

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 20 February 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Little Venice	
Subject of Report	5 Maida Avenue, London, W2 1TF		
Proposal	Excavation of a basement to lower ground floor level, erection of a single storey extension at lower ground floor and insertion of new glazed sliding doors at ground floor.		
Agent	Barnaby Gunning		
On behalf of	Mr & Mrs S Walker		
Registered Number	17/10058/FULL	Date amended/ completed	22 November 2017
Date Application Received	10 November 2017		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

The application site is a three storey mid terrace residential dwellinghouse located on the southern side of Maida Avenue. It is not listed or subject to any article 4 directions but is located within the Maida Vale Conservation Area.

Planning permission is sought for the excavation of part of the rear garden to extend the lower ground floor with an infill extension and the insertion of glazed sliding doors into the rear closet wing at ground floor level. The proposal also involves changes to the steps to the upper ground floor level closet wing.

A previous application for a two storey glazed stair enclosure extension projecting from the closet wing at lower and upper ground floor level and a 0.25m higher infill extension to the lower ground floor was refused by the Planning Applications Committee on 15 August 2017 (decision issued on 4 September 2017) on the grounds that the two storey staircase enclosure projecting from the closet wing would make the people living in Flat 3A Douglas House feel too shut in. This refusal is currently the subject of an appeal.

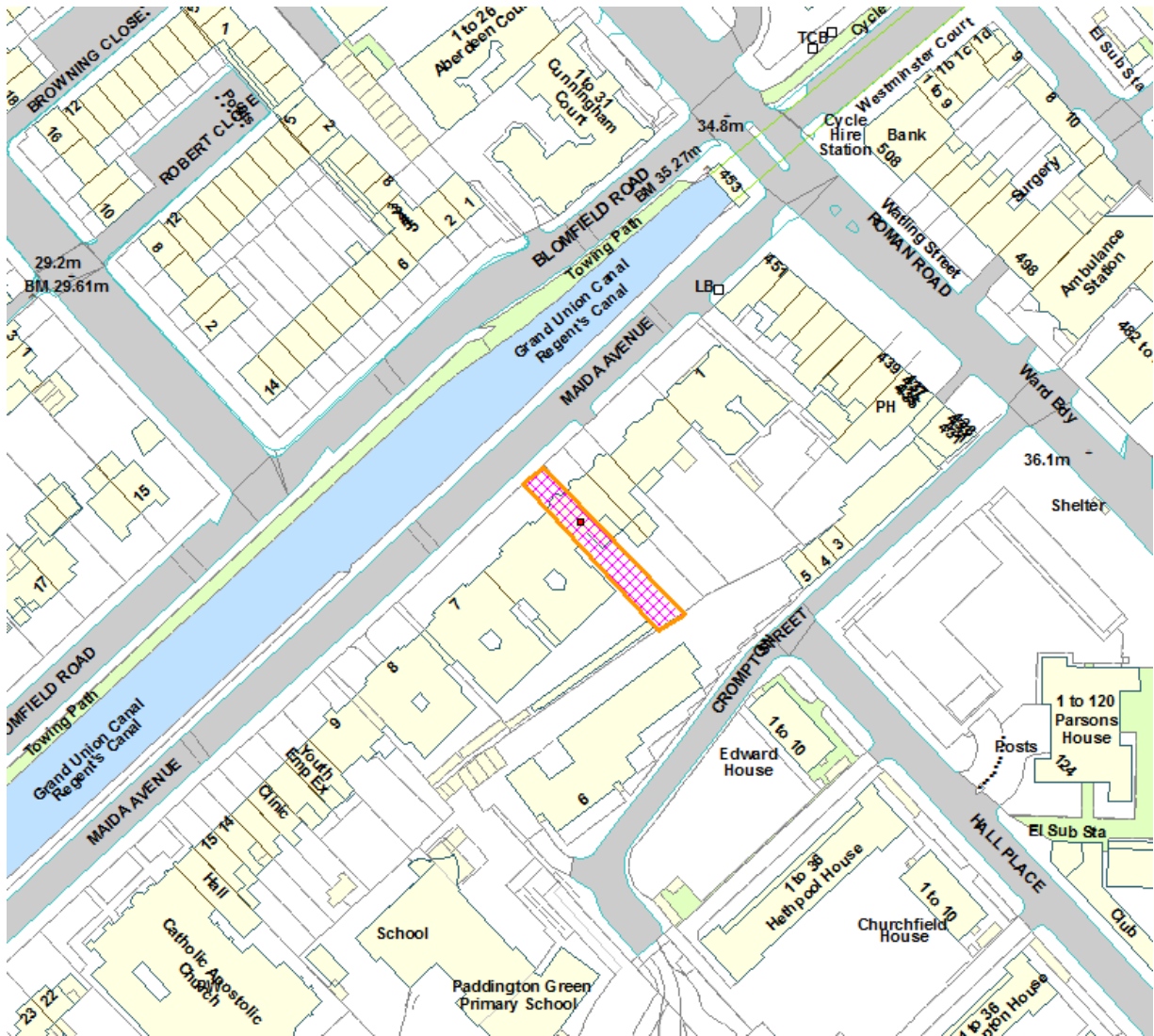
Objections have been received from 2 neighbours to the proposal on design amenity and structural/water table disturbance grounds.

The key issues in this case are:

- The impact of the proposal on the character and appearance of the Maida Vale 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 overcome the previous reason for refusal and accords 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



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4. PHOTOGRAPHS



View of Infill Extension Location



View of existing closet wing



View of rear of 5 Maida Avenue from window in flat 3A, Douglas House

5. CONSULTATIONS

PADDINGTON WATERWAYS & MAIDA VALE SOCIETY

No response received.

THAMES WATER

No objection to the planning application with regards to water infrastructure. Requests applicant incorporates protection to the property top avoid the risk of backflow of waste.

BUILDING CONTROL

No objection.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 53

Total No. of replies: 2

No. of objections: 2

2 objections received on the following grounds:

- Works may disturb underground water course and cause drainage issues potentially worsening flooding and damaging foundations within Douglas House and to the boundary wall with 5 Maida Avenue.
- Documents submitted with application in relation to ground water are inadequate and do not include investigation over an extended period or take into consideration seasonal variations.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a five storey mid terrace dwellinghouse located on the southern side of Maida Avenue. The building is not listed, but is located within the Maida Vale Conservation Area.

The property forms the south western end of a group of three similarly scaled and detailed Victorian building, which form part of a longer terrace of buildings of a variety of heights, forms and detailed design along the southern side of Maida Avenue, facing the Grand Union Canal. The neighbouring building to the south west of the application site is an Edwardian mansion block, Douglas House, which is taller and bulkier than the application property and its neighbours to the north east.

6.2 Recent Relevant History

17/03537/FULL

Excavate part of rear garden to extend lower ground floor and erect a single storey rear infill extension at lower ground floor level and erection of a two storey glazed staircase enclosure at lower ground and ground floor level.

Application Refused 4 September 2017

Appeal in Progress

16/09049/FULL

Erection of part single storey and part two storey rear extension at lower ground and ground floor levels.

Application Refused 31 January 2017

13/12887/FULL

Erection of two storey rear extension including excavation to garden to create additional habitable living space at lower ground floor level.

Application Refused 5 December 2014

7. THE PROPOSAL

Planning permission is sought for the excavation of part of the rear garden to extend the lower ground floor with the erection of a single storey rear infill extension at lower ground floor level, which incorporates a glass roof and the insertion of sliding glazed doors to the rear elevation of the closet wing at ground floor level. The proposal also involves alterations to the access from garden level to the ground floor of the closet wing. This involves the creation of a 1.25 metre landing area immediately to the rear of the closet wing at ground floor level and the stairs width extending for almost the full width of the closet wing.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The enlargement of the existing dwellinghouse would accord with Policy H3 in the UDP and Policy S14 in the City Plan. Accordingly the proposal is acceptable in land use terms.

8.2 Townscape and Design

A glazed infill extension at ground floor level was considered uncontentious in design terms when assessed as part of the September 2017 decision and did not form part of the reason for refusal. This proposal is identical to that considered except for its reduction in height by 0.25 meters so that does not project beyond the existing boundary wall with Douglas House. Its visibility will therefore be further decreased. This element of the scheme is considered appropriate in conservation and design terms.

The replacement of the existing French doors with wider sliding glazed door is not considered contentious in design terms. Such glazed elements at ground and lower ground floor are a common feature of this terrace and the wider conservation area.

For these reasons the proposal is considered to accord with DES5 and DES9 of the UDP and DES25 and DES28 of the City Plan.

8.3 Residential Amenity

An infill extension at ground floor level was considered uncontentious in amenity terms when assessed as part of the September 2017 decision and did not form part of the reason for refusal. This proposal is identical to that considered except for its reduction in height by 0.25 meters so that does not project beyond the existing boundary wall with Douglas House. The extension is to be glazed and the roof is to comprise obscure glazing (to be conditioned). The proposals are not considered to result in any overlooking to neighbouring properties and causes no harm with regards to sunlight/daylight, sense of enclosure or light pollution.

The replacement of the existing French doors with wider sliding glazed door is not considered contentious in amenity terms. It would not have a significant impact on overlooking due to its orientation into the garden of the subject premises and due to the large existing boundary. The same is true of the creation of an extended landing area leading between the closet wing doors and the steps top the garden. Because of its limited size (1.25 metres depth/projection) it would not be suitable for use as a terrace or for people to congregate and dwell. In any case any views from it to the neighbouring garden would be largely restricted by the mature vegetation and adjacent boundary fence which is 1.75m in height from the floor of the landing area.

8.4 Transportation/Parking

The proposal does not raise any transportation or parking concerns.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

The application does not propose any significant changes to the existing means of access to this private dwellinghouse.

8.7 Other UDP/Westminster Policy Considerations

Structural/ground condition matters:

The proposal involves some excavation works, which have attracted objection on structural impact grounds and raised concerns about the impact on drainage, disturbance of watercourse and the impact on the foundations of the neighbouring mansion block. However, Building Control have confirmed that the structural method statement is satisfactory and have raised no concerns about the ground conditions or flood risk/drainage. There are therefore no grounds to withhold permission on the basis of the structural impact of the proposals on neighbouring properties.

Basement excavation:

In terms of the application of the basement policy, CM28.1 in the City Plan, the extension proposed at lower ground floor level would not be below the existing ground floor level of the building (in this case the lower ground floor) and would not be fully below garden level. Therefore the basement policy is not applicable in this case as the proposal comprises an extension to the lower ground floor, which would involve some modest excavation within part of the rear garden and is not a fully subterranean addition wholly below the existing ground floor and garden level.

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. The application is of insufficient scale to be CIL liable.

8.11 Environmental Impact Assessment

The application is of insufficient scale to require an environmental impact assessment.

9. BACKGROUND PAPERS

1. Application form.
2. Email from Thames Water dated 5 December 2017.
3. Email from Building Control dated 1 February 2018.
4. Letter from occupier of 3 Parklands Close, Barnet, dated 14 December 2017
5. Letter from occupier of 9A Douglas House, 6 Maida Avenue, dated 14 December 2017

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

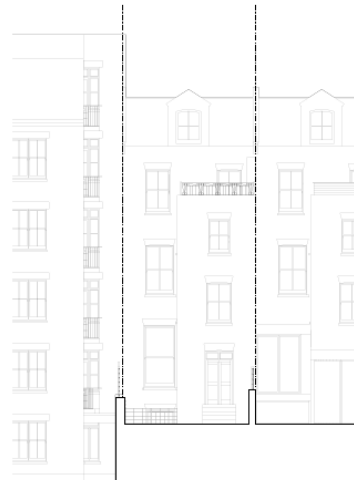
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: KIMBERLEY DAVIES BY EMAIL AT kdavies1@westminster.gov.uk

10. KEY DRAWINGS

Existing and Proposed Elevations



Existing Northwest Elevation



Existing Southeast Elevation



Proposed Northwest Elevation



Proposed Southeast Elevation

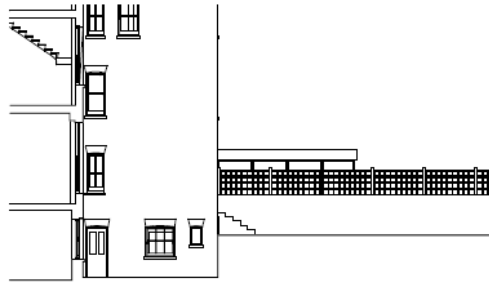
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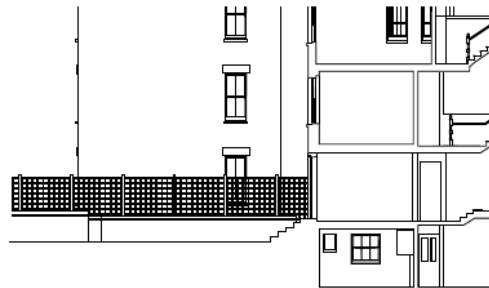
Existing and Proposed Sections (also showing outline of previously refused scheme)



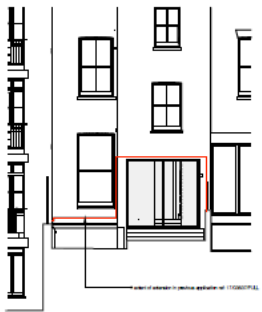
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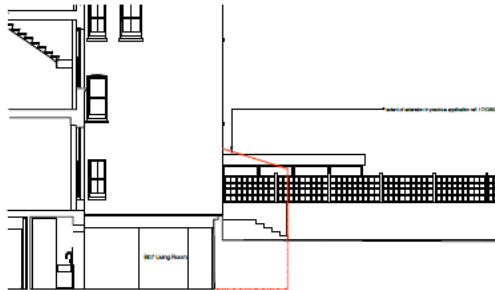
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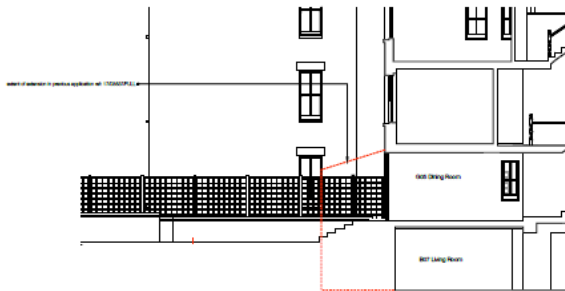
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Proposed Section AA



Proposed Section CC



Proposed Section DD

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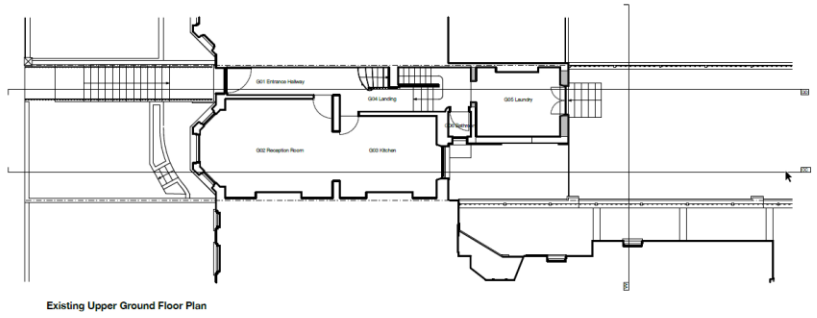
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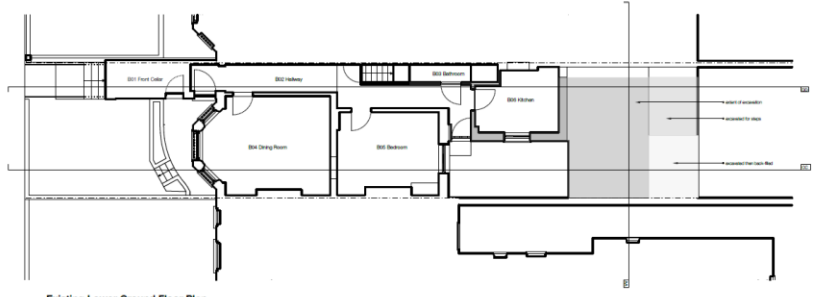
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Existing and Proposed Floor Plans



Existing Upper Ground Floor Plan



Existing Lower Ground Floor Plan

NOTES

- 1. To be used in conjunction with the following documents:
 - 2. Approved Planning Permission: 15/01005/FPL
 - 3. Approved Building Regulations: 15/01005/FPL

KEY

- Existing Wall
- New Wall
- Proposed Floor Slab
- Proposed Floor Deck

Scale

1:100

Project Name

15/01005/FPL

Client

15/01005/FPL

Architect

15/01005/FPL

Structural Engineer

15/01005/FPL

Structural Steelwork

15/01005/FPL

Structural Concrete

15/01005/FPL

Structural Foundations

15/01005/FPL

Structural Steelwork

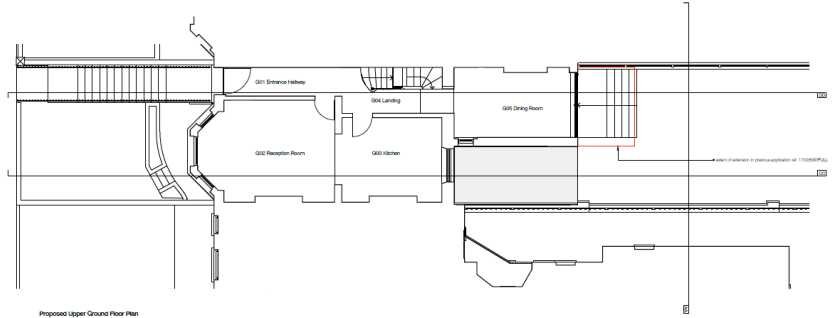
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Structural Concrete

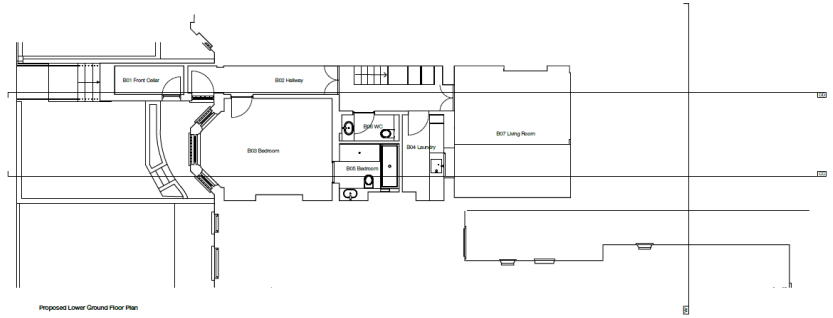
15/01005/FPL

Structural Foundations

15/01005/FPL



Proposed Upper Ground Floor Plan



Proposed Lower Ground Floor Plan

NOTES

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Structural Foundations

15/01005/FPL

Structural Steelwork

15/01005/FPL

Structural Concrete

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Structural Foundations

15/01005/FPL

DRAFT DECISION LETTER

Address: 5 Maida Avenue, London, W2 1TF

Proposal: Excavation of a basement to lower ground floor level, erection of a single storey extension at lower ground floor and insertion of new glazed sliding doors at ground floor.

Reference: 17/10058/FULL

Plan Nos: Location Plan; 248_G_010RevD; 248_G_013RevC; 248_G_015RevA; 248_G_110RevF; 248_G_111RevF; 248_G_112RevF; 248_G_113RevF; Structural Methodology Statement(for information only); Design and Access 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 based 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 Saturdays 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 the 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 in accordance with S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of the City of Westminster Development Plan that we adopted in January 2007. (R11AC)

- 3 You must not use the roof of the lower ground floor extension for sitting or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

Reason:

Item No.
7

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)

- 4 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 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 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 apply to us for approval of the facing materials you will use annotated on elevations and roof plans to show where the materials are to be located including glazing and framing materials to be used. 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 materials.

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 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 glass that you put in the roof of the lower ground extension must not be clear glass, and must be permanently fixed shut. You must apply to us for approval of a sample of the glass (at least 300mm square). You must not start work on the relevant part of the development until we have approved the sample. You must then fit the type of glass we have approved and must not change it without our permission

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 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):

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 This site is in a conservation area. By law you must write and tell us if you want to cut, move or trim any of the trees there. You may want to discuss this first with our Tree Officer on 020 7641 6096 or 020 7641 2922. (I32AA)
- 3 This permission is based on the drawings and reports submitted by you including the structural methodology report. For the avoidance of doubt this report has not been assessed by the City Council and as a consequence we do not endorse or approve it in anyway and have included it for information purposes only. Its effect is to demonstrate that a member of the appropriate institution applying due diligence has confirmed that the works proposed are feasible without risk to neighbouring properties or the building itself. The construction itself will be subject to the building regulations and the construction methodology chosen will need to satisfy these regulations in all respects.

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.