

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 20 June 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Regent's Park	
Subject of Report	20 Grove End Road, London, NW8 9LA		
Proposal	Erection of roof extension at second floor level including addition of dormer window and door.		
Agent	Mr Andrew Paps		
On behalf of	Mr R Kishinani		
Registered Number	17/01687/FULL	Date amended/ completed	24 February 2017
Date Application Received	24 February 2017		
Historic Building Grade	Unlisted		
Conservation Area	St John's Wood		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application relates to an unlisted building located within the St John's Wood Conservation Area. The building is in use as a single family dwelling house, set over ground, first and second floor levels. The second floor comprises of a mansard roof extension which extends across three quarters of the roof and provides access out onto a terrace. The proposal is to extend the second floor mansard so that it extends across the whole breadth of the building. This development was previously granted permission in 2011, but was never implemented and has now expired.

Objections have been received from adjacent neighbours raising concern in relation to both design and amenity impact.

The key issues in this case are:

- * The impact of the development on the character and appearance of the building and conservation area.
- * The impact of the development on the amenity of neighbouring properties.

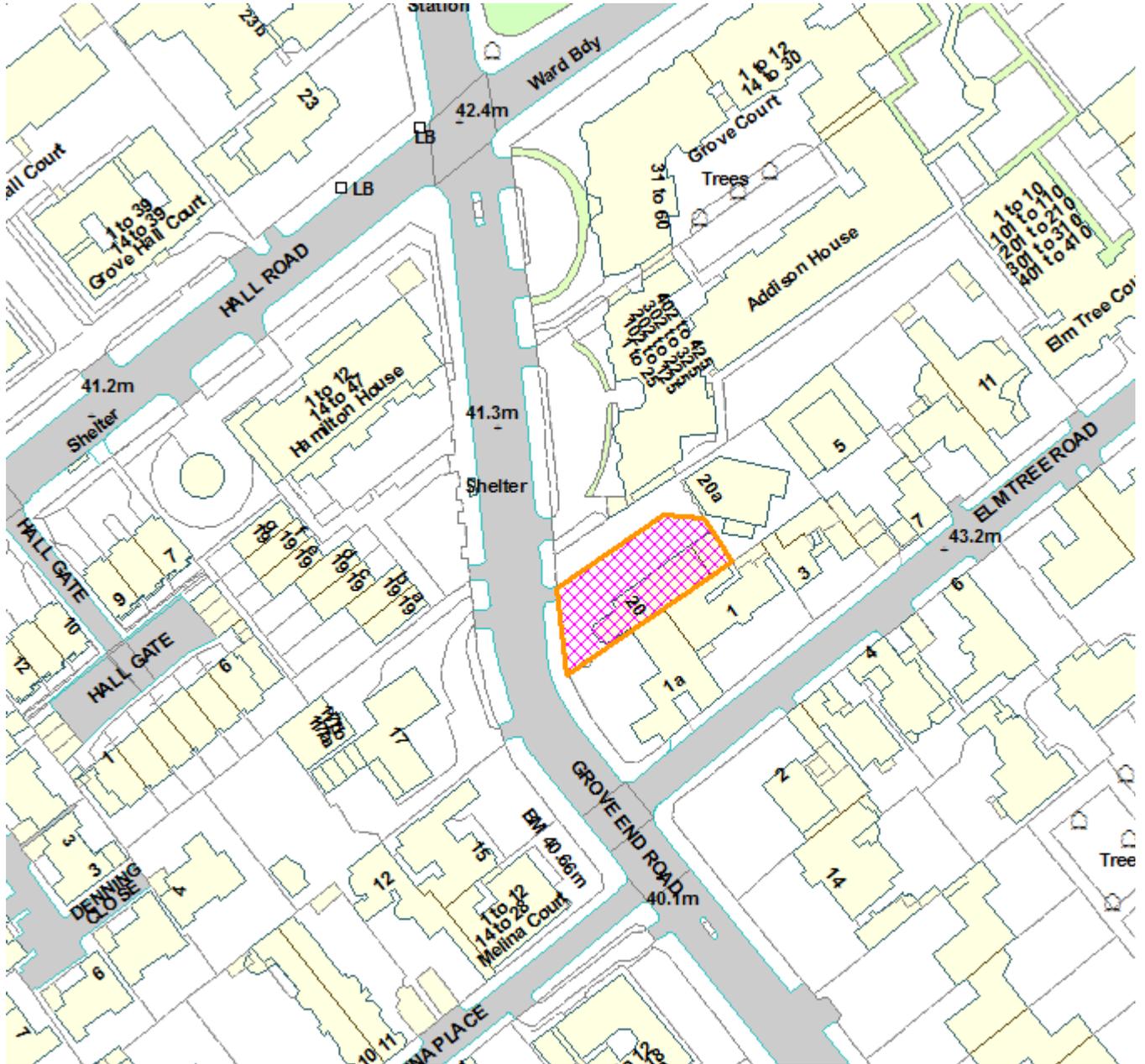
Notwithstanding the objections received, the proposed development is considered to be acceptable

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and would accord with the relevant policies in Westminster's City Plan (the City plan) adopted in November 2016 and the Unitary Development Plan adopted in January 2007 (the UDP).

3. LOCATION PLAN



4. PHOTOGRAPHS



Front elevation from road (above). View towards 1 Elm Tree Road (below)



5. CONSULTATIONS

ST JOHN'S WOOD SOCIETY

Requests that the neighbours at 1 and 1A Elmtree Road have been consulted as concerns are raised that the proposals would have a negative impact on their natural light.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 6

Total No. of replies: 2 objections from adjacent occupiers raising some or all of the following points:

Amenity

- Loss of privacy and overlooking of courtyard.
- Loss of light
- Council or objector should undertake their own study of light to review submitted light report and make the assessment in accordance with BRE guidance.

Design:

- Negative impact on the conservation area

Other:

- The NPPF has been published since permission was previously granted for the works and is a material consideration.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application relates to an unlisted building located within the St John's Wood Conservation Area. The building is in use as a single family dwelling house, set over ground, first and second floor levels. The second floor comprises of a mansard roof extension which extends across three quarters of the roof and provides access out onto a terrace at the same level. The property shares an access off Grove End Road with 20A Grove End Road, which is set back from the road to the rear of the site.

6.2 Recent Relevant History

11/07663/FULL - Extension of existing mansard roof, including addition of one new dormer window, to enlarge existing dwellinghouse.
Application Permitted 5 October 2011

11/02488/FULL- _Erection of extension of existing mansard roof storey at second floor level to enlarge existing dwellinghouse.

Application Withdrawn 10 June 2011

11/01365/CLOPUD - Remove garage door and replace with brickwork to match existing house and insertion of two UPVC windows.

Application Permitted 7 April 2011

11/01043/FULL - Remove garage door and replace with white rendered wall to match existing house and insert two windows.

Application Withdrawn 17 February 2011

7. THE PROPOSAL

Permission is sought to extend the second floor mansard roof extension across the breadth of the building. The extension has a sheer rear elevation which is set back from the boundary shared with 1 Elm Tree Road. The proposals will result in an additional 9sqm of residential accommodation.

This is a resubmission of an application approved on 5 October 2011 (RN: 11/07663/FULL), but was never implemented and which has now expired.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed small amount of additional residential floorspace is considered acceptable.

8.2 Townscape and Design

An objection has been received on the grounds that the proposed extension would have a negative impact on the conservation area.

Officers consider that the proposed extension would provide the building with a more balanced appearance at roof level with a symmetrical roof extension, rather than the present situation where the roof is set in approximately 3 metres from the eastern end of the main building. The extension is set back 1 metre from the lightwell to No. 1 Elm Tree Road by an upstand, this is located to the rear of the building and would only be visible in restricted private views from the application site and 20A Grove End Road. It is unclear what the rear upstand will be constructed of. A condition is therefore recommended for this to be 'like for like' with the existing party wall upstands.

Subject to conditions in relation to materials to match existing, the proposal is considered to preserve the character and appearance of the host building and this part of the St John's Wood Conservation Area, and complies with policies DES1, DES6 and DES9 of the adopted UDP and S25 and S29 of the City Plan.

8.3 Residential Amenity

Objections have been received from residents located to the east at 20a Grove End Road and to the south of the site at 1 Elm Tree Road on the grounds of loss of light, loss of privacy and increased overlooking. An objector also requests that either the council undertakes its own daylight / sunlight report and if not then the neighbour should be allowed to undertake one.

Policies ENV 13 of the UDP and S 29 of the City Plan seek to protect residential amenity and environmental quality. ENV 13 specifically seeks to ensure residential properties do not suffer an increase in harm from sense of enclosure, loss of sunlight/daylight or loss of privacy.

The most affected windows by the development proposals are located in 1 Elm Tree Road to the south, which has windows which look out onto their private courtyard which faces the party wall shared with the application site. 20A Grove End Road will also be affected, but to a lesser extent given its separation and the location and form of the extension which has a pitched roof located behind the existing parapet.

Sunlight and Daylight

The same daylight report has been submitted as the one in 2011. The report assesses the impact of the extension on the vertical sky component (VSC) of neighbouring ground and first floor windows, facing the lightwell between the application site and 1 Elm Tree Road. It should be noted that the report was undertaken on a previously proposed scheme (subsequently withdrawn) whereby the roof extension was to build up directly on the party wall between the two properties (and would therefore have had a greater impact). This is not proposed as part of this application whereby the extension is set back from the roof edge by 1m.

The report notes that the most affected window is located at ground floor level facing west. Despite the report assessing a more harmful scenario than proposed, where the bulk was not set back and located directly on the boundary, it concludes that the proposals are BRE compliant as the percentage daylight loss (VSC) to the neighbouring windows would not be greater than 20% (i.e. less than 0.8 times its former value). While a sunlight analysis has not been undertaken, it is not considered that one is required in this instance given the location of the site to the north of the affected property and any losses would not be so significant as to justify refusal. On this basis, it is considered that the proposal would not result in a material loss of daylight to the windows of No. 1 Elm Tree Road to justify a refusal.

In relation to the objectors comment that either the council or the objector should undertake their own assessment, it was explained to the objector on site that the council would not be undertaking their own assessment as the onus is on the applicant to demonstrate the impact of the proposal in accordance with relevant BRE guidance. No further report has been submitted by the objector following this discussion.

Sense of Enclosure

The most affected windows are located in the side/rear elevation of 1 Elm Tree Road which face towards the development site. The windows at first floor level nearest the development site serve the stairs landing and a bedroom.

The outlook from these windows is currently screened by a large shrub which grows all the way up the boundary. Should this shrub be removed there would be greater breathing space between the two properties, but it may allow greater overlooking from the existing terrace. It is however considered that even if this shrub was to be removed, the proposed extension would not result in a considerable increased sense of enclosure due to the setting back of the roof, the existing parapet and the oblique angle of views.

Privacy

The roof around the existing mansard is used as a terrace, accessed from an existing door in the end of the mansard. It is not considered that the proposed extension would give rise to a material loss of privacy above the existing situation given the location of the extension in place of some of the existing terrace and given the new window and door are in the same frontages as the existing fenestration and are set back from the roof edge behind the existing parapet. Given this, the objection raised by the occupier of 3 Elm Tree Road in privacy grounds is not supported by officers.

Conclusion

It is not considered that the proposed extension would give rise to a significant loss of amenity to adjacent occupiers and is therefore considered to be in accordance with policies ENV13 of the UDP and S 29 of the City Plan.

8.4 Transportation/Parking

No change to existing arrangements for the single family dwelling.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

No change to existing access arrangements

8.7 Other UDP/Westminster Policy Considerations

None relevant.

8.8 London Plan

This application raises no strategic issues.

8.9 National Policy/Guidance Considerations

An objection has been received noting that the development proposals should be considered against the NPPF which is a new material consideration since the permission was granted for the same works in 2011. The City Plan and UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

8.10 Planning Obligations

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

As only a small amount of additional floorspace is proposed (9sqm), a CIL payment will not be required.

8.11 Environmental Impact Assessment (EIA)

The proposals are of insufficient scale to require the submission of an EIA.

8.12 Other Issues

None.

9. BACKGROUND PAPERS

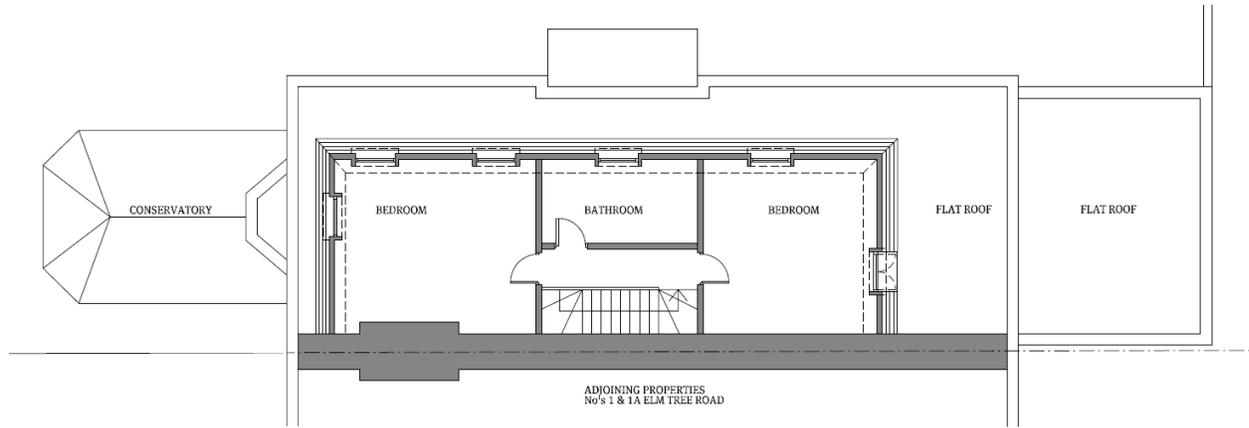
1. Application form
2. Response from St John's Wood Society, dated 20 March 2017
3. Letter from occupier of 3 Elm Tree Road, London, dated 22 March 2017
4. Letter on behalf of the occupier of 1 Elm Tree Road, dated 11 April 2017

(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

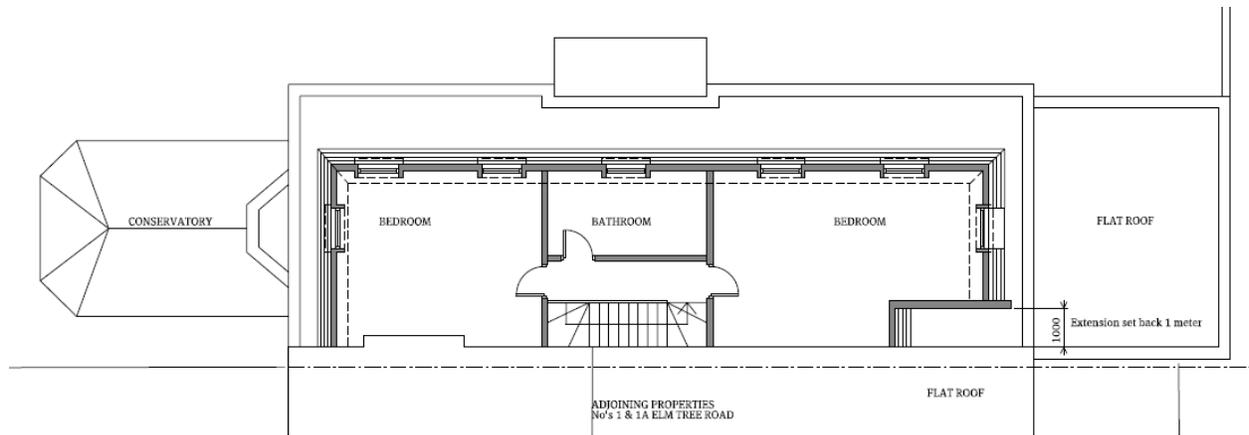
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: **SARAH WHITNALL** BY EMAIL AT swhitnall@westminster.gov.uk.

10. KEY DRAWINGS

Existing second floor plan



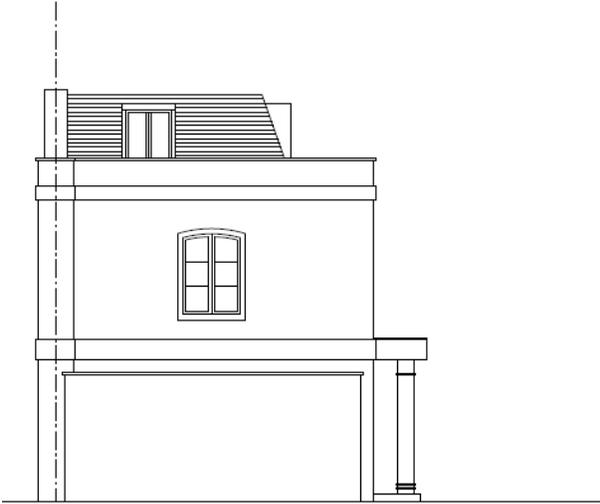
Proposed second floor plan



Existing elevations



EXISTING FRONT ELEVATION



EXISTING SIDE 1 ELEVATION



EXISTING SIDE 2 ELEVATION

Proposed elevations



PROPOSED FRONT ELEVATION



PROPOSED SIDE 1 ELEVATION



PROPOSED SIDE 2 ELEVATION

DRAFT DECISION LETTER

Address: 20 Grove End Road, London, NW8 9LA,

Proposal: Erection of roof extension at second floor level including addition of dormer window and door.

Plan Nos: 1005 90 001; 1005A 90 101; 1005A 90 201; 1005A 90 202; 1005A 90 203; 1005A 90 210; 1005A 00 202A; 1005A 00 203A; 1005A 00 210A; Design and Access Statement dated February 2017.

Case Officer: Rupert Handley

Direct Tel. No. 020 7641 2497

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:
- o between 08.00 and 18.00 Monday to Friday;
 - o between 08.00 and 13.00 on Saturday; and
 - o not at all on Sundays, bank holidays and public holidays.

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

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the St Johns 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 The roof covering shall be a natural slate.

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 Johns 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 The new dormer window and door shall match the existing/adjacent in terms of materials, cladding and colour.

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 Johns 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)

- 6 The materials and colour of the new upstand shall match the existing party wall/parapet upstand.

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 Johns Wood Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (R26BE)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

- 2 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)

- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.