

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 27 June 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	Basement, 179 Randolph Avenue, London, W9 1DJ		
Proposal	Erection of a single storey timber clad outbuilding at the end of the rear garden for use as a garden/ gym room ancillary to the existing lower ground floor level flat (Flat A).		
Agent	Scott Associates LLP		
On behalf of	Kojo Appiah-Endresen		
Registered Number	17/02847/FULL	Date amended/ completed	31 March 2017
Date Application Received	31 March 2017		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Permission is sought for the erection of a single storey timber clad outbuilding at the end of the rear garden for use as a garden/ gym room. The proposed outbuilding is to provide ancillary habitable accommodation for the existing lower ground floor level flat.

Four neighbouring residents have raised objections on a range of grounds. The principal ground for objection relate to the impact of the proposal on residential amenity and the impact of the outbuilding on the character and appearance of the Maida Vale Conservation Area.

The key issues in this case are:

- The impact on the appearance of the application site and the character and appearance of the Maida Vale Conservation Area.
- The impact on the amenity of the neighbouring residents.

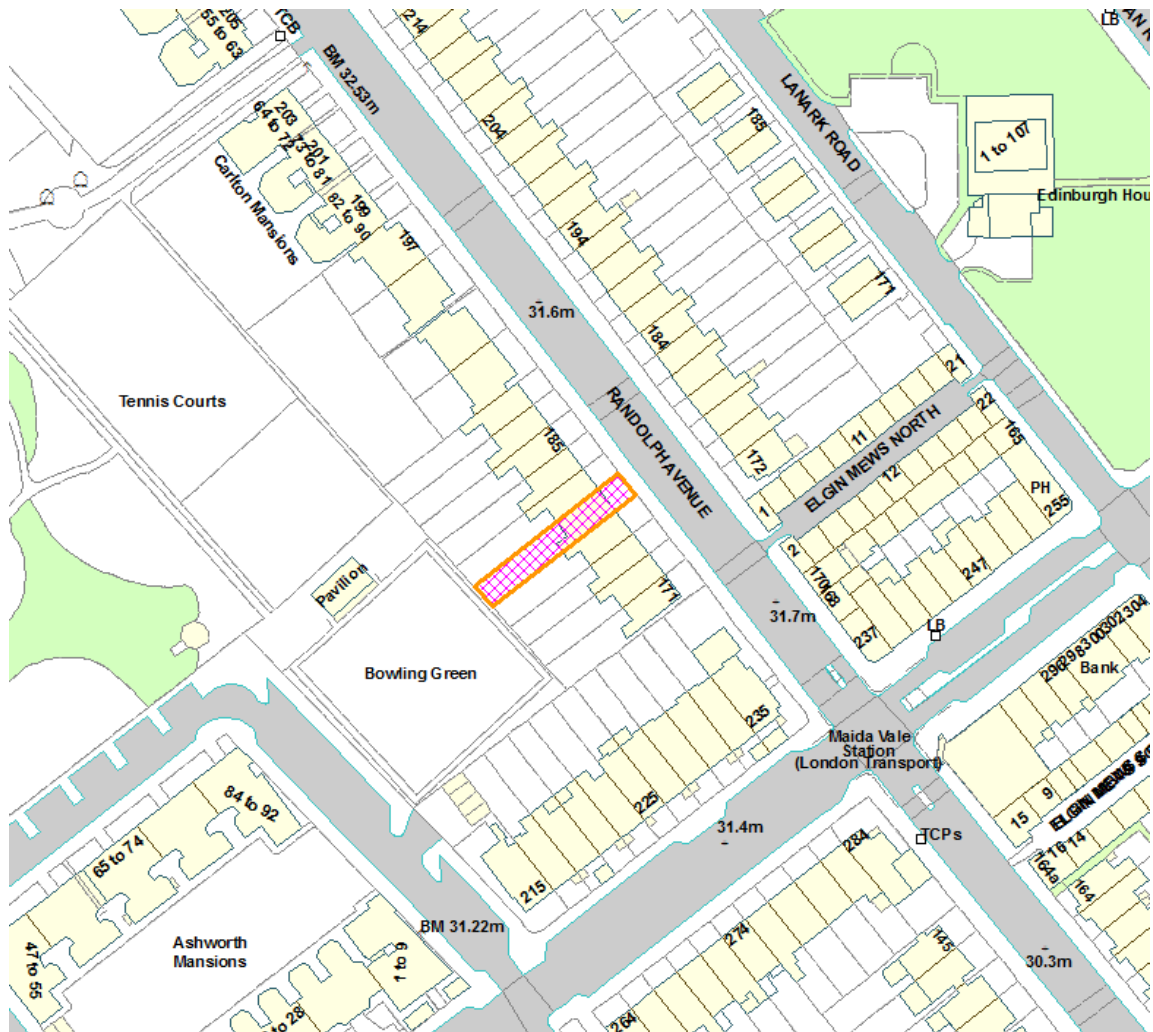
It is considered that the proposed development accords with relevant policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan) and is therefore acceptable in

Item No.

5

design and amenity terms. As such, the application is recommended for approval subject to the conditions set out in the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of front elevation (top) and view of rear elevation (bottom). No proposed alterations are proposed to the main property.

9 May 2017, 16:20:18



View of garden with existing shed at end of garden.

5. CONSULTATIONS

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY:

No objection in principle. Note error in Design and Access Statement in respect of the height and consider the rear elevation window should be omitted. Use of the room should be limited by condition to prevent it being used as sleeping accommodation.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 10.

Total No. of replies: 4.

No. of objections: 4.

No. in support: 0.

Four responses received raising objection on all or some of the following grounds:

Design

- Out of character with the Maida Vale Conservation Area and surrounding properties.
- Proposal is approximately one metre higher than the boundary walls.

Amenity

- Overlooking and loss of privacy due to the structure facing the backs of the row of houses.
- Light pollution.
- Noise pollution.
- Loss of light and overshadowing into residents gardens and the Paddington Recreational Ground Bowling Green.

Other Matters

- Error in Design and Access Statement referring to the height being 5m high.
- Proposal will set a precedent.
- The proposal has services and enclosed therefore likely to be inhabited as an en-suite bedroom or used as a fitness studio for paying customers which is out of keeping with the undeveloped existing gardens in the area.

PRESS ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is an unlisted mid-terrace property located within the Maida Vale Conservation Area. The application site comprises Flat A, which is at lower ground floor level.

6.2 Recent Relevant History

27 June 2016 – Permission granted to for the erection of a single storey rear extension to enlarge the basement flat (12/03945/FULL). This extension has subsequently been constructed on site.

7. THE PROPOSAL

Planning permission is sought for the erection of a single storey timber clad outbuilding at the end of the rear garden for use as a garden/ gym room ancillary to the existing lower ground floor flat. No alterations are proposed to the main building.

The proposed outbuilding would be 5.1m wide, 4.5m deep and 2.5m high. The structure would be clad in Western Red Cedar timber cladding with a grey EPDM (ethylene propylene diene monomer) flat roof. It is proposed to install double glazed aluminium framed French doors to the front elevation and two high level windows on the (western) rear and (northern) side elevations.

8. DETAILED CONSIDERATIONS

8.1 Land Use

In land use terms, the proposed outbuilding will be used ancillary to the existing lower ground floor flat (Flat A). The outbuilding therefore comprises an extension to the existing residential unit and the provision of additional residential floorspace is supported by Policy H3 in the UDP. The application is therefore acceptable in land use terms.

Concerns have been expressed that the outbuilding could be used as sleeping accommodation for the occupiers of the lower ground floor flat or as a fitness studio for paying customers. As the outbuilding would provide ancillary residential accommodation for the existing lower ground floor flat it could be used by the occupiers of that flat in any way that is incidental to the enjoyment of their flat as a single unit of residential accommodation. This could include occasional use as overnight sleeping accommodation, perhaps to accommodate an overnight guest. However, practically it is unlikely to be used regularly for this purpose given its significant separation from the main property. Should it be more intensively as a self-contained unit of residential accommodation this would amount to a material change of use requiring planning permission, which would be unlikely to be forthcoming.

Similarly, the use of the outbuilding as a fitness studio for fee paying customers would constitute a material change of use which would require planning permission. Again, permission or such a commercial use would highly unlikely to be supported in land use and amenity terms in this location.

8.2 Townscape and Design

The proposed outbuilding would be limited to a single storey, would have a flat roof and would be located at the end of the rear garden of the property. In this location, whilst it would be visible from neighbouring properties, it would be relatively discreet and would not be a visually dominant structure within the private views along the rear of this terrace. The out building would not be readily visible in any public views, although there would be

glimpsed views from Grantully Road across the bowling green. However, these views are distant and the outbuilding would not be prominent and would not detract from the predominantly landscaped appearance of the rear of the terrace.

Given the relatively generous dimensions of the rear garden (approximately 20m in length and 6m wide) it is considered that the footprint and height of the building are acceptable and it would be clearly subservient to the main property. In this context the objections to the size of the proposed outbuilding cannot be supported.

Whilst the outbuilding would be appreciable above the boundary walls with neighbouring gardens, these are relatively low level walls and as such, the height of the structure relative to the boundary walls is not considered to be a ground in itself to withhold permission.

In terms of its detailed design, the use of timber cladding is considered to be appropriate and would ensure the simply detailed outbuilding has the appearance of a typical domestic garden structure. The use of timber cladding will ensure the appearance of the building weathers over time, further integrating its appearance into the soft landscaping of the gardens along the rear of this terrace.

For the reasons set out in this section, the proposed outbuilding is considered to be acceptable in design terms and would not harm the character and appearance of this part of the Maida Vale Conservation Area. Accordingly the proposal would accord with Policies DES 1 and DES9 in the UDP and Policies S25 and S28 of the City Plan.

8.3 Residential Amenity

The proposed outbuilding would be located at the rear of the garden adjacent to the rear boundary and would be 2.5m in height. The boundaries to the rear and sides of the proposed outbuilding are lower, although a trellis sits above the rear boundary wall that separates the site from the bowling green at Paddington Recreation Ground.

Objection has been received on amenity grounds on overlooking and light spill grounds from all four objectors.

In terms of loss of daylight and sunlight and sense of enclosure, given the location of the outbuilding at the end of the rear garden it would be sufficiently distant from neighbouring windows so as not to have a material impact. Whilst there would be some shadowing of part of neighbouring gardens, given the limited height of the outbuilding and the size of neighbouring gardens, it is not considered that the shadowing caused would be so significant so as to warrant withholding permission.

In terms of overlooking, the French doors to the front elevation would afford views back towards the rear elevation of the terrace. However, the extent of overlooking that would be no greater than that caused by the occupiers of the lower ground flat using their existing garden and the French doors would be approximately 15 metres from the rear windows of neighbouring flats. Furthermore, as the outbuilding is to provide ancillary accommodation to the existing flat, it is unlikely to be as intensively used as would be the case if it were a self-contained residential unit. In this context, it is not considered that the degree of

overlooking that would be caused would be so significant so as to justify withholding permission. As such, the objections on this ground cannot be supported.

The side and rear windows would be located at a high level and would not result in overlooking to neighbouring gardens or the bowls club to the rear of the site.

With regard to light spill the proposed outbuilding would be approximately 15m from windows in the rear elevation of Randolph Avenue properties and the glazing to the front elevation facing the rear of the terrace would be limited to a single set of French doors. As a result, whilst light from within the outbuilding would be appreciable at night when looking out of neighbouring windows, it would not cause a significant light nuisance and would not contribute to the sense of being overlooked or interfere with sleep. Accordingly the concerns expressed by neighbours on this ground cannot be supported and the proposal would accord with Policy ENV10 in the UDP.

The proposed outbuilding would not cause a material increase in noise disturbance above the existing level of noise caused by use of the garden of the application property. The outbuilding would be insulated to prevent significant noise breakout from within the building.

The proposal is considered acceptable in terms of residential amenity as it complies with Policies ENV6, ENV10 and ENV 13 in the UDP and Policies S29 and S32 in the City Plan.

8.4 Transportation/Parking

Not applicable.

8.5 Economic Considerations

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

8.6 Access

The proposal does not have any adverse access implications.

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

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

Not applicable.

8.11 Environmental Impact Assessment

An Environmental Impact Assessment was not required for a development of this scale.

8.12 Other Issues

Not applicable.

9. BACKGROUND PAPERS

1. Application form.
2. Response from Paddington Waterways & Maida Vale Society dated 18 April 2017.
3. Letter from occupier of 3a Nugent Terrace dated 27 April 2017.
4. Letter from occupier of 177c, Randolph Avenue dated 12 April 2017.
5. Letter from occupier of 177b Randolph Avenue dated 13 April 2017.
6. Letter from occupier of 3 Octavia Mews dated 19 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 FREDERICA COONEY BY EMAIL AT northplanningteam@westminster.gov.uk

10. KEY DRAWINGS

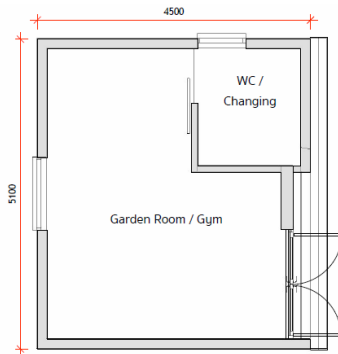
Materials:

Walls:

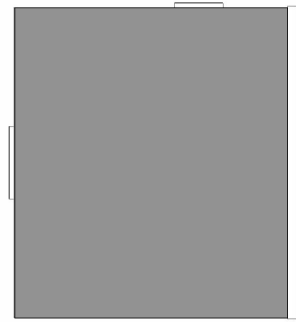
Front:
Western Red Cedar cladding
Rear + Flanks:
Clad with particle board and painted
in grey "weather-shield" paint

Roof:
Grey single-ply EPDM system with black
uPVC rainwater goods

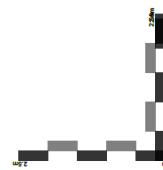
Windows / doors:
Anthracite / grey aluminium frames
with double glazed units complete with
integral blinds



Plan



Roof Plan



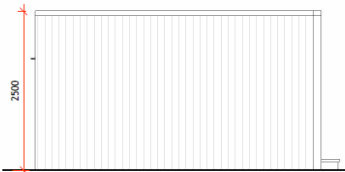
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Walls:

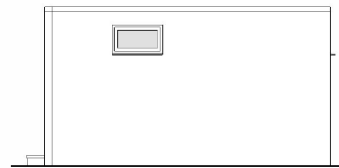
Front:
Western Red Cedar cladding
Rear + Flanks:
Clad with particle board and painted
in grey "weather-shield" paint

Roof:
Grey single-ply EPDM system with black
uPVC rainwater goods

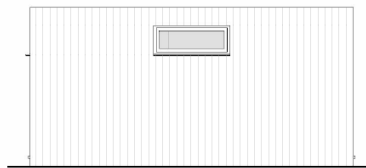
Windows / doors:
Anthracite / grey aluminium frames
with double glazed units Anthracite /
grey aluminium frames with double
glazed units complete with integral
blinds



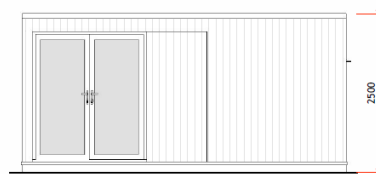
South East / Flank Elevation



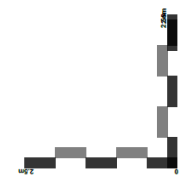
North West / Flank Elevation



South West / Rear Elevation



North East / Front Elevation



DRAFT DECISION LETTER

Address: Basement , 179 Randolph Avenue, London, W9 1DJ

Proposal: Erection of a single storey timber framed structure within the rear of garden for use as a garden/gym room in connection with the existing basement flat (Class C3)

Reference: 17/02847/FULL

Plan Nos: 01, 21709-10, 21709-11 and 21709-12.

Case Officer: Frederica Cooney

Direct Tel. No. 020 7641 7802

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 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 You must apply to us for approval of a sample of the timber cladding you will use. 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 using the approved material. (C26BC)

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 Maida Vale Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 and DES 9 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.

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.