

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 16 <sup>th</sup> January 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Bayswater	
<b>Subject of Report</b>	Flat 5, 28 Hatherley Grove, London, W2 5rb,		
<b>Proposal</b>	Erection of a mansard roof extension.		
<b>Agent</b>	Mr Christopher Whitehouse		
<b>On behalf of</b>	Sow and Reap Properties Ltd		
<b>Registered Number</b>	17/06615/FULL	<b>Date amended/ completed</b>	24 November 2017
<b>Date Application Received</b>	25 July 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Westbourne		

## 1. RECOMMENDATION

Grant conditional permission.

## 2. SUMMARY

The application site is a four storey plus basement mid terraced property located on the east side of the street within the Westbourne Conservation Area. The application relates to the third floor flat.

Planning permission is sought for the erection of a mansard roof extension to extend the existing third floor flat.

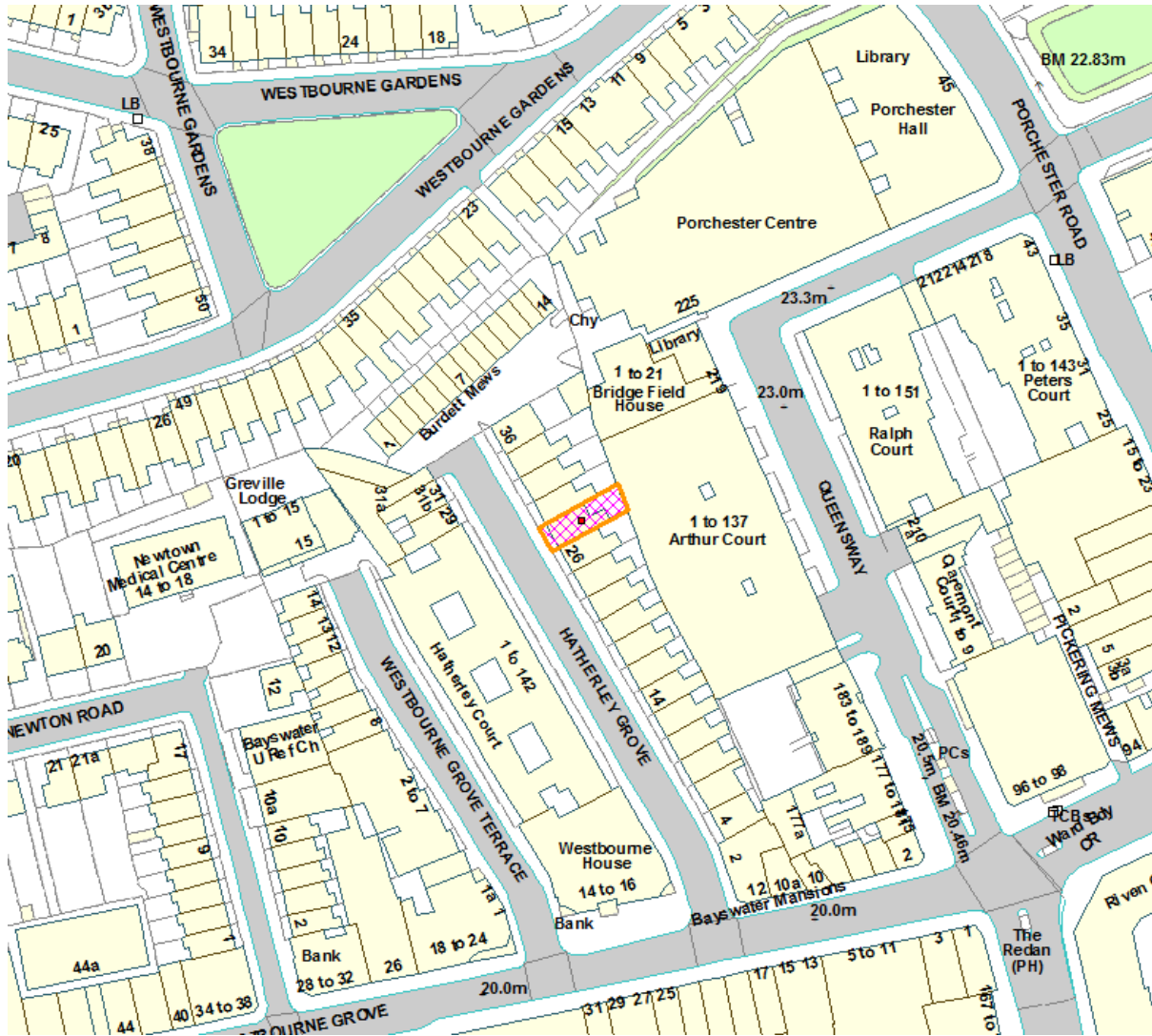
Objections have been received to the proposal from 5 neighbours and the local amenity society on design amenity, transportation, potential subsidence and other grounds.

The key issues in this case are:

- The impact of the proposal on the character and appearance of the Westbourne Conservation Area.
- The impact of the proposal on the amenity of neighbouring residents.

For the reasons set out in this report, the proposed development is considered to accord with relevant policies within the Unitary Development Plan adopted in January 2007 (the UDP) and Westminster's City Plan: Strategic Policies adopted in November 2016 (the City Plan). As such, it is recommended that planning permission is granted, subject to the conditions set out in the draft decision letter.

### 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



## 5. CONSULTATIONS

### SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

Submitted drawings poor and do not show position on adjacent properties. Height greater than on adjacent property.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 267

Total No. of replies: 5

No. of objections: 5

No. in support: 0

5 objections on one or all of the following grounds

#### Design

- Out of character for Conservation Area
- Higher than adjacent extension.
- Roof forms largely undisturbed pattern of "butterfly" roofs in terrace.
- Proposals adversely affect the character and architectural integrity of the building and appearance of the Westbourne Conservation Area.

#### Amenity

- Loss of light to other side of street
- Loss of privacy
- Potential for the roof of the mansard to be used as terrace causing noise disturbance at night.

#### Transport

- potential increase in traffic
- lack of off street parking

#### Other issues

- Subsidence concerns
- Roof area does not belong to Flat 5 but collectively owned by other flats and therefore no rights to build on roof.
- Inaccuracies in application - application states no tree issue but entire building is being impacted by a tree issue

ADVERTISEMENT / SITE NOTICE: Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

No. 28 Hatherley Grove is a four storey plus basement mid terraced property located on the east side of the street within the Westbourne Conservation Area. The application relates to the third floor flat.

### 6.2 Recent Relevant History

17/04941/FULL

Erection of a mansard roof extension.

Application Withdrawn

21 July 2017

## 7. THE PROPOSAL

The application is for the erection of a mansard roof extension to extend the existing third floor flat.

## 8. DETAILED CONSIDERATIONS

### 8.1 Land Use

In land use terms the provision of additional residential floor space accords with Policy H3 of the UDP and S14 of the City Plan. This submitted plans show that the new flat will be internally arranged as either a 3 or 4 bed flat. At 99.6sqm of floor space the flat meets the minimum space standards.

### 8.2 Townscape and Design

The majority of buildings in this terrace already have mansard style extensions, and the Westbourne Conservation Area Audit identifies this building as one where a roof extension would be likely to be considered acceptable in principle. It is recognised that objections have been received stating that the northern end of the terrace represents a group without mansard extensions, however whilst such statements are correct to the extent that this building forms part of a run of five buildings at the north end of the terrace currently without mansard extensions, a mansard has been approved to another one of this group (at no. 32 Hatherley Grove in 2016) which would break the uniformity of the group. In terms of the uniformity of the roofline, given that mansards exist to most buildings in the terrace, and that a mansard has been approved within this run of 5 properties to the northern end) it is considered that the mansard proposed in this application would sit comfortably in the consistent pattern of extensions at roof level in the terrace. The building appears to have a butterfly roof remaining in place, as referred to by several of the objectors, however as with above, given that they have been lost to much of the terrace, and with the approval at no. 32 allowing a mansard to replace its butterfly roof, it is not considered that a refusal could be sustained on this ground.

The mansard will be clad in natural slates to front and rear roof slopes, with lead to the dormers and traditional sash windows, and it will integrate successfully with the character of this Victorian terraced property. The South East Bayswater Residents Association have objected on the grounds that the height of the mansard is greater than that of the neighbouring property. This is partly due to a step down in height of the terrace. Though the elevation drawings show the extension notably above the height of the adjoining mansard to the south, the section drawing submitted demonstrates that it

meets the 2.3m floor to ceiling height considered acceptable in the City Council's design guidance on extensions to roof level.

The plans have been amended during the course of consideration to reduce the mansard roof height by 215mm so that the mansard roof line matches the step of the parapet wall height with the neighbouring property.

Given this, and that the mansard itself conforms to the design guidance set out in the City Council's supplementary planning guidance on roof extensions, the mansard extension in itself is considered acceptable. The objections to the proposal on design grounds are therefore not supported.

### **8.3 Residential Amenity**

Objections have been received on the grounds that the proposal will result in a loss of daylight and privacy to properties on the opposite side of Hatherley Grove. However, given the height of the extension, its set back behind the existing parapet and relationship and distance to neighbouring properties, it is not considered that it would result in any significant impact in amenity terms. The objections on these grounds are therefore not supported.

Concern has also been raised to the potential noise impact, were the flat roof of the roof extension be used as an external terrace. Such a terrace does not part of this proposal and a condition is recommended to prevent such a use.

Overall the proposal is considered to be acceptable in amenity terms and complies with policy ENV13 of our UDP and S28 of our City Plan.

### **8.4 Transportation/Parking**

Objections have also been received on the grounds that the development would result in a potential increase in traffic and to the lack of off street parking being provided. As the proposal is the extension to an existing property rather than the creation of an additional dwelling these objections are not relevant in this case.

### **8.5 Economic Considerations**

No economic considerations are applicable for a development of this size

### **8.6 Access**

No changes to access are proposed as part of this application.

### **8.7 Other UDP/Westminster Policy Considerations**

None.

### **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

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

### 8.11 Environmental Impact Assessment

There are no significant Environmental Impact issues raised by this application.

### 8.12 Other Issues

Whilst concern has been raised to potential impact on subsidence and related trees issues, such structural matters are building control matters and are not planning matters relevant to the consideration of this application.

It has also been suggested that consent of all flat owners within the building is required to carry out the development. The applicant has completed certificate B ownership certificate and notified those with freehold and relevant leasehold interest. Any further matters of land ownership and consent are private matters not relevant to the determination of this application.

## 9. BACKGROUND PAPERS

1. Application form
2. Response from South East Bayswater Residents Association, dated 6 August 2017
3. Letter from an owner of a flat within the building from Wembley, dated 3 August 2017
4. Letters (x2) from occupier of 28 Chapelside, London, dated 31 July 2017
5. Letter from occupier of 120 Hatherley Court, Hatherley Grove, dated 29 August 2017
6. Letter from occupier of 90D Bromfelde Road, London, dated 5 August 2017
7. Letter from occupier of 3/28 Hatherley Grove, London, dated 30 July 2017

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

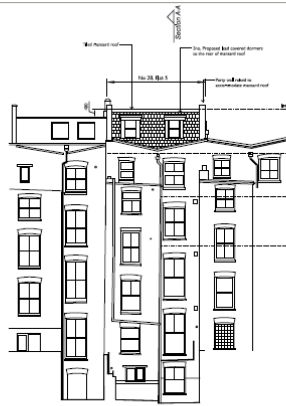
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: **SARAH WHITNALL** BY EMAIL AT [swhitnall@westminster.gov.uk](mailto:swhitnall@westminster.gov.uk)



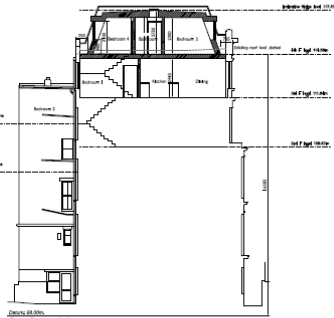




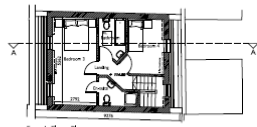
Department  
Front Elevation



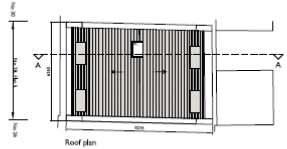
Department  
Rear Elevation



Department  
Cross Section A-A



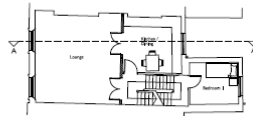
Fourth Floor Plan  
Department



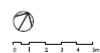
Roof plan



Third Floor Plan - Option A  
Department



Third Floor Plan - Option B  
Department



THE DRAWING & COPYRIGHT

Notes: All dimensions to be checked on site and not to be relied upon for accuracy.

REVISIONS	Date
A. Desk for detail	12.12.17
B. Amendments to Desk on 12.12.17	12.12.17
C. Roof Plan and Annotations added	12.12.17
D. Amendments to Plan, Elevations and Section	12.12.17
E. Final amendments to Plan, Elevations and Section	12.12.17
F. Proposed main road and height of proposed	12.12.17
G. Height of ground level and proposed	12.12.17

BSA  
BUCKMASTER/CLIP

CLIENT  
New & Plot Proprietors  
Mr & Mrs M. J. M. M.  
London, W1A 1AA

DRAWING NO.  
Proposed Floor Plans, Elevations & Section  
BBA 746.F.03G

**DRAFT DECISION LETTER**

**Address:** Flat 5, 28 Hatherley Grove, London, W2 5RB,  
**Proposal:** Erection of a mansard roof extension.  
**Reference:** 17/06615/FULL  
**Plan Nos:** Location Plan; BBA 746.F.02B; BBA 746.F.03G; Supporting Statement;  
**Case Officer:** Richard Langston **Direct Tel. No.** 020 7641 7923

**Recommended Condition(s) and Reason(s)**

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

Reason:  
For the avoidance of doubt 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 between 08.00 and 18.00 Monday to Friday; , o between 08.00 and 18.00 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 as is set out in S29 and S32 of Westminster's City Plan (November 2016) and E1 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 to any references 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 Westbourne 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 shall be designed as vertically sliding sash windows, and shall be formed with 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 Westbourne 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 principal pitches to the front and rear elevations of the new extension to roof level shall be faced in natural slate, with lead or a grey roofing membrane finish to the flat roof above

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 Westbourne 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 dormers to the new roof extension shall be faced in lead to sides, cheeks and roof

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 Westbourne 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)

- 7 The external elements of the party wall upstand shall be rendered and painted and permanently maintained in a white colour aside from the coping stone

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 Westbourne 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)

- 8 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. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

**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.