

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 8 th December 2020	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Regent's Park	
Subject of Report	2 Northwick Close, London, NW8 8JG		
Proposal	Erection of roof extension, erection of replacement rear extension and replacement of the garage door.		
Agent	Mr Colin Sears		
On behalf of	Ms Anna Fargher		
Registered Number	20/03395/FULL	Date amended/ completed	2 June 2020
Date Application Received	2 June 2020		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission

2. SUMMARY

The application site is a two-storey mews building in use as a dwellinghouse on the eastern side of Northwick Close. It is not listed but does lie within the St John's Wood Conservation Area.

Permission is sought for the erection of a roof extension with a rear dormer and three rooflights to the front roof slope, a reconfigured rear extension, replacement of the existing garage doors and alterations to the rear elevation to include a boiler flue and down pipe.

Four letters of objection have been received from neighbouring residents and one from the St John's Wood Society. The objections are on design, amenity and construction grounds.

The key points in the determination of the application are:

- The impact of the roof extension on the St John's Wood Conservation Area.
- The impact of the roof extension on daylight/sunlight of the adjoining and opposite residential buildings.

For the reasons set out in this report, the proposals are considered acceptable on design and amenity terms, compliant with City Council City Plan and UDP policies and the application is recommended for conditional approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Aerial view of 2 Northwick Close



Front elevation of 2 Northwick Close



View down the east side of Northwick Close



Properties directly opposite 2 Northwick Close



5. CONSULTATIONS

ST. JOHN'S WOOD SOCIETY:

Objection on the grounds of an over-sized additional storey and its negative height impact, the loss of the parapet which is a feature of the adjoining properties, the negative impact the rooflights will have on the street view as you enter Northwick Terrace, a considerably over-sized rear dormer and to the fully glazed roof on the rear extension which will have a negative impact on the amenity of neighbours.

ADJOINING OWNERS/OCCUPIERS:

No consulted: 17

No responses: 4

Four objections have been received on one or more of the following grounds.

Design:

-The proposed roof extension would harm the character and appearance St John's Wood Conservation Area, Northwick Close and the building itself.

Amenity:

- Noise and disturbance during works
- Loss of light to rooflights of adjoining properties
- Harm to residents' quality of life during construction while at home due to Covid-19 restrictions
- Loss of view
- Reflection of sunlight to neighbours' gardens

Highways and Traffic:

- Northwick Close has one entrance and works at number 2 would restrict entry for other residents

Other:

- Requests elsewhere in the mews for extensions at roof level have been refused
- The applicants did not consult with neighbours
- Potential of damage to neighbouring buildings from works to the roof
- Setting a dangerous precedent in the street
- Objections have been received on the grounds that any works at No. 2 would have a detrimental impact on residents with of the Close and particularly elderly/disabled residents which would not be in accordance with S. 149 of the Equality Act 2010.

SITE AND PRESS NOTICES:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site forms part of an unlisted mews, located within the St John's Wood Conservation Area. The site is located on the east side of the mews, with Grade II listed buildings to the rear fronting Cunningham Place. Historically the mews would have been associated with these buildings. Also, within the setting of the site is the Grade II* listed Crockers Public House (The Crown Public House), located on Aberdeen Place. The site has a lawful use as a dwellinghouse. The building is a two storey, three-bedroom mews property with a ground floor level rear extension and flat roof.

6.2 Recent Relevant History

15/11752/CLOPUD

Erection of single storey rear extension at ground floor level and associated alterations to front and rear elevations.

Application Permitted 8 February 2016

7. THE PROPOSAL

Permission is sought to erect a roof extension with rear lead clad dormer and three rooflights to the front roof slope to create additional living accommodation, replace the existing rear extension with a shallower glazed extension, replace the existing garage doors with doors to include additional glazing and minor alterations to the rear elevation including a boiler flue and alterations to down pipes. The increase in floor area amounts to 26 sqm.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The works are for an extension to existing residential floor space and are therefore in accordance with policies H3 of the UDP and S14 of the City Plan.

8.2 Townscape and Design

The key legislative requirements in respect to designated heritage assets are as follows:

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *"In considering whether to grant listed building consent for any works the local planning authority or the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 66 of the same Act requires that *"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."*

Section 72 of the same Act requires that *“In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”*

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting. Chapter 16 of the NPPF clarifies that harmful proposals should only be approved where the harm caused would be clearly outweighed by the public benefits of the scheme, taking into account the statutory duty to have special regard or pay special attention, as relevant. This should also consider the relative significance of the affected asset and the severity of the harm caused.

The relevant policies for consideration of these proposals are DES 1, DES 5, DES 6, DES 9 and DES 10 of the UDP adopted in 2007 and S25 and S28 of the City Plan (2016).

It is proposed to reduce the size of the existing single storey rear extension and to replace the rear elevation with fully glazed doors and to replace the roof with glazing; the side walls are to be retained. The reduction in the depth of the rear extension is not contentious and would create a more functional outdoor amenity space. Replacing the rear elevation and roof with full glazing is acceptable in design terms as it allows for the original form of the mews building to be read and the extension would visually appear as a contemporary addition. The proposal is considered to accord with the aims of policy DES 5 of the UDP and would not harm the setting of the listed buildings owing to the limited visibility of this part of the building.

It is proposed to replace the existing garage door and fanlight with a full height timber stable door incorporating openable windows. The existing door is a modern addition and therefore its replacement with a more traditionally detailed door would be supported in design terms. Reinstatement of traditional detailing will enhance the character and appearance of the building as well as the conservation area.

The local amenity society have objected to the application with regards to the impact of the roof addition, the loss of the front parapet, the size of the rear dormer and the introduction of rooflights on the front roof pitch. Several objections have been received from neighbours in relation to the erection of the pitched roof and the impacts on the character and appearance of the conservation area. Some of the objections note the St John's Wood Conservation Area Audit and its recognition of Northwick Close as retaining traditional features and the composition of mews buildings being small units. The objectors consider that the current form of the building contributes to the character and appearance of the conservation area.

It is proposed to reinstate the pitched roof, which is to be covered in natural slate and the party wall upstand with no.1 Northwick Close. A dormer is proposed on the rear slope and an inset roof terrace proposed in the front roof pitch. During the course of the application the applicants have provided some photographs of the site taken in 1923. These show that the mews, including no.2, historically had a pitched roof and party wall upstands. Additional survey information has also been provided as it is noted that the depth of the application site is different to the depth of no4 and no5 Northwick Close,

which have pitched roofs. The survey confirms that ridge will not directly align with the existing in the terrace and will be marginally higher.

UDP policy DES 6 states permission may be granted for new roof structures where the development is in sympathy with the existing building and where the design accords with roof forms within the same group of buildings. The proposal to reinstate the pitched roof is considered to conform with the historic pitch roofs found within Northwick Close. Therefore, the principle of this extension accords with DES 6. It is noted that the form of the roof will not directly tie in with the existing pitched roofs in the mews. However, the variation is not considered to detract as it will not be directly perceived from the public realm owing to the width of the street. The variation in ridge height and position may be seen in private views from neighbouring buildings, although this will be obliquely and not highly prominent. Whilst the concerns of the objectors are recognised, given the proposal will result in the original form of the building being reinstated, the character and appearance of the conservation is considered to be enhanced. The parapet line is a key feature of a mews terrace and therefore the lowering of the internal floor level to retain the parapet level as well as height of the existing party upstands is a welcomed approach, as this creates a uniform line to the mews.

On the rear it is proposed to erect one dormer, which is to be clad in aluminium and contain a three-pane window and one smaller window. It is noted that the historic dormers on no.4 and no.5 Northwick Close are angled and the current proposal is of a more traditional flat-topped dormer and wider in width. Nevertheless, the scale of the proposed dormer does accord with the guidance set out in the City Council's SPG Roofs: A Guide to Alterations and Extensions on Domestic buildings, with the top being lower than the ridge, set comfortably up from the eaves and upstands, allowing for the form of the roof to be appreciated. The use of materials and scale of the window is not traditionally formed. However, the other dormers in the street do not conform to this approach either and as proposed the design is not considered to detract from the character and appearance of the building and as such the conservation area.

The proposals are considered to accord with the identified policies and would not harm the character and appearance of the St John's Wood Conservation Area and have no impact on the setting of the neighbouring listed buildings. In making this recommendation consideration has been had to the statutory duties imposed by the Planning (Listed Buildings and Conservation Areas) Act 1990, notably Sections 16, 66 and 72 and the requirements set out in Chapters 12 and 16 of the NPPF.

As such, the proposal is considered acceptable, mindful of policies DES1, DES5, DES6 and DES 9 of the UDP and S25 and S28 of the City Plan, therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8.3 Residential Amenity

Policies ENV 13 of the UDP and S29 of the City Plan seek to protect residential amenity and environmental quality. ENV 13 specifically seeks to protect existing residential buildings from and increased sense of enclosure, loss of light or a loss of privacy.

Objections have been received to the current application on the grounds of loss of light to the directly adjoining properties and those directly opposite on Northwick Mews, loss of view caused by the increased gable height, noise and disturbance from works, light pollution.

8.3.1 Daylight/Sunlight

Adjoining buildings and rooflights

The applicant provided a daylight sunlight statement detailing the impact of the mansard extension on the surrounding buildings. Objections have been received from the adjoining buildings to the north and south in relation to a loss of light to the rooflights in the respective buildings. No. 1 Northwick Close has a large rooflight running east to west relatively close to the boundary with the application site. The rooflight provides access to the roof which has an informal roof terrace and serves circulation space. No. 3 Northwick Close has two smaller square rooflights towards the back half of the building serving circulation space and a bathroom.

In assessing the impact of development on daylight and sunlight the City Council follows the BRE guidance document 'Site Layout Planning for Daylight and Sunlight, A good practice guide'. The BRE guidance states that in the loss of light to circulation spaces and bathrooms does not need to be assessed as daylight is not required in the same way as for habitable rooms such as bedrooms, Livingroom's and kitchens.

As such, while the sunlight diagrams and the daylight statement do acknowledge there will be some reduction in light to the rooflights of the neighbouring buildings due to the areas served by the rooflights, as these serve rooms which are also served by primary windows it is not considered as a reason for refusal of the application.

The proposed rear extension would be smaller than the existing rear extension. Accordingly, it would not result in any increase in loss of light to neighbouring residents beyond the existing situation.

Buildings on the opposite side of Northwick Close

The existing height of the building would breach a 25-degree line taken from the ground floor windows of 15 and 16 Northwick Close opposite, as set out in the BRE Guide. However, the increased roof height would not be visible from these windows due to the angle of the roof pitch. Although the front parapet would increase in height, it would only increase by approximately 100 mm and would therefore have little to no impact on light to 15 and 16 Northwick Close relative to the existing building. From the upper floor's windows of 15 and 16 Northwick Close, the proposed roof extension would not breach the 25 degree test and would therefore ensure that existing light levels are retained.

Given the above, the proposed development would not result in unacceptable loss of daylight or sunlight for the occupiers of 15 and 16 Northwick Close.

8.3.2 Sense of Enclosure

Due to the pitch of the roof and the minor increase in height proposed, the roof extension would not result in a significant increase in sense of enclosure for the surrounding residential properties. To the rear at ground floor level the existing extension is being reduced in size and would therefore not harm neighbouring residential properties.

An objection has been raised by a neighbour on the grounds that the raised party wall at roof level would result in a loss of view when using a roof terrace. There is no history demonstrating that permission has been granted for the use of the roof as a terrace although it is accepted it may have been used informally for some time. The enclosure of an informal roof terrace which would maintain open views in all other directions is not considered as a reason for refusal of the application and the objection on the grounds of a loss of view from the roof of an adjoining building can therefore not be sustained.

8.3.3 Overlooking

The new dormer window would offer views towards rear gardens and the buildings on Cunningham Place. However, these views would be similar to those from the first-floor rear elevation of the existing building. Given this and the large distance between the buildings and the existing windows on the rear elevations of Northwick Mews at first floor level it is not considered there would be a significant increase in overlooking from the proposed dormer.

At ground floor level new windows will be introduced to the study (previously a garage). The windows are a streets width apart from building on the other side of the mews and the relationship would be no different to elsewhere in the mews.

The proposed works would not result in an increased level of overlooking for adjoining neighbouring residential properties.

8.3.4 Other Amenity Objections

Objections have been received on the grounds that the works would disturb neighbouring residents regarding noise and disturbance. However, it is established planning law that permission cannot be refused on this basis. The standard condition relating to hours of work has been recommended in the decision notice. The objections on the grounds of noise and disturbance cannot be sustained.

In summary the proposed works are in accordance with policies ENV13 of the UDP and S29 of the City Plan, therefore acceptable in amenity terms.

8.4 Transportation/Parking

Objections have been received on the grounds that the proposed works would result in vehicle access to the Close being obstructed and the street being congested. The works on site would be subject to licencing and highways restrictions in relation to works on the public highway and access to Northwick Close. The proposed works do not trigger the requirement for the applicant to sign up to the City Council's Code of Construction Practice. The works are an extension to an existing dwelling and therefore do not require additional vehicle or cycle parking. It is not considered that the granting of planning

permission would result in any permanent highways or parking issues and that the objections received in relation to access being restricted to Northwick Close cannot be sustained.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Access to the property would be from the street as existing.

8.7 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Formal consultation on Westminster's City Plan 2019-2040 was carried out under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012 between Wednesday 19 June 2019 and Wednesday 31 July 2019 and on the 19 November 2019 the plan was submitted to the Secretary of State for independent examination. In the case of a draft local plan that has been submitted to the Secretary of State for Examination in Public, under Regulation 22(3) of the Town and Country Planning Act (Local Planning) (England) Regulations 2012, having regard to the tests set out in para. 48 of the NPPF, it will generally attract very limited weight at this present time.

8.8 Neighbourhood Plans

There are no neighbourhood plans for this area.

8.9 London Plan

This application raises no strategic issues.

8.10 National Policy/Guidance Considerations

The City Plan and UDP policies referred to in the consideration of this application are consistent with the NPPF unless stated otherwise.

Further to the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the City Council cannot impose a pre-commencement condition (a condition which must be discharged before works can start on site) on a planning permission without the written agreement of the applicant, unless the applicant fails to provide a substantive response within a 10 day period following notification of the proposed condition, the reason for the condition and justification for the condition by the City Council.

8.11 Planning Obligations

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

8.12 Other Issues

8.12.1 Other Matters

The issues raised by the objectors have been largely addressed above. The following is also noted:

Objections have been received on the grounds that any works at No. 2 would have a detrimental impact on residents of the Close and particularly elderly/disabled residents. As noted above, the City Council are unable to withhold planning permission on the grounds of disturbance during construction and the standard condition to control the hours of work on site has been recommended. The works on site would be subject to licencing and highways restrictions in relation to works on the public highway and access to Northwick Close. In assessing this application, officers have also had due regard to the Public Sector Equalities Duty as per s149 of the Equalities Act 2010 and have considered the age of neighbouring residents and the impact during construction on adjacent properties. It is considered that any interference in their amenity during construction will be minimal and temporary and refusal of permission on this basis would not be sustainable.

Objections have been received on the grounds that the proposed works would harm the structural integrity of the adjoining buildings, particularly from the removal of the roof to the building. If planning permission is granted the applicant would further be required to submit a building control application and obtain a party wall agreement for the proposed works should they go ahead. Matters relating to the structure of the building and adjoining properties would be addressed at that stage and are not a matter to be addressed by planning. As such the objection cannot be sustained.

Objectors are also concerned that approval of this development would set a precedent for similar development on other sites. However, each application must be considered on its merits, taking into account the specific application site, the specific development proposed and the development plan at the time the application is made. Accordingly, approval of this development does not mean that similar development elsewhere will automatically be approved.

An objector is also concerned about reflected sunlight from the proposed extensions. Given the domestic scale of these extensions and that they do not include extensive reflective surfaces, an objection of the development on this basis is not sustainable.

(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: NATHAN BARRETT BY EMAIL AT northplanningteam@westminster.gov.uk.

9. KEY DRAWINGS

Exiting front elevation



Proposed front elevation



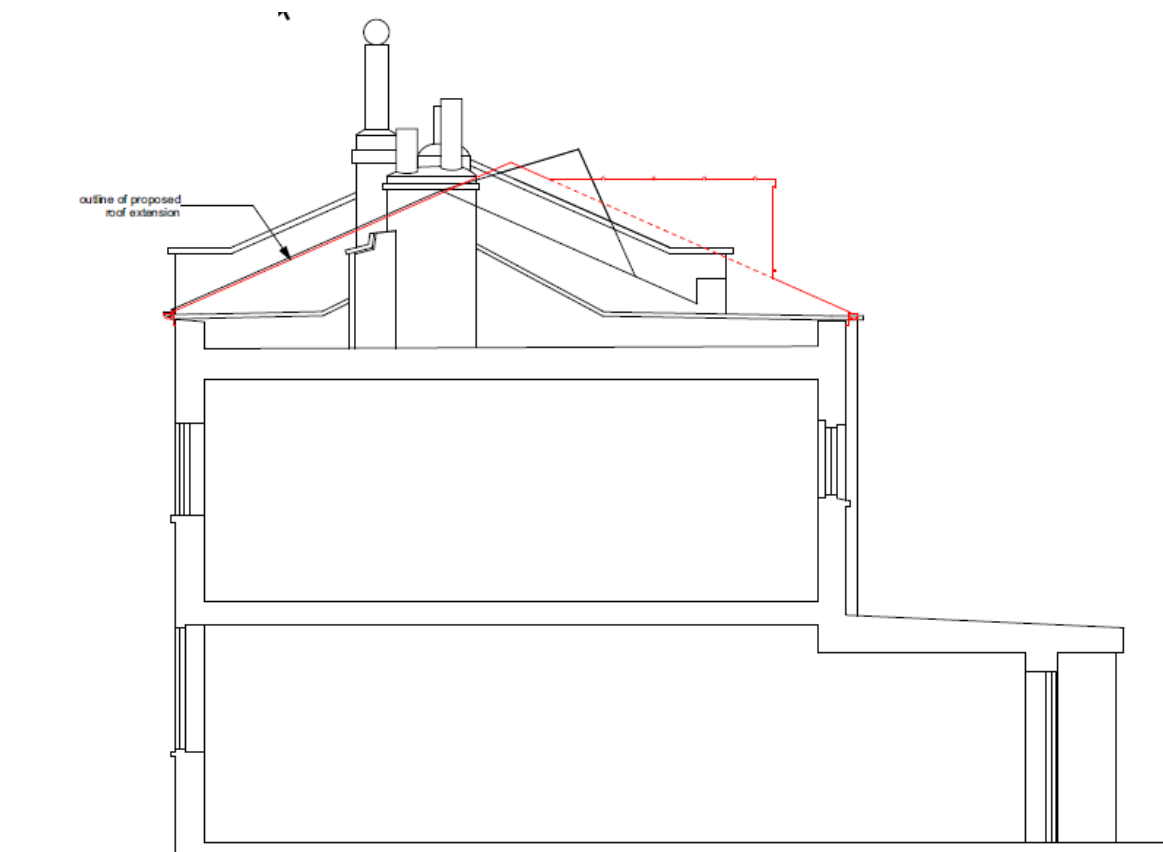
Existing rear elevation



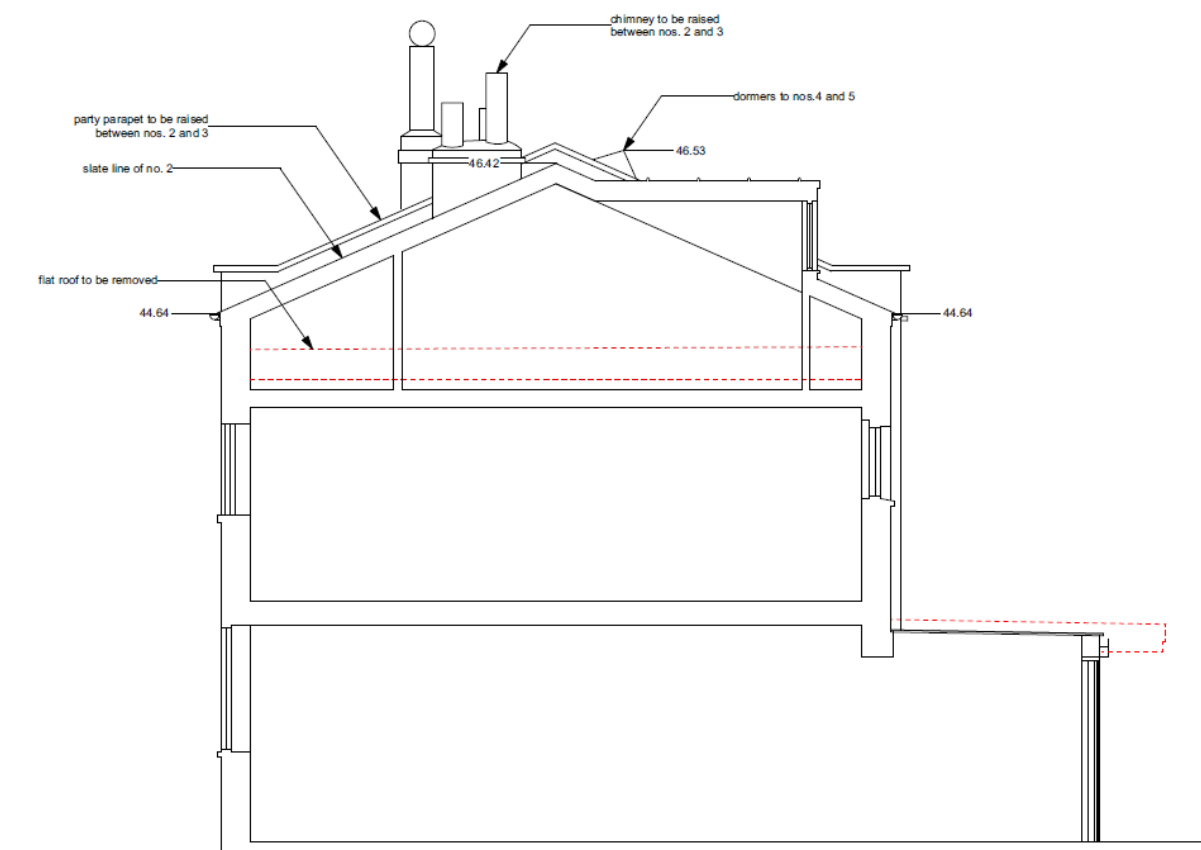
Proposed rear elevation



Existing section



Proposed section



DRAFT DECISION LETTER

Address: 2 Northwick Close, London, NW8 8JG

Proposal: Erection of roof extension, erection of replacement rear extension and replacement of the garage door.

Reference: 20/03395/FULL

Plan Nos: Site location plan, 6262 NC2-E01, 6262 NC2-E02, 6262 NC2-E05, 6262 NC2-E06, 6262 NC2-E06, 6262 NC2-E08, 6262 NC2-E09, 6262 NC2-E10, 6262 NC2-D01, 6262 NC2-D02, 6262 NC2-D04, 6262 NC2-D05, 6262 NC2-D06, 6262 NC2-D07, 6262 NC2-D08, 6262 NC2-D09, 6262 NC2-PA01, 6262 NC2-PA02, 6262 NC2-PA03, 6262 NC2-PA05, 6262 NC2-PA06, 6262 NC2-PA07, 6262 NC2-PA09, 6262 NC2-PA10, 6262 NC2-PA21, 6262 NC2-PA21, 6262 NC2-PA22, 6262 NC2-PA23, 6262 NC2-PA24, Sunlight and Daylight assessment

Case Officer: Max Jones

Direct Tel. No. 07866036849

Recommended Condition(s) and Reason(s)

- 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:

- 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.

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

- between 08.00 and 18.00 Monday to Friday; and
- 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 residents and the area generally as set out in S29 of

Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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 You must apply to us for approval of details of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. You must not start work on the relevant part of the development until we have approved in writing what you have sent us. You must then carry out the work using the approved materials. (C26BD)

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)

- 5 You must not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

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)

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, neighbourhood plan (where relevant), 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 HIGHWAYS LICENSING:

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 visit our website at www.westminster.gov.uk/guide-temporary-structures.

CONSIDERATE CONSTRUCTORS:

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, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website at www.westminster.gov.uk/contact-us-building-control

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.