

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 20 March 2018	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Church Street	
<b>Subject of Report</b>	<b>Alexander House , 85 Frampton Street, London, NW8 8NQ</b>		
<b>Proposal</b>	Erection of a roof extension at 5th floor level to create a self-contained 3-Bed unit (Class C3).		
<b>Agent</b>	Willingale		
<b>On behalf of</b>	Mr Ziser		
<b>Registered Number</b>	17/09459/FULL	<b>Date amended/ completed</b>	27 October 2017
<b>Date Application Received</b>	24 October 2017		
<b>Historic Building Grade</b>	Unlisted		
<b>Conservation Area</b>	Outside of a designated area		

## 1. RECOMMENDATION

Refuse permission – design and highways.

## 2. SUMMARY

The application site comprises a four storey building. The building, known as Alexander House, is not listed and is not located within a conservation area. The site is located within the North Westminster Economic Development Area (NWEDA). The building is currently in use as residential flats (Use Class C3).

Planning permission is sought for the erection of a roof extension at fifth floor level to create a 3 bedroom flat.

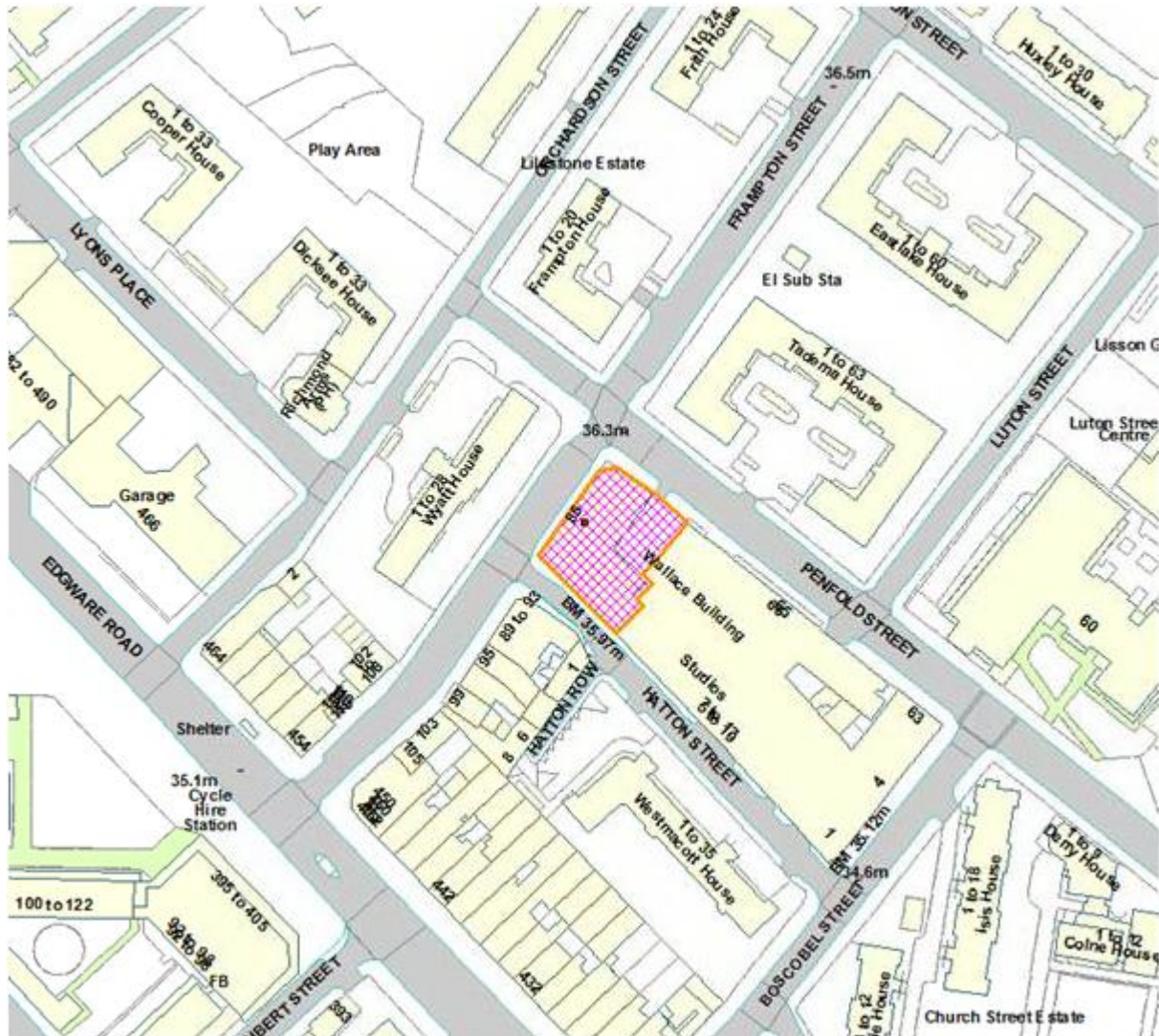
The application has received objection from two neighbouring residents on amenity and highways grounds. The St Marylebone Society has also raised objection to the design of the proposals.

The key issues in this case are:

- The impact of the proposed development on the character and appearance of this part of the City.
- The impact of the proposal on the amenity of neighbouring residents.
- The impact on the surrounding highways network.

For the detailed reasons set out in this report, the proposed development is considered acceptable in land use and amenity terms however contrary to policies in the Unitary Development Plan adopted in January 2017 and Westminster's City Plan adopted in November 2016 in relation to design and highways. The application is therefore recommended refusal on these grounds.

### 3. LOCATION PLAN



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4. PHOTOGRAPHS

FRAMPTON STREET ELEVATION



PENFOLD STREET ELEVATION



## 5. CONSULTATIONS

### THE ST MARYLEBONE SOCIETY:

Design is considered to be too heavy, glass may be better. Defer to planning officer.

### CHURCH STREET WARD PLANNING & LICENSING GROUP:

Comment that the new fabric should match the existing roof structure, otherwise the addition will detract from the harmonious appearance of the corner building

### CLEANSING:

Raise objection; further information required in relation to the provision of waste storage for the additional flat.

### HIGHWAYS:

Raise objection; lack of car parking, cycle parking and waste storage.

### ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 38

No. of objections: 2 representations were received raising objection on all or some of the following grounds:

#### Design:

- The existing elevation of the building is already in line with neighbouring buildings and the proposal if not in keeping with the existing or the surrounding area.

#### Amenity:

- Loss of light to the flats with balconies within The Wallis Building.

#### Other:

- Increased parking pressure
- Increased pressure on infrastructure such as recycling etc.

### PRESS ADVERTISEMENT / SITE NOTICE:

Yes

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

The application site comprises a four storey building. The building, known as Alexander House, is not listed and is not located within a conservation area. The site is located within the North Westminster Economic Development Area (NWEDA).

The site is not in a conservation area but the area has a distinctive varied townscape owing to the wide variety of architectural styles and the buildings are in a mixture of residential and commercial uses. However, Alexander House and the group of industrial buildings making up this block (Hatton Street, Frampton Street, Penfold Street and

Boscobel Street) are of historic interest and were built in the 1920 to 1938, the buildings were occupied by the Palmer Tyre Company and produced aircraft components during World War II.

This part of the borough has a transitional nature where it is located between the lower scale vibrant commercial Edgware Road and the subdued neo-Georgian substantial residential blocks of the Lilestone Estate and further north the Fisherton Estate, that forms part of its own conservation area.

## 6.2 Recent Relevant History

Planning permission was granted on 26<sup>th</sup> March 2013 (RN: 12/04042/FULL) for: Alterations to facades of existing building, erection of extensions to rear at ground, first and second floor levels, removal of existing roof storey at third floor level and replacement with sheer storey and erection of new recessed roof storey at fourth floor level. Use as Class B1 office at ground, first and second floor levels and 9 flats (4 x 1 bed, 3 x 2 bed and 2 x 3 bed) at third and fourth floor levels. Provision of 6 car parking spaces accessed from Penfold Street.

A further permission was granted on 9<sup>th</sup> December 2014 (RN: 14/09381/FULL) for alterations to facades of existing building, erection of extensions to rear at ground, first and second floors, removal of existing roof storey at third floor level and replacement with sheer storey and erection of new recessed roof storey at fourth floor level. Use as Class B1 office at ground, first and second floor levels and 9 residential flats (Class C3) at third and fourth floor levels. Provision of 6 car parking spaces accessed from Penfold Street.

The permission granted in 2014 was subsequently amended by the following non-material amendment applications:

15/06240/NMA: Alterations to planning permission dated 12 December 2014 (RN: 14/09381) for alterations to facades of existing building, erection of extensions to rear at ground, first and second floors, removal of existing roof storey at third floor level, replacement with sheer storey and erection of new recessed roof storey at fourth floor level, use as Class B1 office at ground, first and second floor levels and 9 residential flats (Class C3) at third and fourth floor levels and provision of 6 car parking spaces accessed from Penfold Street; namely, installation of vertical sliding garage door in place of two hinged gates, reconfiguration of residential bin store, omission mosaic tiles at ground floor level, use of Limestone white K-Rend Silicone Thin Coat render rather than Lime render to upper floors, set back of 2<sup>nd</sup> and 3<sup>rd</sup> floors and terrace above from side elevation of Hatton Street Studios building, alterations to entrance at corner of Frampton Street and Penfold Street to form fire exit, alteration to detailed design of office entrance at corner of Frampton Street and Hatton Street, infill below 4<sup>th</sup> floor terrace to enlarge Flat 5 to form 2 bed 4 person flat and omission of glazing bars to patio doors to 3<sup>rd</sup> floor street elevations.

15/04017/NMA: Amendments to planning permission dated 9 December 2014 (RN: 14/09381) for alterations to facades of existing building, erection of extensions to rear at ground, first and second floors, removal of existing roof storey at third floor level and replacement with sheer storey, erection of new recessed roof storey at fourth floor level,

use as Class B1 office at ground, first and second floor levels and 9 residential flats (Class C3) at third and fourth floor levels and provision of 6 car parking spaces accessed from Penfold Street; namely, continuation of the dragfaced blue brickwork around the garage facade, raising of the plant screen on the roof by 200mm and removal of a window on the Penfold Street elevation.

## **7. THE PROPOSAL**

Planning permission is sought for the erection of an additional floor at fifth floor level to create 1 x 3 bedroom flat.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The relevant policies are H3 and H5 of Westminster's Unitary Development Plan. The proposal results in the creation of 1 family sized residential unit and is therefore considered to comply with the relevant policies and be acceptable in land use terms.

Policy 3.5 of the London Plan, Policy S29 of Westminster's City Plan and Policy ENV 13 of Westminster's Unitary Development Plan seek to ensure a satisfactory standard of accommodation for future occupiers. Minimum space standards are also set out in the Department for Communities and Local Governments (DCLG) Technical Housing Standards - Nationally Described Space Standards. These standards indicate that the minimum area required for a 3b6p flat over a single storey is 95sqm. The proposed flat measures 111.3sqm and therefore is considered to provide an acceptable standard of accommodation for future occupiers.

### **8.2 Townscape and Design**

The proposal relates to the erection of a roof extension to provide a single new residential 3 bedroom unit at 5th floor level to this recently altered and extended building. The application site is a prominent corner building located on the south side of the street at the junctions with Hatton Street and Penfold Street. The relevant policies for consideration of the proposal are DES 1, DES 6 of the adopted UDP 2007 and S25 and S28 of the adopted City Plan 2016.

In 2014 permission was granted for alterations to facades of the existing building, erection of extensions to rear at ground, first and second floors, removal of existing roof storey at third floor level and replacement with sheer storey and erection of new recessed roof storey at fourth floor level. Use as Class B1 office at ground, first and second floor levels and 9 residential flats (Class C3) at third and fourth floor levels. Provision of 6 car parking spaces accessed from Penfold Street. Therefore, the height and bulk of the site has been significantly increased with the implementation of this permission.

The building has a clear architectural composition with a strong basement, clear cohesive middle and recessive roof storey at 4th floor level and this creates a pleasing proportioned building. The recently implemented alterations and extensions to Alexander

House has radically improved the character and appearance of this prominent corner site. The architectural design and details of the 2014 proposal at Alexander House was heavily influenced by the adjacent group of 1920-1930's Art Deco style buildings (Hatton Street Studios, The Old Aeroworks no.17 Hatton Street and no. 4 Boscobel Street) and no. 65 Penfold Street built in 1938 by prominent architects Wallis, Gilbert and Partners. This group of buildings formed part of the former Spitfire Works, the group of buildings were used by the Palmer Tyre Company and produced wheel, tyres, brakes and gun turrets that were fitted to wartime aircraft.

There are clear views of Alexander House along Frampton Street owing to the curve of the road and forward building line to no. 89-99 Frampton Street. Alexander House is considered a transition site where the building provides a gradual step in building heights and scale from the predominantly 4 storey 2 bay wide buildings (except no. 89 a 3 storey, 6 bay wide building with recessive mansard) to the larger scale and height neo-Georgian residential blocks forming the homogenous Lilestone Estate and in particular Tadema House a 4 storey brick building with steep pitched attic storey.

With regard to the relationship with the no. 65 Penfold Street (Wallace Building) the existing recessed 4th floor level of Alexander House is higher than the roof of the Wallace Building on Penfold Street. However, given the 'cut back' corner of the 4th floor and the form of the building with a deep recessed gap between the flank north elevation of the Wallace Building, this difference in height of the two buildings is mitigated and does not adversely impact on townscape views along Penfold Street or compromise the attractive overhanging roof canopy with distinctive flame capital brackets.

Policy DES 6 A. states that "Permission may be refused for roof level alterations and extensions to existing buildings (which may include the installation of conservatories, roof terraces, telecommunications equipment or solar collectors) 1. where any additional floors, installations or enclosures would adversely affect either the architectural character or unity of a building or group of buildings. 2. where buildings are completed compositions or include mansard or other existing forms of roof extension. 3 where the existing building's form or profile makes a contribution to the local skyline or was originally design to be seen in silhouette. 4. where the extension would be visually intrusive or unsightly when seen in longer public or private views from ground or upper levels. 5. where unusual or historically significant or distinctive roof forms, coverings, construction or features would be lost by such extensions.

The proposal would increase the height of the building with a new 5th floor level designed to match the finished appearance of the existing 4th floor roof storey. Therefore, in townscape views in Frampton Street the roof extension would be clearly seen in conjunction with the 4th floor and appear as a top heavy feature, thereby unbalancing the pleasing architectural proportions of the Alexander House which is considered complete. The proposal would have a harmful impact on the character and appearance of the building and is considered unacceptable in principle and contrary to DES 6 of the adopted UDP 2007.

The increase in height of Alexander House would abolish the gradual stepped relationship between the adjacent buildings facing Frampton Street (Tadema House, no.89 to 99 Frampton Street), furthermore, the new 5th floor roof extension would be seen behind the attractive projecting canopy on the Wallace Building thereby harming

this intrinsic feature of the building and its skyline silhouette. The introduction of a 2 storey roof component is at odds with the predominantly single storey roof storeys of surrounding buildings, the proposal is considered to fail to respond to the local unique nature of the site and its relationships and the architectural composition of neighbouring buildings. This is contrary to DES 1 of the adopted UDP 2007 and S25, S28 of the adopted City Plan 2016.

Having regard to paragraph 135 of the NPPF the proposal is considered to have a harmful impact on the significance of a non-designated heritage asset. The proposal would provide a new 3 bedroom resident unit, however this benefit does not outweigh the incongruous harm to the architectural integrity and proportions of Alexander House, the harm to the architectural features of the Wallace Building and erosion to the relationship of neighbouring buildings on Frampton Street and surrounding townscape views. Therefore the proposal is contrary to DES 1, DES 6 of the adopted UDP 2007, S25, S28 of the adopted City Plan 2016 and relevant advice set out in the NPPF 2012.

### 8.3 Residential Amenity

The relevant policies are ENV 13 of Westminster's Unitary Development Plan and S29 of Westminster's City Plan which seek to protect residential amenity.

#### *Loss of light:*

One objection has been received on the basis of the loss of light to the flats in the adjoining buildings, namely the Wallis Building.

The application has been accompanied by an addendum daylight/sunlight report to that submitted with the scheme granted in 2014. The report concludes that when measuring the current results against those previously consented, there are minute differences to the resultant VSC and Sunlight levels.

The BRE Guidelines advise that losses in light that would amount to reductions of above 20% are likely to be noticeable. The tables below set out the windows which previously had VSC losses in excess of 20% and the additional windows which will have VSC losses in excess of 20% as a result of the roof extension.

The daylight and sunlight figures show that all of the windows will be worse affected as a result of the proposed development. The largest VSC losses are located in 93 Frampton Street, which is to the south on the other side of Hatton Street, however the largest increase in loss is minimal reducing from 25.16-23.63 (a loss of 1.53). An additional 5 windows will also fail the BRE test compared to previously.

While the proposals will result in additional losses of daylight and sunlight, given the VSC losses are minor and the daylight losses are generally as a result of existing building forms with oversailing balconies, the proposals are considered acceptable on these grounds.

#### *Sense of enclosure:*

The proposals result in additional high level bulk, therefore will have an impact in terms of increased sense of enclosure to neighbouring windows. However, the building is largely separated from neighbouring properties by surrounding streets and the additional



storey is set back from all four elevations and therefore the proposal is not considered to result in a such an increased enclosure to the windows of the neighbouring properties as to justify refusal.

*Privacy/ overlooking:*

The proposal includes the provision of two terraces to serve the 3 bedroom flat with one located on the Hatton Street end and one on the Penfold Street elevation. There are existing terraces located on the lower levels and therefore it is not considered that the proposals will significantly worsen from the existing situation.

The proposal is therefore considered to comply with the relevant policies and be acceptable in terms of residential amenity.

#### **8.4 Transportation/Parking**

The existing building includes 9 residential units with 6 off-street parking spaces (in a stacker with associated turntable) the current application seeks to add an additional residential unit bringing the total to 10. The impacts of high parking demand are well known and include:

1. drivers being forced to circulate around an area seeking empty spaces which causes unnecessary congestion, environmental pollution and noise disturbance;
2. drivers being tempted to park in dangerous or inconvenient locations, such as close to junctions or on pedestrian crossing points;
3. drivers having no choice but to park some distance from their homes causing inconvenience and more serious problems for elderly or disabled residents.

Policy TRANS23 details an 80% on-street car park occupancy threshold above which the provision of additional vehicles to the on-street parking environment will result in an unacceptable level of deficiency. The addition of even one additional residential unit can have an adverse impact on parking levels in the area and this could lead to a reduction in road safety and operation.

The evidence of the Council's most recent night time parking survey in 2015 (Buchanan's) indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 93%. However TRANS23 includes all legal parking spaces (eg Single Yellow Lines, Metered Bays, P&D, and Shared Use) as such with the addition of Single Yellow Line availability at night, the stress level decreases to 70%.

The evidence of the Council's most recent daytime parking survey in 2015 (Buchanan's) indicates that parking occupancy of ResPark bays within a 200 metre radius of the site is 86%. TRANS23 includes all legal parking spaces. During the daytime within the area, the only legal on-street spaces for permit holders are Residential and Shared Use Bays.

Whilst it is acknowledged that the site has a high level of public transport accessibility, households with 1 or more car in the Church Street Ward is 35% (2011 Census figures). Whilst this is lower than the borough average, the above data indicates that residents in the area do own cars, along with the fact that during the night & day Residential Bays have a high level of occupancy. It is therefore considered that the development is not consistent with TRANS23 and will add to existing on-street parking stress overall.

Both the Highways and Cleansing Managers have noted the lack of the provision of waste storage for the additional flat. Furthermore, objection has been received from adjoining occupiers on the basis that the additional flat will result in increased pressure on the existing waste and recycling storage facilities. If the proposal had been considered acceptable in all other respects details of waste and recycling storage would have been secured via a condition.

The Highways Manager noted the absence of cycle parking, however it is considered in this instance that the flat would be of sufficient size to store cycles internally.

## **9. BACKGROUND PAPERS**

1. Application form
2. Response from The St Marylebone Society, dated 17 November 2017
3. Response from Church Street Ward Planning & Licensing Group dated 18<sup>th</sup> December 2017
4. Response from the Highways Planning Manager dated 7<sup>th</sup> November 2017
5. Response from Cleansing Manager dated 16<sup>th</sup> November 2017
6. Letter from occupier of Flat P03, The Wallis Building, 65 Penfold Street, dated 4 November 2017
7. Letter from occupier of 85 Frampton St., London, dated 9 November 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: RUPERT HANDLEY BY EMAIL AT [RHANDLEY@WESTMINSTER.GOV.UK](mailto:RHANDLEY@WESTMINSTER.GOV.UK)

10. KEY DRAWINGS

EXISTING ELEVATION



Will  
ARCH



PROPOSED ELEVATION

**Willingale Associates**  
ARCHITECTS & DEVELOPMENT CONSULTANTS

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PROJECT:  
85 FRAMPTON STREET  
LONDON, NW8

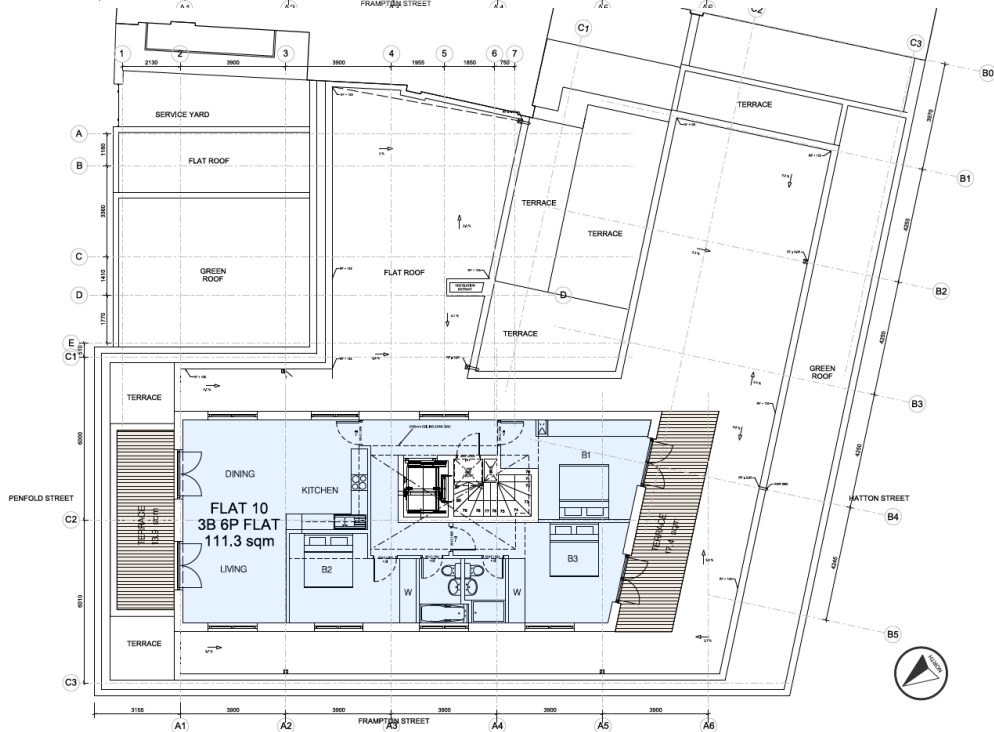
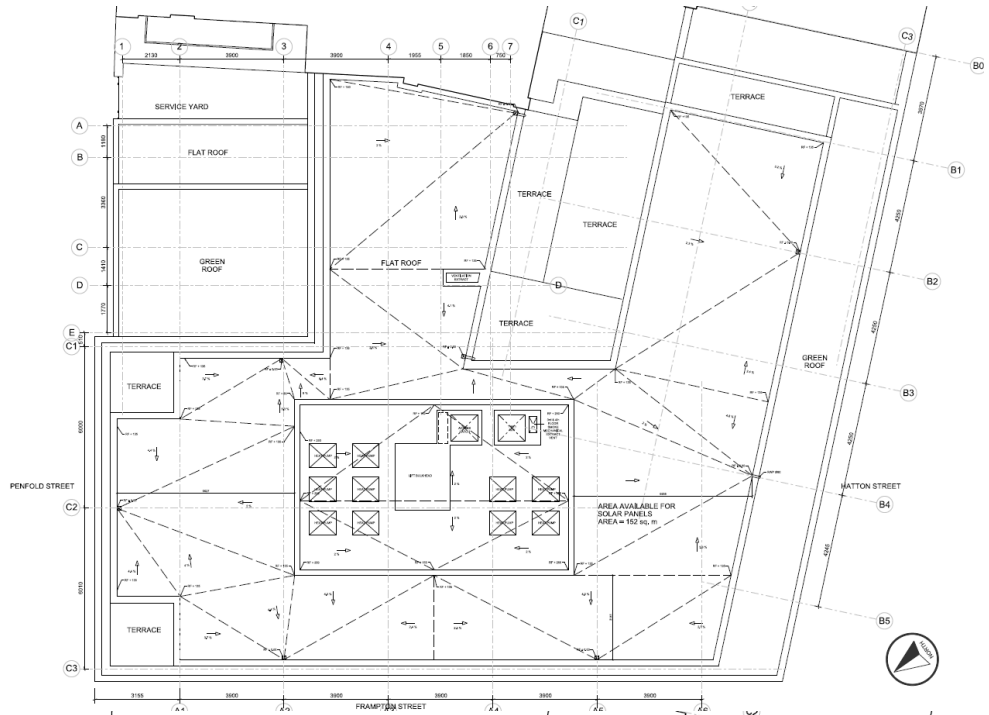
TITLE:  
PROPOSED SECTION AA

DRAWING NUMBER:  
NW8\_85FR\_09\_01\_1

DATE: 30/06/2017 SCALE: 1:100@A3



### EXISTING ROOF PLAN



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PROJECT:  
85 FRAMPYON STREET  
LONDON, NW8  
NW8\_8FS Consent No. 1409381/FULL

TITLE:  
PROPOSED FIFTH FLOOR PLAN

DRAWING NUMBER:  
NW8\_8FS\_PIR\_06  
REV: J

DATE: 30/06/2017  
SCALE: 1:100@A3  
0 1 2 3 4 5 6 7 8 9 10

### PROPOSED ROOF PLAN

**EXISTING FRAMPTON STREET ELEVATION**



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PROJECT:  
85 FRAMPTON STREET  
LONDON, NW8

TITLE:  
EXISTING FRAMPTON STREET ELEVATION

DRAWING NUMBER:  
NW8\_SPS\_P2\_01\_R

DATE:  
01/2024

SCALE:  
1:100@A3

**PROPOSED FRAMPTON STREET ELEVATION**



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PROJECT:  
85 FRAMPTON STREET  
LONDON, NW8

TITLE:  
PROPOSED FRAMPTON STREET ELEVATION

DRAWING NUMBER:  
NW8\_SPS\_P2\_01\_V

DATE:  
08/2024

SCALE:  
1:100@A3

**DRAFT DECISION LETTER**

**Address:** Alexander House , 85 Frampton Street, London, NW8 8NQ

**Proposal:** Erection of a roof extension at 5th floor level to create a self contained 3-Bed unit (Class C3).

**Reference:** 17/09459/FULL

**Plan Nos:** NW8\_85FS\_PR\_01 rev H; NW8\_85FS\_PR\_02 rev G; NW8\_85FS\_PR\_03 rev F; NW8\_85FS\_PR\_04 rev G; NW8\_85FS\_PR\_05 rev G; NW8\_85FS\_PR\_06 rev F; NW8\_85FS\_PP\_07\_Q; NW8\_85FS\_PP\_01\_Q; NW8\_85FS\_PP\_10\_R; NW8\_85FS\_PP\_11\_R; NW8\_85FS\_PP\_12\_R; NW8\_85FS\_PP\_13\_R; NW8\_85FS\_PP\_14\_R; NW8\_85FS\_PP\_15\_R; NW8\_85FS\_PP\_16\_R; NW8\_85FS\_PP\_17\_R; NW8\_85FS\_PP\_18\_R; NW8\_85FS\_PP\_07\_T; NW8\_85FS\_PP\_09\_T; NW8\_85FS\_PP\_10\_T; NW8\_85FS\_PP\_11\_T; NW8\_85FS\_PP\_12\_T; NW8\_85FS\_PP\_13\_T; NW8\_85FS\_PP\_14\_T; NW8\_85FS\_PP\_15\_T; NW8\_85FS\_PP\_16\_T; NW8\_85FS\_PP\_17\_T; NW8\_85FS\_PP\_18\_T; NW8\_85FS\_PP\_19\_T; NW8\_85FS\_PP\_20\_T; GVA Daylight/Sunlight Report; Design and Access Statement.

**Case Officer:** Victoria Coelho

**Direct Tel. No.** 020 7641 6204

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

Reason:

- 1 Because of its location, height, scale and detailed design the roof extension to create a new 5th floor level with terraces would harm the appearance of this building and this part of the City. This would not meet S25, S28 of Westminster's City Plan (November 2016) and DES 1 and DES 6 of our Unitary Development Plan that we adopted in January 2007. (X16BC)

Reason:

- 2 Your plans do not include enough on-site car parking to serve the new housing according to the standards set out in STRA 25 and TRANS 23 of our Unitary Development Plan that we adopted in January 2007. This means that the new development would increase the pressure for on-street car parking and this would affect people already living in the area. (X05AB)

**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 so far as practicable. We have made available detailed advice in the form of our statutory policies in

Item No.
<b>2</b>

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. However, we have been unable to seek solutions to problems as the principle of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

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.