

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 4 November 2014	Classification For General Release	
Report of Operational Director Development Planning		Wards involved Little Venice	
Subject of Report	2B Castellain Road, London, W9 1EZ		
Proposal	Retention of garden room extension at lower ground floor level.		
Agent	Mr Mark Krendel		
On behalf of	Mr Mark Krendel		
Registered Number	14/03729/FULL	TP / PP No	TP/7257
Date of Application	14.04.2014	Date amended/ completed	12.09.2014
Category of Application	Minor		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		
Development Plan Context - London Plan July 2011 - Westminster's City Plan: Strategic Policies 2013 - Unitary Development Plan (UDP) January 2007	Outside London Plan Central Activities Zone Outside Central Activities Zone		
Stress Area	Outside Stress Area		
Current Licensing Position	Not Applicable		

1. RECOMMENDATION

Grant conditional permission.





2B CASTELLAIN ROAD, W9

2. SUMMARY

Planning permission is sought for the retention of a lower ground floor extension to this garden flat at 2B Castellain Road, an unlisted building located within the Maida Vale Conservation Area. The proposal has brought about objection from the occupiers of the flat above (2A Castellain Road) on design, conservation and amenity grounds.

The key issues of this case are:

- The impact of the extension on the host building and the Maida Vale Conservation Area.
- The impact of the extension on the amenities of neighbouring properties.

The extension is considered to be acceptable in design and conservation and amenity terms in accordance with our Unitary Development Plan (UDP) and City Plan policies and it is therefore recommended favourably.

3. CONSULTATIONS

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

No 'in principle' objection. State that the height of the door and the parapet should marry the rest of the elevation and the pitched skylight should become flat.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 28; Total No. of Replies: 2.

Two emails from one local resident.

Objections received on the following grounds:

Design

- Creation of 'visual clutter'.
- The structure appears out of character.
- High density/overdevelopment.

Amenity

- Loss of privacy.
- Noise disturbance.
- Light pollution.

Other

- Breach of a building lease.
- Loss of a view.
- Obstruction of access (for emergency services).

ADVERTISEMENT/SITE NOTICE: Yes.

4. BACKGROUND INFORMATION

4.1 The Application Site

The application site is a lower ground floor flat located within a four storey mid terrace property on the northern side of Castellain Road. The property is not listed or subject to any Article 4 directions but is located within the Maida Vale Conservation Area.

4.2 Relevant History

On 28 June 2013 planning permission was granted under delegated authority for a single storey rear infill extension of a similar scale and design to this current proposal. Attached to this planning permission (Reference No. 13/01175/FULL) was a condition requiring a sample of obscure glass to be approved prior to commencement of development and to be installed in the roof of the extension.

This above planning permission was subsequently implemented, but a sample of obscure glass for the roof was never approved and instead clear glass was installed to the roof. Following investigations by our Planning Enforcement Team obscure glass was installed retrospectively. Given the nature of the pre-commencement condition having been breached, this current application seeks to resolve this matter by the submission of this current application.

5. THE PROPOSAL

Planning permission is sought for the retention of the lower ground floor infill extension currently in situ on the site. The extension has a footprint of 2.5m x 1.68m and a height at eaves level of 2.34m with an obscure glazed rooflight above.

Revised plans were submitted during the consideration of the application correcting the dimensions of the extension.

6. DETAILED CONSIDERATIONS

6.1 Land Use

There are no objections in land use terms to this small increase in residential floorspace. The scheme would comply with Policies H3 of the UDP and S14 of the City Plan.

6.2 Townscape and Design

The extension is modest in size and of matching materials at this level. This together with its discreet location ensures it is in scale with and subservient to the host property. As such, the proposal is considered to comply with Policies DES1, DES5, DES9 of the UDP and S25 and S28 of the City Plan.

The neighbour above has raised objection to the extension on design grounds and considers it to be out of keeping and overdevelopment of the site. However, for the reasons set out above officers do not support this view.

6.3 Residential Amenity

Located at lower ground floor level, enclosed by the existing closet wing of the property and a boundary wall, above which the addition does not rise significantly, the extension is considered not to result in any loss of light or outlook to neighbouring dwellings. With the provision of obscured glass within the roof, views out of the extension are limited to the rear garden/ yard area, which were previously available to the host dwelling so no significant concerns arise from loss of privacy.

Objections have been raised to loss of privacy to the flat above. However, for the above reason this is not supported. Additional concerns were raised over noise disturbance. However, acknowledging the proposal is for a modest residential extension with no change of use on the site and given the external amenity space that has been covered potentially raised

more concerns in terms of noise generation from use over the existing addition, this is considered not to provide sustainable grounds for refusing the planning application.

Further concerns were raised over the loss of a view, though impact on views would be extremely limited.

Further concerns were raised over light pollution. However, given that obscure glazing has been installed to the roof of the extension, this concern is not justified. As such, the proposal is considered to comply with Policies ENV6, ENV10 and ENV13 of the UDP and S29 of the City Plan.

6.4 Transportation /Highways

This application raises no transportation issues.

6.5 Equalities and Diversities

Not relevant in the determination of this application.

6.6 Economic Considerations

Not relevant in the determination of this application.

6.7 Other Westminster/UDP Policy Considerations

No further policies are relevant to the current application.

6.8 Central Government Advice/Guidance

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan, even if there was a limited degree of conflict with the framework. The City Council is now required to give due weight to relevant policies in existing plans "according to their degree of consistency" with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

6.9 London Plan

This application raises no strategic issues.

6.10 Planning Obligations

Not applicable.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not applicable.

6.12 Other Matters

Concerns were raised that the applicant may not have sought the permission of the freeholders of the site prior to constructing the extension. This is a private matter between the parties involved. The applicant has completed the relevant ownership certificate for the application.

Obstruction of emergency access has been raised as an issue, suggesting that the extension may block access to a rear window. However, this is also not a sustainable planning ground.

6.13 Conclusion

The proposal involves a modest and sympathetic extension to the building which is considered to be acceptable in design and conservation and amenity terms. Therefore, notwithstanding the objections raised, a favourable recommendation is made.

BACKGROUND PAPERS

1. Application form.
2. Email from Paddington Waterways and Maida Vale Society dated 26 June 2014.
3. Two emails from occupier of 2A Castellain Road dated 7 July 2014 and 10 July 2014.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT SARAH WHITNALL ON 020 7641 2929 OR BY E-MAIL – swhitnall@westminster.gov.uk

DRAFT DECISION LETTER

Address: 2B Castellain Road, London, W9 1EZ

Proposal: Retention of garden room extension at lower ground floor level.

Plan Nos: Site Location Plan, Proposed Rear Elevation, Party Wall Sketch Detail, Proposed Roof Plan, Ex Floor Plan, Proposed Floor Plan and Design and Access Statement.

Case Officer: Matthew Rees **Direct Tel. No.** 020 7641 6248

Recommended Condition and Reason:

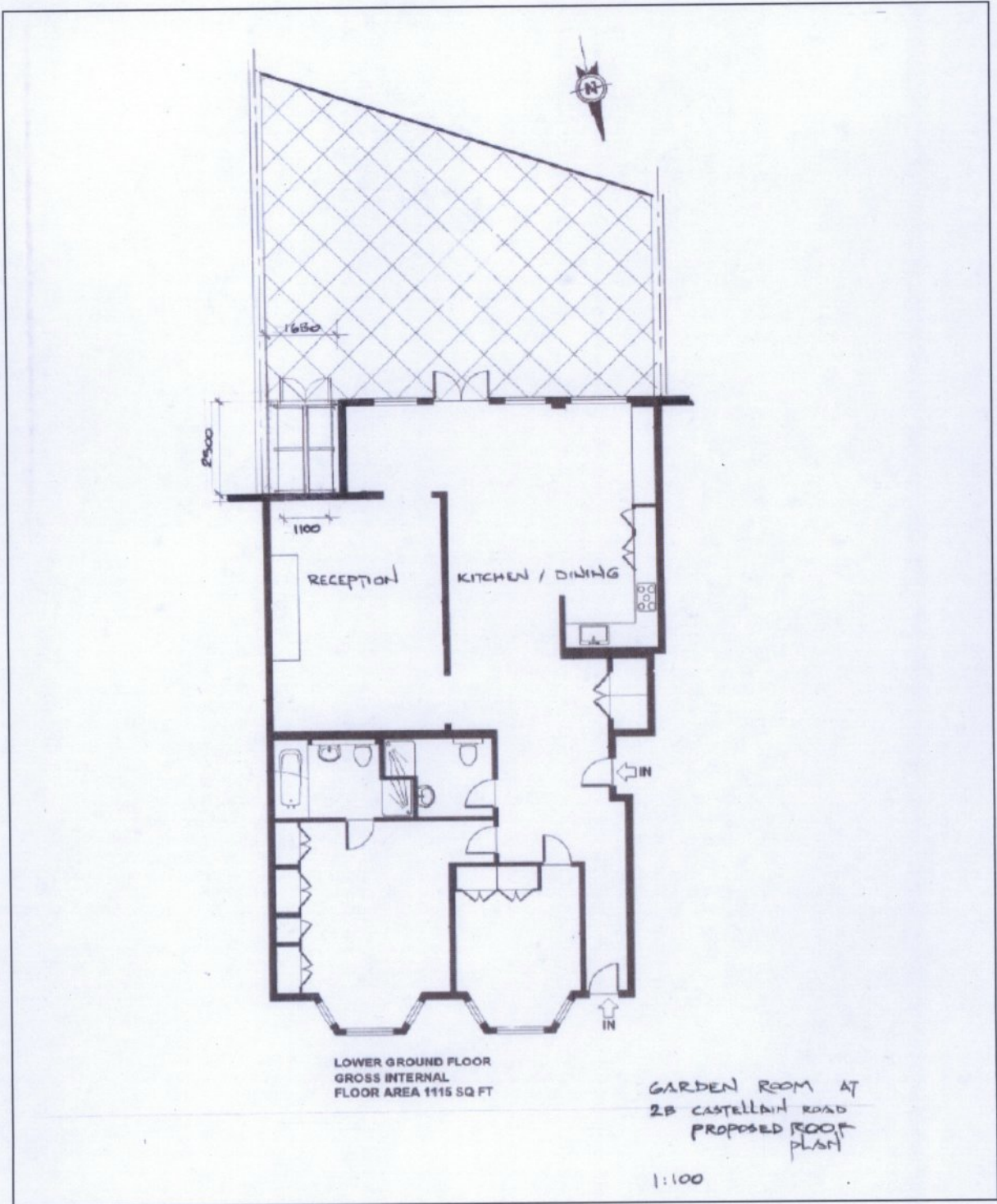
- 1 The obscure glass within the roof of the extension hereby approved shall be maintained hereafter unless otherwise agreed in writing by us as Local Planning Authority.

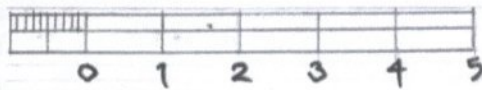
Reason:

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 Please make sure that the lighting is designed so that it does not cause any nuisance for neighbours at night. If a neighbour considers that the lighting is causing them a nuisance, they can ask us to take action to stop the nuisance (under section 102 of the Clean Neighbourhoods and Environment Act 2005). (I39AA)





1:100

PROPOSED REAR ELEVATION
RN

CASE COPY

GARDEN ROOM AT
25 CASTELLAIN ROAD
TP
ADDRESS