

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 2 February 2021	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Regent's Park	
Subject of Report	Russell House, Eamont Street, London, NW8 7DD		
Proposal	Erection of mansard roof extensions to facilitate the provision of 2no. self-contained dwelling units and associated internal alterations (Site includes Russell House and 51-53 Allitsen Road).		
Agent	Moore Planning		
On behalf of	Newray (London) Ltd		
Registered Number	20/05262/FULL	Date amended/ completed	19 August 2020
Date Application Received	19 August 2020		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site is a group of three adjoining unlisted buildings adjacent to the St John's Wood Conservation Area. The buildings contain a total of 6 flats. It is proposed that two separate mansards are erected over the two distinct parts of the application site to create 2 additional studio flats.

The proposals were revised during the course of the application, primarily to overcome design concerns and the revisions were consulted upon. The application has received objections from residents and the local amenity society in both rounds of consultation. The objections primarily raise concern about the design of the mansards, the amenity impact of the mansards and the standard of accommodation provided.

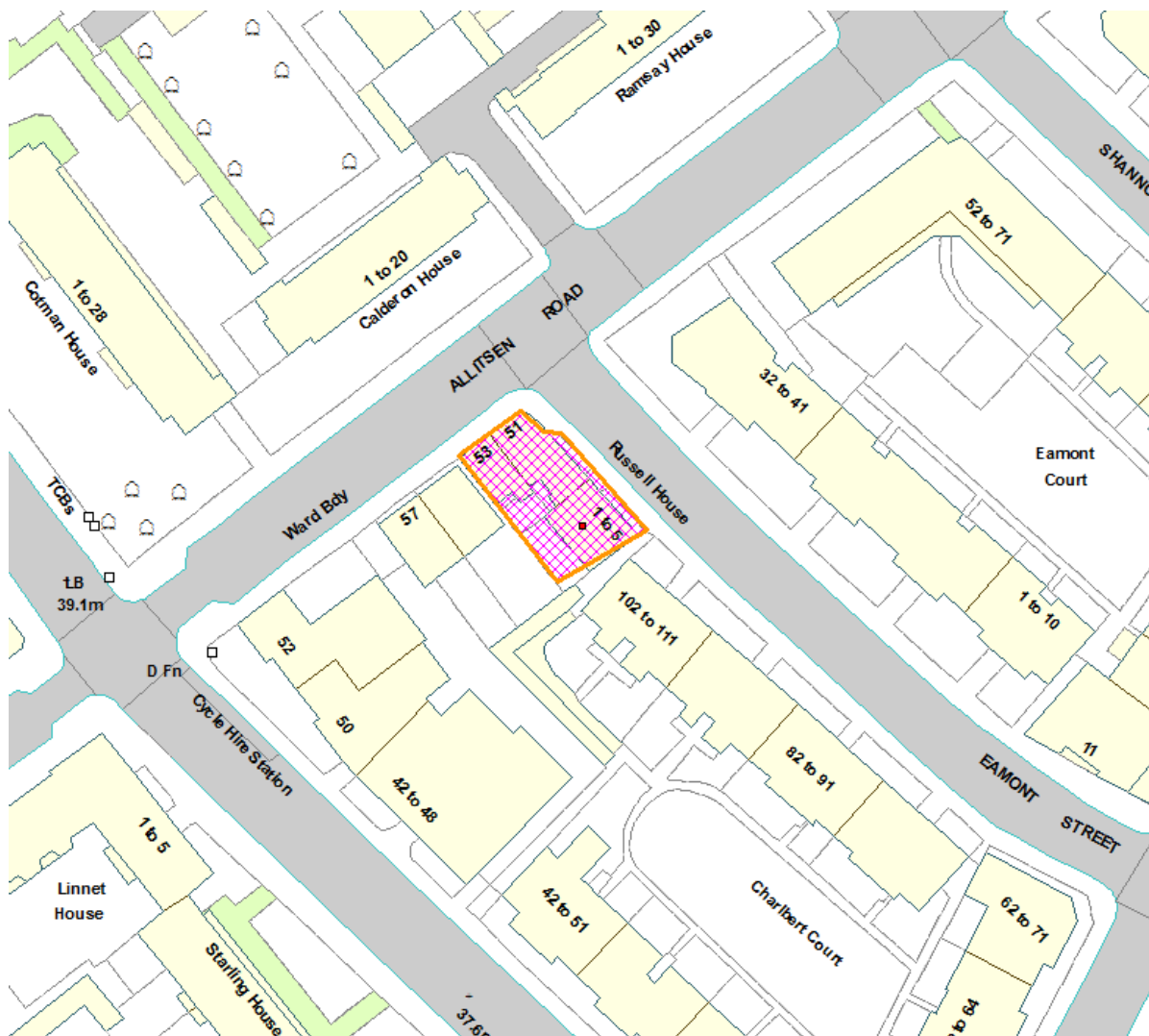
The key issues are:

- The impact of the mansards on the appearance of the host buildings and adjacent conservation area;
- The impact of the mansards on neighbours amenity, namely their privacy; and
- The standard of accommodation provided in the reconfigured Flat 6

Item No.
1

Subject to the conditions as set out in the draft decision letter at the end of this report, the proposal is considered acceptable and satisfies the relevant planning policies in our Unitary Development Plan and City Plan. Accordingly, it is recommended that conditional permission is granted.

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 elevations of the application site:



Charlbert Court (left) and the application site (centre) on Eamont Street:



Application site (left) and 55 Allitsen Road (right):



5. CONSULTATIONS

FIRST CONSULTATION (expired 15th September 2020)

ST JOHN'S WOOD SOCEITY

The design of the mansard is stylistically inappropriate and will have a negative impact on the streetscape and adjacent Conservation Area.

The use of slate on the mansard roof is alien to the surrounding buildings and will have a negative impact on the hierarchy of the building.

Request that the case officer carefully considers the comments of neighbours and assesses the impact on their amenity

HIGHWAYS PLANNING

No objections, request that a condition is included requiring that the cycle parking is provided.

WASTE PROJECT OFFICER

Although bin storage is indicated on the ground floor, they are not in line with the council waste storage requirements as food / organic waste storage has not been provided.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 74

Total No. of replies: 6

No. of objections: 6

No. in support: 0

The objections are summarised as below:

Design –

- Mansard is too tall and out of scale in relation to adjoining buildings
- Use of slate on mansard is alien to surroundings
- Front and rear elevations are already unkempt and may become worse
- Valleys roofs should not be protected not lost

Amenity –

- Loss of light to Eamont Court
- Loss of skyward views from Eamont Court
- Mansard will provide close range views into the rear windows of no. 55 Allisten Road

Standard of accommodation –

- The proposed Flat 6 is smaller than minimum floor space standards.

Highways and waste –

- Increased demand on car parking spaces
- Who will be responsible for putting the proposed bins on the pavement returning

them?

Other –

- Noise disturbance caused by construction work
- During construction Chalbert Court would lose privacy
- The proposal does not benefit residents in immediate areas
- The applicant states the building is 20th century whereas its actually Georgian
- The Planning Statement states no. 55 Allitsen Road is 22m away where as its actually 5m away

SECOND CONSULTATION (expired 18th November 2020)

ST JOHN'S WOOD SOCIETY

Disappointed to repeat our comments on the previously withdrawn scheme, namely:

- The design of the mansard is stylistically inappropriate and will have a negative impact on the streetscape and adjacent Conservation Area.
- The use of zinc rather than slate on the mansard roof is still alien to the surrounding buildings and will have a negative impact on the hierarchy of the building.
- We request that the case officer carefully considers the comments of neighbours and assesses the impact on their amenity

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 74

Total No. of replies: 4

No. of objections: 3 (2 of 4 replies were from the same individual).

No. in support: 0

The objections are summarised as below:

Amenity –

- The lengthened mansard will increase the sense of enclosure of neighbours
- Loss of privacy to the rear windows of nos. 55 and 57 Allitsen Road
- Loss of daylight for nos. 55 and 57 Allitsen Road
- The bin and cycle store provides a poor outlook for Flat 1, Russell House.
- The bin and cycle store use up outdoor amenity space

Standard of accommodation –

- The new wheelie bins and bicycle storage in the rear yard mean there will be less useable space from residents.

Highways and waste –

- New wheelie bins are shown. It is not clear who will collect these bins from the street or they will fit through the doors.

Other –

- No change has been made to the misleading Planning Statement
- The Planning Statement wrongly states that are not any listed buildings within proximity

- The Planning Statement wrongly states that there are not any rooflights in no. 55 Allitsen Road

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a group of three adjoining (Russell House and 51 and 53 Allitsen Road) unlisted buildings on the corner of Eamont Street and Allitsen Road. The three buildings have been subdivided into flats (containing a total of 6x units). Although the buildings each have three storeys, Russell House sits significantly lower than the other two which both also contain commercial units at ground floor level.

The buildings date from the 19th century although have been heavily altered since and are outside of but directly adjacent to St John's Wood Conservation which begins at its rear boundary. Also located at the rear of the application site are the Grade II listed 50 and 52 Chalbert Road.

6.2 Recent Relevant History

18/07595/FULL

Erection of extension at third floor level and erection of mansard roof extension to roof of whole building to create 3 self-contained flats (Class C3) (Site includes Nos. 51 and 53 Allitsen Road).

Application Refused 28 January 2019

This application was refused as it was considered that the upward extension above Russell House plus the mansard would harm the appearance of these buildings and this part of the City and harm the setting of the neighbouring St. John's Wood Conservation Area.

This refusal was appealed (PINs RN: APP/X5990/W/19/3226576). The Planning Inspectorate dismissed the appeal on 9th July 2019. The appeal decision stated that nos. 51 and 53 Allitsen Road are read as one building whilst Russell House reads as another building because of their differences in scale. The Inspector's also stated that the *"proposed equalised roof line... would fundamentally alter the current hierarchy of heights around the corner and the individual contribution they make to the group... This harm is illustrated well within the imagery of the design and access statement. The vertical character would be harmed, but the greater effect would be through the conflation of the group into a single mass."*

7. THE PROPOSAL

Permission is sought for the erection of mansard above 51-53 Allitsen Road and the erection of a separate mansard above Russell House. The mansards would create two

self-contained dwelling units (1x studio above 51-53 Allitsen Road and 1x studio above Russell House). As a part of the works Flat 6 which is at first and second floor levels in 53 Allitsen Road is to be partly reconfigured and will become a 1x bedroom flat.

During the course of the application the proposal was amended. In response to Officer advice the applicant agreed to alter scale and form of both mansards as well as provide additional waste storage and cycle parking in the rear yard area.

8. DETAILED CONSIDERATIONS

8.1 Land Use

8.1.1 Residential use

The proposed mansards would add just over 100 sqm of habitable floor space to the application site and create two additional residential units. The increase in provision of habitable floorspace and the creation of new residential units is in direct accordance with policies H3 of the Unitary Development Plan and S14 of the City Plan.

The existing Flat 6 is arranged over the first and second floor of no. 53 Allitsen Road and is understood to contain two bedrooms. It is proposed that an additional stair is to be added within Flat 6 to interconnect the first and second floor and to allow the existing stair to be used to serve Flat 8 in the proposed mansard. This proposed reconfiguration to Flat 6 will mean that it becomes a one bedroom flat arranged over two floors.

The applicant first proposed that Flat 6 would have a floor area of only 31 sqm, which falls short of the 50 sqm minimum for a one level, one bedroom, two person unit and significantly short of the 58 sqm required for a two level, one bedroom, two person unit, as set on in policy 3.5 of the would measure 31sq.m. The applicant was advised that this was unacceptable.

The reconfigured Flat 6 now measures 51 sqm. Although this falls short of the 58 sqm minimum, it is not considered reasonable to refuse permission on this basis. The existing Flat 6 does not meet current London Plan standards for a two-bedroom flat. Given its dual aspect configuration and high floor to ceiling height, the amended Flat 6 would still provide acceptable accommodation. The reconfiguration also allows for the provision of one additional flat that could not be accommodated were it to meet the space standards of policy 3.5 of the London Plan. The City Council's Environmental Health department were also consulted on the application and raised no objection to the proposal. On balance, the amendments to Flat 6 are considered acceptable in this particular instance.

Proposed Flats 7 and 8 in the mansard storey are designed to be occupied by 1 person each. Flat 7 measures 37.8 sqm whilst Flat 8 measures 42 sqm which is in accordance with the 37 sqm minimum for a one person, one bedroom, one level flat set out in policy 3.5 of the London Plan.

8.2 Townscape and Design

Alterations and extensions at roof level taking place adjacent to conservation area must

be found to be in accordance with policies DES 1, DES 6 and DES 9(E) of the UDP and S25 and S28 of the City Plan in order to be regarded as acceptable in design terms. Also for consideration is the advice set out in the City Councils' Supplementary Planning Guide - Roofs: A Guide to alterations and Extensions on Domestic Buildings SPG (1995).

Policy DES 6 states that unacceptable roof extensions and alterations are those that adversely affect the unity of a group of buildings, result in the loss of silhouette or form that makes a contribution to the local skyline, where results in the loss historically significant roof forms and where it is visually intrusive or unsightly in longer public views or any private views. The policy then states that acceptable roof extensions and alterations are those that are in sympathy with existing buildings character and height and also where its form is reflective of the existing building and its materials.

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."*

Whilst there is no statutory duty to take account of effect on the setting of a conservation area, Policy DES 9 (F) in the UDP requires that where development will have a visibly adverse effect upon a conservation area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area, it will not be permitted.

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 take into account the relative significance of the affected asset and the severity of the harm caused.

As the application site is located on a corner and approximately 1m further forward than no. 55 Allitsen Road on the western boundary and is approximately 3m further forward than Charlbert Court to its southern boundary it forms a visually prominent part of the street scene. Accordingly, is considered that any addition at roof level would need to be sensitively scaled and positioned. It has been raised in objections from neighbours and the local amenity society that a mansard, or mansards in this instance, are not an appropriate addition to the roof of the host buildings.

In the view of the City Council mansards are common original feature and common additions on building's dating from 18th and 19th centuries across the City of Westminster. Notwithstanding this, it is noted that there are few examples of other mansards within the immediate vicinity of the application site, however, it is anticipated that this is because the area is generally characterised more by 20th century architecture where it is considerably less likely for a mansard roof to be found. Given this, it is considered there is less of need to ensure that development responds to local distinctiveness and instead focuses on ensuring high design standards within itself.

The floor levels and position of fenestration in nos.51 and 53 Allitsen Road are consistent across these two buildings. However, where no. 51 Allitsen Road meets with Russell

House on Eamont Street there is a clear mismatch in the floor levels and the position of the fenestration, with Russell House sitting much lower. The proposed mansard as such is proposed in two parts, with a higher section above nos. 51 and 53 then a separate lower part above Russell House. The north end of the mansard above Russell House abuts the taller flank elevation of no. 51 Allitsen rather than taking a typical hipped form. All other exterior faces of the mansards are hipped and pitched at approximately 70 degrees, which is in accordance with the desired angle set out in the City Council's roof alterations supplementary planning guide.

The proposed approach of two separate mansards above the two distinct parts of the application site is considered to overcome the grounds of the refusal for application 18/07595/FULL dated 28th January 2019, whereby the Council considered that the one mansard across all buildings would adversely affect the appearance of the unity shared between the buildings. Furthermore, it is considered that having two separate mansards also enables the originally intended vertical character of the each of the building's to be preserved, as such in this regard they can be considered to be visually subservient features to each of the host buildings. The mansard's subservience to the host buildings is further enhanced by the generous degree that they are set back from all elevations and as well as its modest height, which enables them to be appreciated as discreet addition to the building. Given the proposed scale, position and form of the mansards they are not regarded as harmful to the appearance of the host buildings.

Through the mansards being set behind the elevations of the application so substantially it allows for the existing parapet detail which currently represents the top of the building to still be a prevalent feature on the host building. The allowing of this front parapet to remain a prevalent feature on the front of the application site, also enables the application site to maintain some visual unity with the neighbouring brick built Charlbert Court located to its south, which also has a parapet along the top of its front elevation.

It was raised in an objection from neighbours that the mansard is too tall and out of scale in relation to adjoining buildings. The application site as existing, is already taller than the neighbouring nos. 55 and 57 Allitsen Road and the adjacent nos. 50 and 52 Charlbert Street (Grade II) which are a similar height and all within in the St John's Wood Conservation Area. The proposed mansard would approximately add an additional 1.8m in height, therefore becoming even taller again. Though it is considered that this increase in height make the application site and the neighbouring nos. 55 and 57 Allitsen Road to its west appear more visually out of keeping with one and other, it is not considered that it produces an unacceptable relationship between the two buildings as such the objection expressing concern of the matter is not upheld.

Through mansards being generally regarded as traditional feature, its presence in longer views above the top of nos. 55 and 57 Allitsen Road from the within St John's Wood Conservation Area will not cause any visibly adverse effect on the area's appearance as sought by policy DES 9 Part E. Similarly, the traditional form of the mansard will not adversely affect the significance of the nearby Grade II listed nos. 50 and 52 Charlbert Street. It is therefore considered that the proposed mansard is not too tall and the objection from neighbours on the matter should not be upheld. In respect of this and as previously stated that the immediate area is one of mixture of architectural styles and ages it is not considered that the scale, position and form of the mansard would be harmful to this part of the city or the adjacent St John's Wood Conservation Area or pair of nearby listed

buildings.

It is noted the proposed mansard would result in the loss of four valley roofs, which would be contrary to DES 6 through these generally being regarded as historically significant roof forms. However, on this occasion it has been observed that valley roofs have already been to some extent compromised and that they only make limited contribution to the character and appearance of building and area through being not visible in from the public realm and only visible in very few private views. The loss of the valleys roofs was not considered sufficient grounds to refuse the previous roof extension at the application site which was regarded as a poor design standard than the mansard now proposed, as such again considered unreasonable to refuse permission on the basis of the loss of these valley roofs. For these reasons it is not considered reasonable that the objection which expressed concern of the loss of valley roofs can be sustained.

The mansards themselves are to be clad in roof slates which is considered acceptable. It was raised in an objection by a neighbour that use of slate on mansard is alien to surroundings. Though it is acknowledged that there are few examples of roof slates on adjoining buildings to the application site, it is noted that they are present at the nearby Grade II listed nos. 50 and 52 Charlbert Street in addition to being a common material across the City of Westminster. Given that slate is a material commonly found on mansards on 19th century building's such as the application site it is appropriate material in this instance and the objection is not upheld. To ensure that the roof slates achieve a traditional detailed appearance it is considered necessary that, if permission is to be granted that a condition is included requiring the applicant to obtain the City Council's approval of their chosen roof slates. During the course of this application the applicant agreed to amend the north east facing corner of the mansard from a right angle to curve. The introduction of curve to this corner of the mansard is welcomed and enables a more cohesive appearance between the mansard and no. 51 Allisten Road which has a curved elevation from Ground to Second floor levels.

Also, during this application the applicant agreed to extend the mansard by approximately 500mm above Russell House. Officer's requested this addition 500mm width to the mansard as it was considered the originally submitted mansard hip was too close for the nearest dormer. In total 16 dormers are proposed across the two mansards. Each of the dormers are scale similarly, and aligned above, the existing windows on the second floor of the building which is welcomed and preserves the vertical character of each of the building. The use timber framed sash windows in the dormer is acceptable. The cheeks and roof of the dormers are proposed to be clad in zinc. Typically, the City Council seek that dormers are clad in lead in order to achieve exemplary standards of design. Despite the proposal not directly complying with these expectations it is not considered reasonable that permission is refused on these grounds that the proposed zinc is similar its appearance to lead and that the application site is an unlisted building and outside of a conservation area. The cladding of the flat roof above the mansard in zinc is acceptable.

It was raised in an objection by a neighbour that the front and rear elevations of the application site are already in an unkempt condition and they are concerned the building's condition may become worse after the proposed works. In the interest of improving the appearance of the building generally, in particular the rear which is unpainted plaster the applicant agreed that all existing finishes will be made good which is considered to overcome the objection from the neighbour and add a public benefit to the proposal. It is

regrettable that a chimney stack is proposed to be lost from no. 51 Allisten Road, however, it is considered necessary for an improved internal arrangement of the proposed flat in this building.

As such, the proposal is considered acceptable, mindful of policies DES 1, DES 6, DES 9 and S25 and S28 of the UDP/City Plan; and 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

Development that could result in change to the amenity of neighbouring residents such as that of the proposals here must be found to be in accordance with policy ENV 13 of the UDP and S29 of the City Plan in order to be regarded as acceptable. These policies advise that the City Council will resist proposals that result in loss of natural light and that developments should not result in a significant increase in the sense of enclosure, overlooking or cause overshadowing on gardens and adjoining buildings. It is also advised that private amenity space, such as gardens particularly those associated with family sized units will be protected.

The top of the proposed mansard above Russell House would terminate approximately 3m below the top of the neighbouring building of Chalbert Court. During the Officer's visit to the application site it was observed that the north facing flank wall of Chalbert Court that faces towards the application site does not contain any windows. Accordingly, there would not be any change in the amount of natural light received by rear of Charlbert Court, as the adjacent building of Russell House does not project beyond the rear elevation of the Charlbert Court. To the front, where Russell House does project in front of the Charlbert Court, there may be some change in the degree of natural light received. However, it is not considered that the degree of change would be significant enough to warrant a refusal of permission on these grounds, given the presence of existing tall chimney stack in this position which already reduces the amount of light received by some rooms on the front of Charlbert Court. Also because of this broad chimney stack, there would also not be a significant change in outlook either if the proposed extension were to be erected. Through Chalbert Court being located to the southside of the application site the proposed increase in height may only result in negligible changes to the amount of direct sunlight residents in Chalbert Court receive, with any additional overshadowing being cast on the blank flank wall of the block therefore not affecting these neighbours in anyway.

Objections were received from residents in Eamont Court which is located on the east side of Eamont Street and looks on to the front of the application site. The objections stated that mansards would cause some residents to endure a loss of daylight and loss of skywards views. As Eamont Court is approximately 19-20m away from the application site on the other side of the road, the small increase in height of approximately 1.8m to the application site would not have any impact on the amount of daylight residents in Eamont Court receive. It is noted that residents in Eamont Court, particularly the flats in the building that have windows on its front elevation have a very broad outlook and are able to receive good levels of daylight and sunlight. It is acknowledged that one or two of the flats in the block may have their outlook reduced in length by the mansard. However, the outlook from all flats within the building will still be regarded as being very good and not overly

enclosed in anyway. In respect of this, the impact of the mansards on Eamont Court is acceptable and the objections on the matter are not upheld. Some flats within Eamont Court may receive a small reduction in the amount of direct sunlight they receive when the sun is very low in the sky to the west. Given that Eamont Court will continue to receive the same amount of daylight as existing this momentary loss in sunlight is not harmful to their amenity.

The neighbouring property which is most likely to endure an impact to its amenity is the dwellinghouse of no. 55 Allitsen Road, which is located perpendicular to the main rear elevation of the application site. At its closest point no. 55 is approximately 4.3m away from the rear elevation of Russell House and approximately 4.9m away from the foot of the proposed mansard.

Both of the rear windows at ground floor level at no. 55 Allitsen Road already appear to be overshadowed by Russell House. When drawing a line from the top of proposed mansard downwards at 45-degree angle towards no. 55, as recommended by BRE Guidelines, it is noted that one of the two windows at first floor level at no. 55 would also become overshadowed by the application site. During a visit to no. 55 by the Officer it was observed that the effected room at first floor level is served by two windows. Given that the affected rooms has two windows and that only one of them was above the 45-degree line advised by BRE Guidelines, it is considered that impact on the amenity of the users of this room is significantly lessened. It is therefore not considered reasonable that the impact of the proposed mansard would be so severe in terms of loss of daylight they may cause it would warrant withholding permission. As such, the objection that expressed concern over a loss of daylight to nos. 55 and 57 Allitsen Road are regrettably not upheld.

It is understood that the mansard may cause a small loss of direct sunlight to the upper floors of no. 55 Allitsen Road during the early morning, given that the rear of no. 55 Allitsen Road would then be likely receive uninterrupted sunlight for the rest of the day this small loss of sunlight is not unacceptable. With regard to outlook and enclosure, it was observed that from the second floor of no. 55 during the Officer's visit that views were attainable over the top of Russell House. Through the proposed mansard being approximately at the same level as the second floor of no. 55, views in this eastly direction would be reduced by the mansard. However, the outlook from the same windows both southwards and westwards would be unimpacted by the proposal. It was raised in an objection that the additional 500mm length to the mansard would increase the enclosure on no. 55. Even when account for the additional 500mm length it is considered that as the vast majority of the no. 55's good outlook is to be retained and the skyward views will still continue to be possible over Russell House, it is not considered that this neighbour would be unacceptably enclosed by the mansards despite the close proximity to and other.

Objections were received from neighbours that expressed concerns of overlooking from the dormers in the proposed mansard on to the rear of nos. 55 and 57 Allitsen Road. It is not considered reasonable to uphold these objections as none of the parts of the application site are become any closer to any neighbouring properties. Furthermore, all new windows in the proposed mansard would replicate those windows in the existing building and whilst additional windows would be introduced, they would not increase overlooking to neighbouring properties to a material degree.

It was raised in an objection that the creation of the bin and cycle store to the rear would

reduce the visual amenity for the occupants of Flat 1, Russell House which is situated at ground floor level as has a bay window partly looking onto the space. Though it is agreed to an extent looking out onto bicycles racks and potentially some wheelie bins at more oblique angle is not desirable in visual amenity terms, it is not considered that it would have a harmful impact on the occupants of the Flat 1, Russell House given that the window already provides a poor outlook and that there are other windows within the flat which will be unaffected and provide a more substantial positive contribution to the amenity of its occupants.

It was also raised in an objection that the bin and bicycle store in the rear yard would use up the majority of the only outdoor amenity space associated with Russell House. Though it is agreed that this would be true, it is not considered reasonable that permission is refused on these grounds given that the City Council understands the space is not used by the occupants of the building and because it is of such a low amenity value through having a poor outlook and little access to direct sunlight. Therefore, the loss of the majority of the courtyard is anticipated not have an impact on the amenity of the occupants of Russell House.

Given the above, the proposed development is considered to be acceptable in amenity terms with respect to the relevant policies of ENV 13 of the UDP and S29 of the City Plan.

8.4 Transportation/Parking

Policy TRANS 23 of the UDP states that levels of over 80% of car parking occupancy will result in an unacceptable level of deficiency and that the addition of even one residential unit is likely to have a significantly adverse impact on parking levels in the area which may lead to reductions in road safety and operation.

The City Council's most recent daytime parking survey indicates that parking occupancy within 200m radius of the application site is at 79%, whilst during the night-time it is 70%, as such the consulted Highways Planner raised no objection to car parking arrangements. Though it is noted that the proposal will increase demand for car parking and there not being any new car parking being proposed, it is considered that as there are only 2x units proposed with a total of 2x bedrooms and that the application site offers reasonable local access to public transport the demand on car parking will not be great enough to warrant refusing permission on these grounds.

On the originally submitted proposed ground floor plan designated storage space for 2x bicycles was shown. The revised ground floor plan now shows designated storage for 8x bicycles. The Highways Planner raised no objection to the provision of cycle storage for 8x bicycles and advises that satisfies the requirements of relevant London Plan policy. The Highways Planner recommended that a condition is the proposed 8 bicycle parking spaces are maintained for the lifetime of the development.

8.5 Economic Considerations

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

8.6 Access

The application does not raise any access concerns.

8.7 Other UDP/Westminster Policy Considerations

Refuse /Recycling

The originally submitted ground floor plan indicated the provision of two wheelie bins in the rear yard of Russell house, one for general waste and one for recycling. The City Council's Waste Project Officer commented on the application raising no objection to the proposed bins and their capacity but recommended that a bin for organic waste should also be provided. The revised ground floor plan shows a total of ten bins in the rear yard. The provision of so many bins is welcomed as it should enable all residents of the application site separate their waste and to maximise levels of recycling and composting organic waste in accordance with City Council's policy ENV 12 of the UDP. An objection was received from a neighbour querying whom would be responsible for placing these wheelie bins on the street for collection and who would remove them once emptied. Though it is regrettable that these details are not available to the City Council, it is not envisaged that the situation for the original six flats would alter from the existing situation. It is not considered reasonable that permission is refused in respect of this absence of information, particularly as the matter of individuals placing and collecting their bins from the street is not a typical material planning matter.

8.8 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. The Examination in Public took place between 28 September and 2 October and 12 October and 16 October. The modifications recommended by the Inspector have recently been consulted on, with the consultation period closing on 18 January 2021. Having regard to the tests set out in paragraph 48 of the NPPF, Westminster's City Plan 2019-2040 will continue to attract very limited weight at this present time.

8.9 Neighbourhood Plans

None relevant.

8.10 London Plan

This application raises no strategic issues.

8.11 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.

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.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

No environmental impact assessment was required for this application.

8.14 Other Issues

Discrepancies in Submission

A number of objections were received from neighbours concerning the content of the applicant's Planning Statement and Design Access Statement, such as the applicant stating that the application site is 20th century where as it is actually 19th century, that it stated there any listed building's nearby and that there are not any rooflights on no. 55 Allitsen Road.

This application has been considered on the merits of proposal as shown on the submitted elevations and plans and not on the assertions made in the Design and Access Statement and Planning Statement. It is acknowledged that some of the claims in the applicant's Planning Statement and Design Access Statement are incorrect. However, this has not impacted officers assessment of the proposed works.

Noise and Disruption During Works

It was also raised in objections from neighbours that those nearby would have to endure noise disturbance from construction work and that during construction work residents of the neighbouring Chalbert Court would lose privacy. Though the construction impacts such as these are not typical material planning matters the City Council does wish to protect residents as much as is reasonably possible in planning law. If permission is to be granted a condition will be included on the decision notice that requires that works only take place between 08:00 and 18:00 Monday to Friday and 08:00 and 13:00 on Saturdays.

Lack of Public Benefits

One objection from a neighbour states that the proposal does not benefit residents in immediate areas. Though it is acknowledged that there are few direct benefits to nearby residents, the provision of two new residential units is regarded as wider benefit for the area. In addition the applicant has also agreed to 'make good' all existing elevations which should generally improve the appearance of the upkeep of the buildings.

Item No.
1

(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 NBARRETT@WESTMINSTER.GOV.UK

9. KEY DRAWINGS



Existing North East Elevation



Proposed North East Elevation



DRAFT DECISION LETTER

Address: Russell House, Eamont Street, London, NW8 7DD

Proposal: Erection of mansard roof extensions to facilitate the provision of 2no. self-contained dwelling units an associated internal alterations (Site includes Russell House and 51-53 Allitsen Road).

Reference: 20/05262/FULL

Plan Nos: 184-100, 184-200, 184-201, 184-202, 184-203, 184-300, 184-301, 184-400, 184-401, 184-402, 184-210 Rev A, 184-211 Rev A, 184-212 Rev A, 184-213 Rev D, 184-214 Rev D, 184-215 Rev D, 184-310 Rev D, 184-311 Rev D, 184-410 Rev C, 184-411 Rev C and 184-412 Rev C., , Used for information only - Cover Letter, Design and Access Statement and Planning Statement.

Case Officer: Harry Berks

Direct Tel. No. 07866037030

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:
 - 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 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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 4 You must apply to us for approval of a photographic sample of the following parts of the development

-the natural slate for the mansard.

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 this sample. (C26DB)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 5 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 4 of our Unitary Development Plan that we adopted in January 2007. (R26CD)

- 6 You must provide each cycle parking space shown on the approved drawings prior to occupation. Thereafter the cycle spaces must be retained and the space used for no other purpose without the prior written consent of the local planning authority.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

- 7 You must apply to us for approval of details of how waste is going to be stored on the site. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the waste store in line with the

approved details, and clearly mark it and make it available at all times to everyone using the flats. You must not use the waste store for any other purpose.

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007.

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, sitenquiries@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

- 3 Please make sure that the street number and building name (if applicable) are clearly displayed on the building. This is a condition of the London Building Acts (Amendments) Act 1939, and there are regulations that specify the exact requirements. For further information on how to make an application and to read our guidelines on street naming and numbering, please visit our website: www.westminster.gov.uk/street-naming-numbering (I54AB)
- 4 The development for which planning permission has been granted has been identified as

potentially liable for payment of both the Mayor of London and Westminster City Council's Community Infrastructure Levy (CIL). Further details on both Community Infrastructure Levies, including reliefs that may be available, can be found on the council's website at:

www.westminster.gov.uk/cil

Responsibility to pay the levy runs with the ownership of the land, unless another party has assumed liability. If you have not already you must submit an **Assumption of Liability Form immediately**. On receipt of this notice a CIL Liability Notice setting out the estimated CIL charges will be issued by the council as soon as practicable, to the landowner or the party that has assumed liability, with a copy to the planning applicant. You must also notify the Council before commencing development using a **Commencement Form**, CIL forms are available from the planning on the planning portal:

www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Forms can be submitted to CIL@Westminster.gov.uk, , **Payment of the CIL charge is mandatory and there are strong enforcement powers and penalties for failure to pay, including Stop Notices, surcharges, late payment interest and prison terms.**

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.