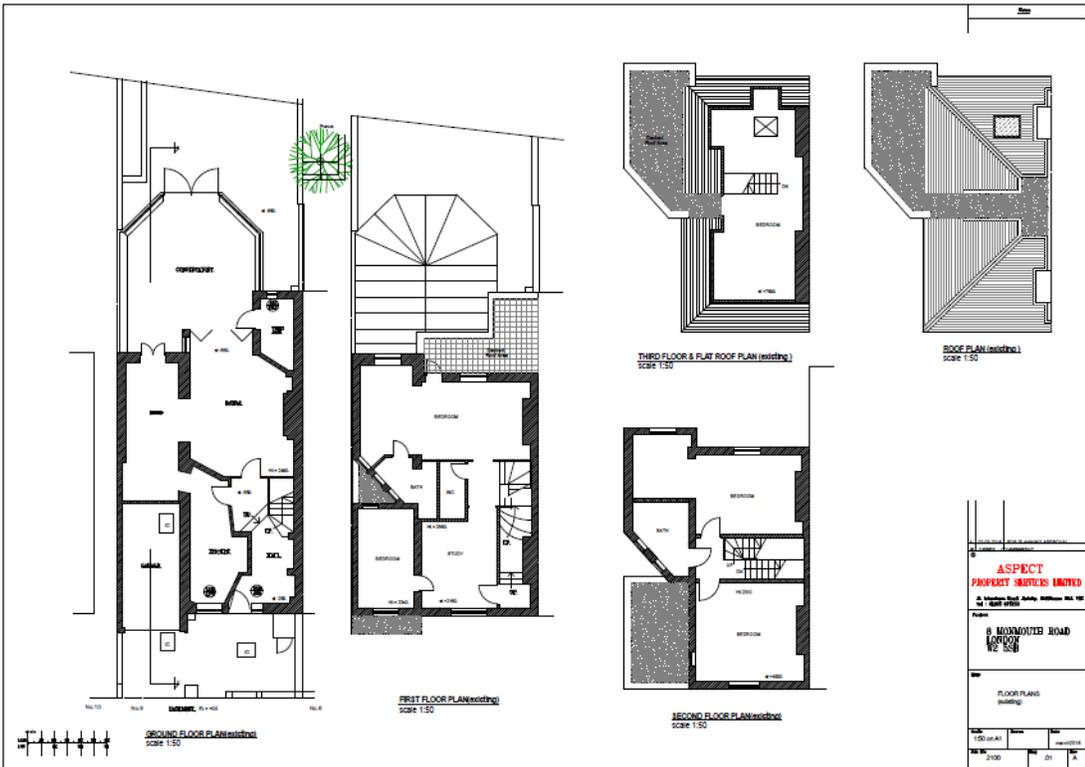
9. KEY DRAWINGS



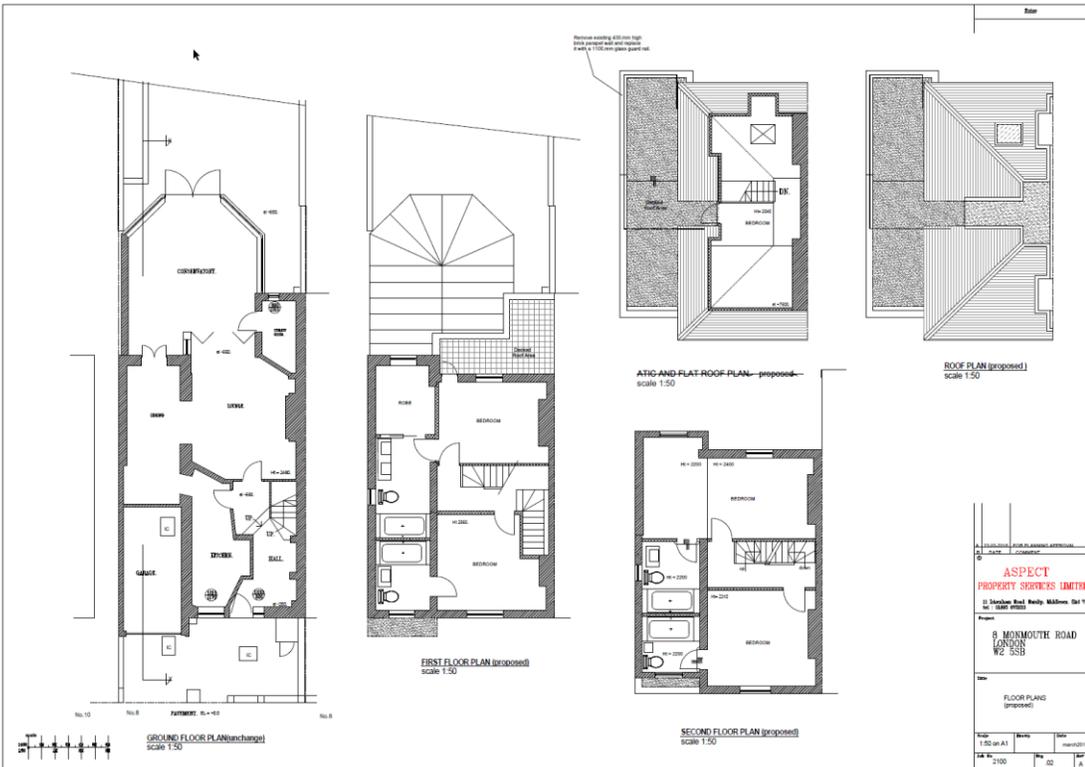
Existing Elevations



Proposed Elevations



Existing Floorplans



Proposed Floorplans

DRAFT DECISION LETTER

Address: 8 Monmouth Road, London, W2 5SB

Proposal: Erection of single storey side/ front infill extension at second floor level and installation of glazed balustrade at rear of third floor roof.

Reference: 18/04040/FULL

Plan Nos: Site location Plan; Drawing numbers .01 Rev A; .02 Rev A; .03 Rev A; .04 Rev A; .05 Rev A; Design and Access Statement.

Case Officer: Richard Langston

Direct Tel. No. 020 7641 7923

Recommended Condition(s) and Reason(s)

Reason:

- 1 Because of its prominent location to the front of the building, its impact on the appearance and proportions of the house and the proposed glass parapet balustrade, the proposed development 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 (July 2016) and DES 1, DES 5, DES 6, DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. The proposals would also be contrary to advice contained in adopted and published supplementary planning guidance namely 'Development and Demolition in Conservation Areas' (City of Westminster: 1996) and 'Roofs: A Guide to Alterations and Extensions on Domestic Buildings' (City of Westminster: 1994).

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 (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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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.