

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 1 August 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Westbourne	
Subject of Report	8 Leamington Road Villas, London, W11 1HS		
Proposal	Replacement of existing lower ground floor level conservatory to the rear with new single storey rear extension, alterations to existing fenestration to rear elevation at ground floor level, installation of 3 rooflights in main roof and alterations to front forecourt/ garden including new paving and installation of electric car charging point.		
Agent	TCA		
On behalf of	TCA		
Registered Number	17/02655/FULL	Date amended/ completed	25 March 2017
Date Application Received	25 March 2017		
Historic Building Grade	Unlisted		
Conservation Area	Aldridge Road Villas And Leamington Road Villas		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site comprises a four storey mid-terrace dwellinghouse, including a lower ground, ground, first and second floors. The property is unlisted, but located within the Aldridge Road Villas And Leamington Road Villas Conservation Area.

The application proposes the replacement of the existing lower ground floor level conservatory to the rear with new single storey rear extension, which is deeper and higher than the conservatory. The application also proposes alterations to the existing fenestration to rear elevation at ground floor level, installation of three rooflights in the main roof and alterations to front forecourt/ garden, including installation of new paving and installation of electric car charging point.

When initially submitted the scheme included the provision of a basement extension below the front forecourt/ garden area with alterations to the front lightwell, including the provision of railings around the lightwell. These elements have been omitted from the scheme during the course of the application

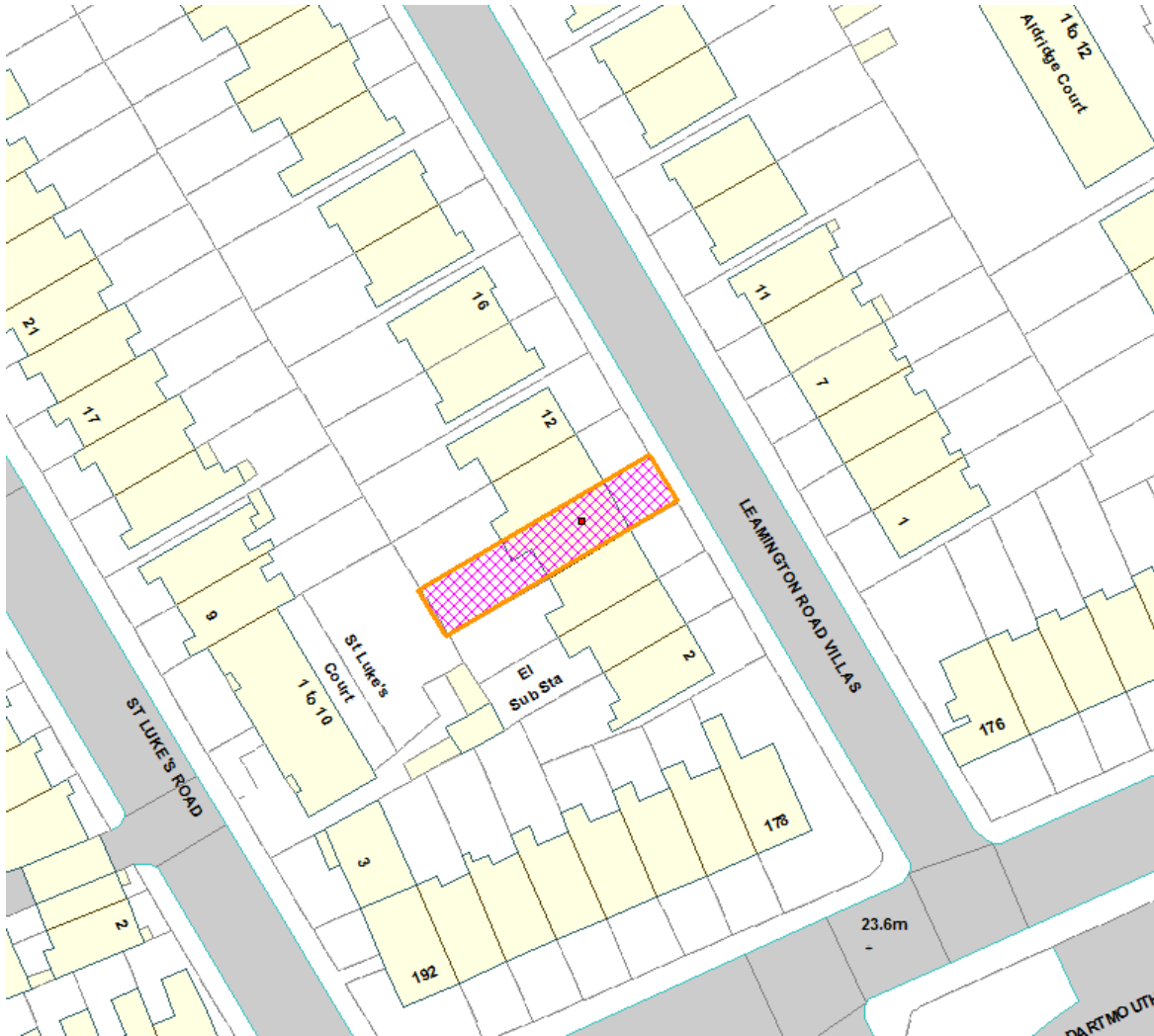
and the proposed development is now limited to the extension and alterations described in the preceding paragraph.

The key issues in this case are:

- The impact of the proposed development on appearance of the building and the character and appearance of the Aldridge Road Villas and Leamington Road Villas Conservation Area.
- The impact of the proposed development on the amenity of neighbouring residents.

The proposed extension and alterations are considered to be acceptable in land use, design and amenity terms and would accord with the relevant policies in the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan adopted in November 2016 (the City Plan). As such, the application is recommended for approval subject to the conditions set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Front elevation (top) and rear elevation (bottom).

5. CONSULTATIONS

COUNCILLOR HUG

Party wall issues should be clarified, including need for sound insulation. Objection on design and amenity grounds to basement extension and associated alterations to the front forecourt/ garden and lightwell (now removed from the scheme. Roof of rear extension should not be used as a terrace. Concern regarding the impact of construction works on neighbours and ask that the hours of works are restricted at weekends and early in the morning and late in the evening.

WESTBOURNE NEIGHBOURHOOD FORUM

Any response to be reported verbally.

ARBORICULTURAL MANAGER

Following amendment to omit the front basement extension no objection is raised, subject to a condition requiring appropriate tree protection measures for the trees in the rear garden.

BUILDING CONTROL

No objection.

HIGHWAYS PLANNING

Objects to the formation of a dwarf wall at the rear of the forecourt parking area as this will shorten the space available for car parking (note this wall has since been omitted from the scheme. No objection to other aspects of the scheme and supports provision of an electric charging point.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 39.

Total No. of replies: 4.

No. of objections: 2.

No. in support: 1.

Three emails have been received from two respondents raising objection on all or some of the following grounds:

Design

- Alterations to front of building (now omitted from the scheme) would be out of keeping with the conservation area.

Amenity

- Roof of the proposed rear extension must not be used as a terrace.
- Any alterations to the party wall should include noise insulation.
- Front staircase and pathway would overlook windows at No.6.

Other Matters

- Conditions should be imposed to manage the impact of construction including the timing of vehicular access to the site.
- Lack of pre-application consultation between applicant and neighbours.

- Concerned that the consultation letters took 8 days to be delivered, thereby limiting time for response.
- Proposals raise party wall issues and a party wall agreement must be entered into.
- Not clear if any extension at roof level is proposed adjacent to mansard at No.6.

One email of support has been received stating the proposed extension to the rear would be more aesthetically pleasing than others in the immediate area and that the minor increase in depth proposed (350mm) is negligible and would not have an impact on any neighbours.

ADVERTISEMENT/ SITE NOTICE:

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site comprises a four storey mid-terrace dwellinghouse, including a lower ground, ground, first and second floors. The property is unlisted, but located within the Aldridge Road Villas and Leamington Road Villas Conservation Area.

The application property has an existing conservatory to the rear at lower ground floor level. The front garden is mainly hard-surfaced and is used as a forecourt for car parking.

6.2 Recent Relevant History

22 July 1998 – A certificate of lawfulness was issued for erection of conservatory to rear, change of use to single family dwelling (98/01999/FULL).

3 July 2003 – Planning permission refused for erection of a new mansard extension to provide additional room in roof and balcony at fourth floor level, and new front garden boundary wall and gate (03/03762/FULL).

26 May 2017 – Application withdrawn that proposed alterations and extension to an existing vault at front basement level with associated alterations to front wall, railings and front lightwell; replacement of existing conservatory to the rear with new single storey rear extension; alterations to existing fenestration to front and rear elevations and roof alterations comprising of extension to the roof between the existing butterfly pitched roof including the installation of 2 no. new square conservation rooflights and the installation of 3 rooflights to dwellinghouse (17/02656/FULL).

Application currently pending consideration – Alterations and extension to an existing vault at front basement level with associated alterations to front wall, railings and front lightwell, replacement of existing conservatory to the rear with new single storey rear extension; alterations to existing fenestration to front and rear elevations and the installation of 3 rooflights to dwellinghouse (17/02654/FULL).

7. THE PROPOSAL

The application proposes the replacement of the existing lower ground floor level conservatory to the rear with new single storey rear extension, which is deeper and higher than the conservatory. The application also proposes alterations to the existing fenestration to rear elevation at ground floor level, installation of three rooflights in the main roof and alterations to front forecourt/ garden, including installation of new paving and installation of electric car charging point.

The proposed lower ground floor rear extension would project 2.7m from the rear elevation of the original building at the boundary with No.10 and 3.7m from the rear elevation of the original building at the boundary with No.6. The proposed extension would be 350mm deeper than the existing conservatory and would be 3.0m in height. A large rooflight is proposed within the flat roof of the extension which would protrude 0.2m above the parapet.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposed extension of the existing dwellinghouse is acceptable in land use terms and accords with Policy H3 in the UDP.

8.2 Townscape and Design

To the rear, the proposed rear extension would only project 350mm further in to the rear garden than the existing conservatory. This marginal increase in the depth of the rear extension is sufficiently minor so that the extension would remain subordinate to the host building and it would not appear discordant when seen in conjunction with neighbouring rear extensions. The proposed extension would have a flat roof rather than a pitched roof, as per the existing conservatory, and this would increase the bulk of the extension. However, the increase in bulk would be very limited and would not detract from the appearance of the rear of the building. The detailed design of the proposed extension comprises a simple rendered box with bi-folding glazing. Given the discrete location to the rear at lower ground floor level where the extension will not be readily appreciable, even in private views, this detailed design approach is not considered to have a harmful impact on the appearance of the building or the character and appearance of the conservation area.

The rooflights in the main butterfly profile roof are relatively modest in scale and would not be appreciable in views from surrounding properties. As such, these are not objectionable in design terms.

The two replacement windows to the rear elevation at ground and first floor levels are proposed to be formed in white timber framing and are not contentious in design terms; indeed the proposed window in the closet wing at ground floor level would improve the appearance of the building relative to the existing situation.

To the front elevation, following omission of the initially proposed basement extension, the works of development are limited to new paving and installation of an electric car charging point. These alterations are not considered to be contentious in design terms and would

not detract from the appearance of the building or the character or appearance of the conservation area.

Given the above, the proposed development would be in accordance with Policies DES 1, DES 5 and DES 9 in the UDP and Policies S25 and S28 in the City Plan, and is therefore considered to be acceptable in design terms.

8.3 Residential Amenity

Given the relatively small increase in bulk proposed, the proposed rear extension would not cause a material loss of light to neighbouring properties or a significantly increased sense of enclosure. The windows proposed within the extension would look onto the garden of the application property and would not overlook neighbouring windows or gardens.

The rooflight proposed within the proposed extension, although large, would be sufficiently distant from neighbouring windows so as not to cause significant light nuisance. Furthermore, the rooflight proposed is smaller than the fully glazed roof of the existing conservatory, which it is to replace.

A condition is recommended to prevent the use of the roof of the extension as a terrace and this addresses the concerns raised by neighbours and Councillor Hug.

The windows proposed on the upper floors would not materially increase overlooking relative to the existing situation. At roof level, the proposed rooflights at main roof level would not result in any material increase in overlooking given their roof level location.

Concerns expressed by objectors and Councillor Hug in relation to the amenity impact of the front basement extension and associated alterations to the front of the building have been addressed by the omission of this element of the scheme during the course of the application.

In summary, subject to the recommended condition, the proposals are acceptable in amenity terms and accord with Policies ENV10 and ENV13 in the UDP and S29 in the City Plan.

8.4 Transportation/Parking

The provision of an electric charging point is welcomed and will promote more sustainable forms of motorised transport.

Following amendment, the initial proposals to introduce a wall and railings to the front lightwell have been omitted and therefore the Highways Planning Manager's concerns relating to the size of the parking space provided on the front forecourt have been addressed.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

Access to application property will remain stepped as is currently the case. Given that the application relates to a private dwelling with existing stepped access and not a publically accessible building, this access arrangement is considered to be acceptable.

8.7 Other UDP/ Westminster Policy Considerations

There are two trees located within the rear garden, but no details of how these trees will be protected from the proposed development have been submitted. However, notwithstanding this, the Arboricultural Manager is content that the trees are sufficiently distant from the proposed rear extension, which is to be largely built on the footprint of the existing conservatory, so that they would not be adversely affected by it. As requested by the Arboricultural Manager, a condition is recommended to secure details of tree protection measures to be provided to protect the trees from harm during the construction works.

8.8 London Plan

This application does not raise any 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

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

The proposed extension would have a total floor area of less than 100m² and is therefore it is not CIL liable.

8.11 Environmental Impact Assessment

The development is of insufficient scale to require the submission of an Environmental Impact Assessment.

8.12 Other Issues

Concerns were initially expressed in April 2017 that insufficient time was offered for comments on the application owing to the time taken for consultation letters to arrive with recipients via the post. However, in practice the City Council accepts and has regard to consultation responses received throughout the application period and in this case this has meant that the objectors have had a number of months within which to comment.

Concerns have been expressed regarding the potential for noise and disturbance from construction works. Following the omission of the front basement extension and other associated alterations to the front of the building, the extent of works required to implement the proposed development are much reduced. Therefore it is considered that a

condition restricting the hours of noisy works to between 08.00 and 18.00 hours Monday to Friday (excluding Bank Holidays) and between 08.00 and 13.00 hours on Saturdays is sufficient to mitigate the impact of construction works on the amenity of neighbouring occupiers.

Issues relating to party wall matters, including potential damage or alteration to internal party walls, are not material planning considerations. Such matters are subject to other legislation; namely, the Party Wall Act 1996, and the requirements of this Act cannot be duplicated via the planning process. Similarly it would not be reasonable to impose conditions requiring sound insulation to existing internal walls as internal works to an unlisted building are not development do not require planning permission.

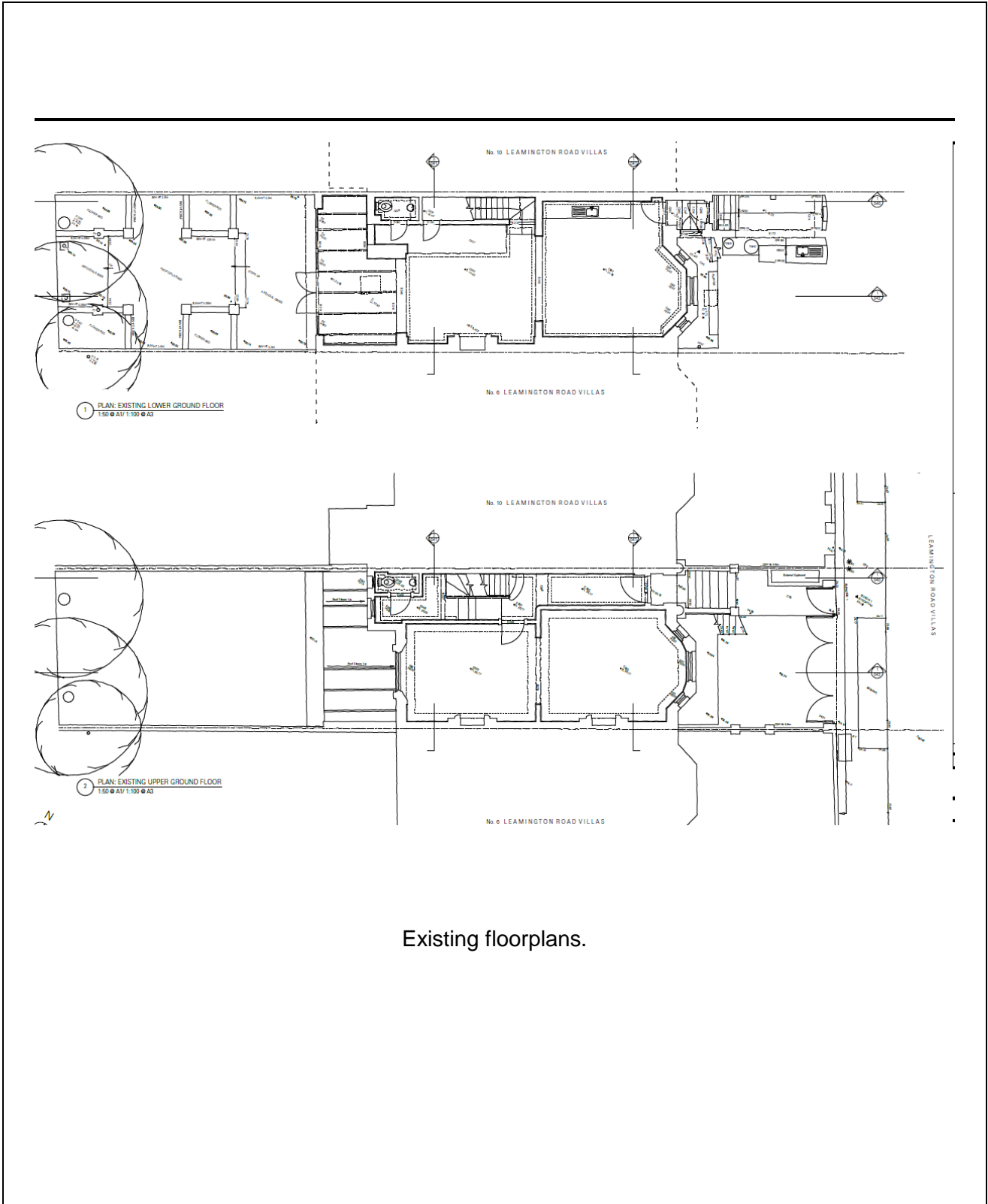
9. BACKGROUND PAPERS

1. Application form.
2. Email from Councillor Hug dated 8 May 2017.
3. Memo from the Highways Planning Manager dated 10 April 2017.
4. Email from Building Control dated 21 June 2017.
5. Memo from the Arboricultural Manager dated 17 July 2017.
6. Email from an occupier of 6 Leamington Road Villas dated 25 April 2017.
7. Emails from the occupier of Flat 1, 6 Leamington Road Villas dated 9 May 2017 and 14 July 2017.
8. Email from the occupier of 10 Leamington Road Villas dated 14 July 2017.

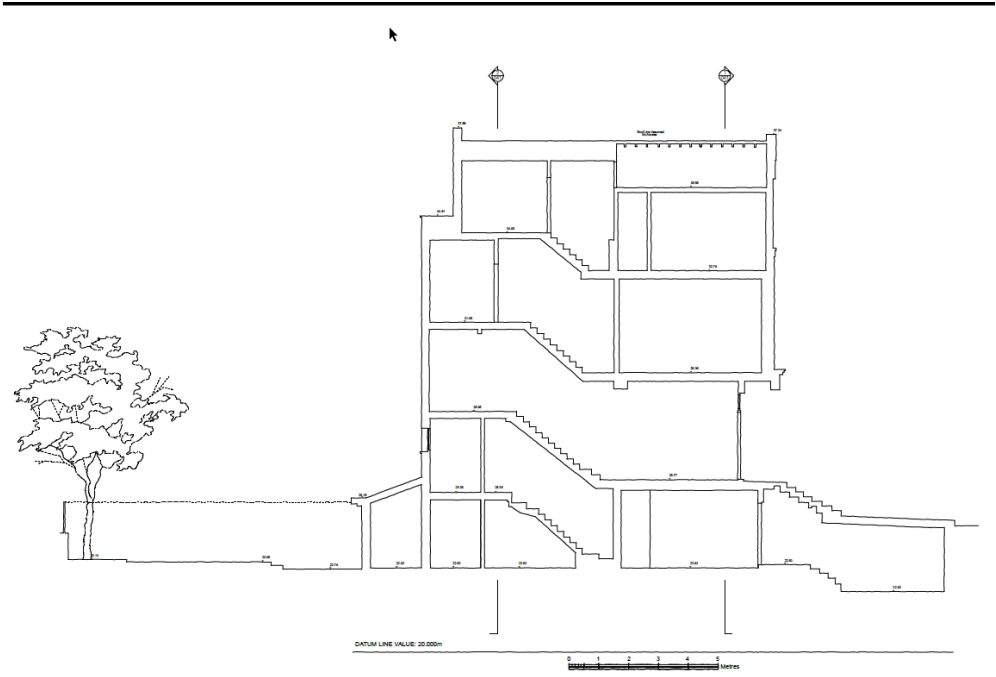
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk.

10. KEY DRAWINGS



Existing floorplans.



Existing rear elevation (top) and existing section (bottom).

DRAFT DECISION LETTER

Address: 8 Leamington Road Villas, London, W11 1HS

Proposal: Replacement of existing lower ground floor level conservatory to the rear with new single storey rear extension, alterations to existing fenestration to rear elevation at ground floor level, installation of 3 rooflights in main roof and alterations to front forecourt/ garden including new paving and installation of electric car charging point.

Reference: 17/02655/FULL

Plan Nos: 010; 011; 012; 140; 141; 142; 050; 051; 301; 302; 322; 351; 300 Rev A; 320 Rev A; 321 Rev A; 340 Rev A; 341 Rev A; 342 Rev A; 342 Rev A; Design and Access Statement Rev A (dated 5th June 2017).

Case Officer: Avani Raven

Direct Tel. No. 020 7641 2857

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 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 Aldridge Road Villas and Leamington Road Villas 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 new windows in the rear elevation at ground and first floor levels shall be formed in glazing and white painted timber framing.

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 Aldridge Road Villas and Leamington Road Villas 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 extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

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)

- 6 **Pre Commencement Condition.** You must apply to us for approval of a method statement explaining the measures you will take to protect the trees on and close to the site. You must not start any demolition, site clearance or building work, and you must not take any equipment, machinery or materials for the development onto the site, until we have approved what you have sent us. You must then carry out the work according to the approved details.

Reason:

To protect trees and the character and appearance of the site as set out in S38 of Westminster's City Plan (November 2016) and DES 1 (A), ENV 16 and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R31CC)

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)

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.