

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 19 June 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved St James's	
Subject of Report	63 St Martin's Lane, London, WC2N 4JS,		
Proposal	Erection of roof extension to create a sunroom with roof terrace in connection with enlargement of top floor flat.		
Agent	Piers Smerin		
On behalf of	Mr Piers Smerin		
Registered Number	18/01639/FULL	Date amended/ completed	26 February 2018
Date Application Received	26 February 2018		
Historic Building Grade	Unlisted		
Conservation Area	Covent Garden		

1. RECOMMENDATION

Refuse planning permission – design.

2. SUMMARY

63 - 66 St Martins Lane is an unlisted, post-war building, which lies within the Covent Garden Conservation Area. The application relates to the top floor flat (Flat 24). Permission is sought for the erection of a roof extension to create a sunroom at main roof level with terrace.

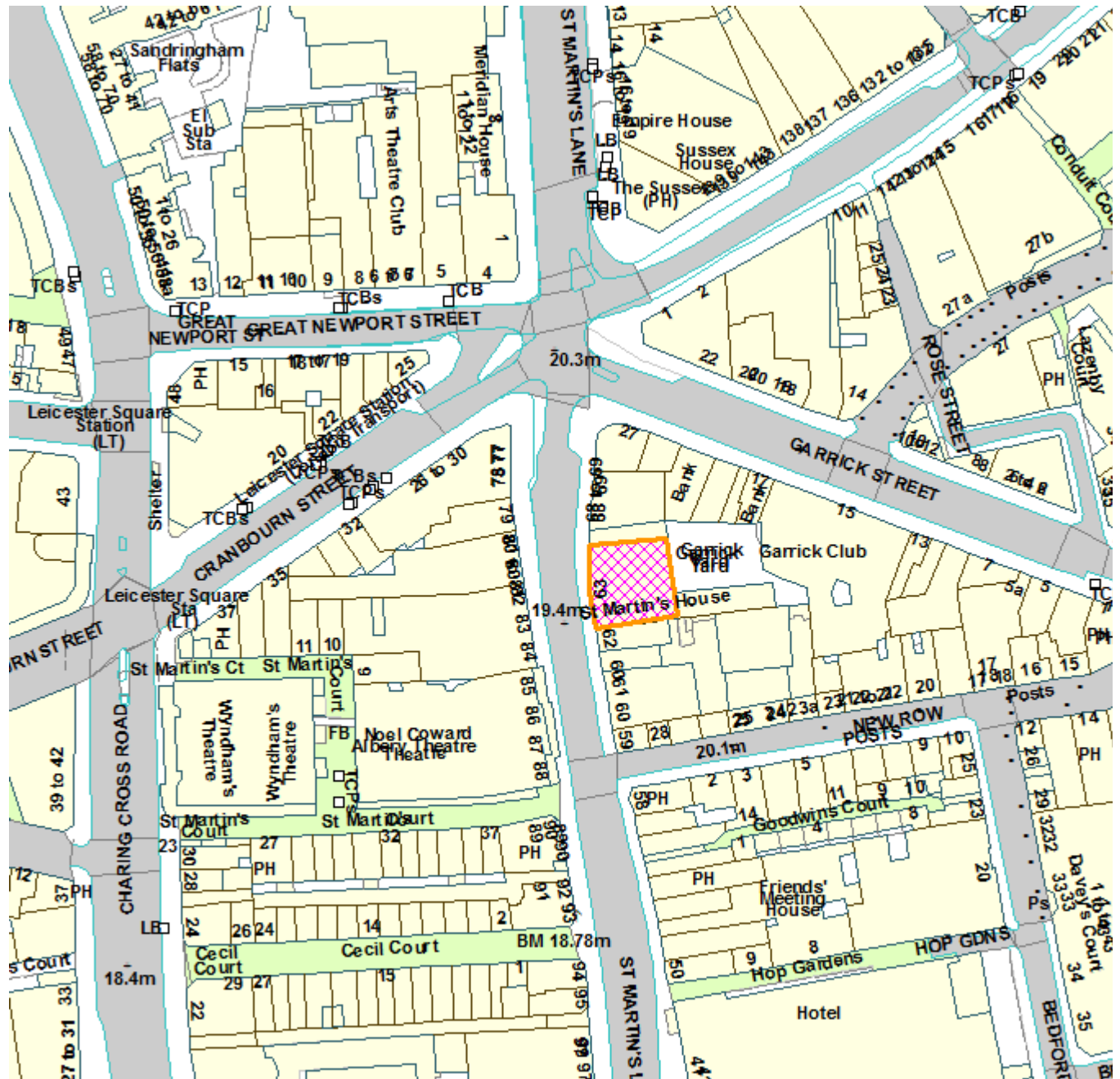
A similar application for a fully glazed sunroom with roof terrace was refused on design grounds at sub-committee in October 2017 (17/04855/FULL). An informative was attached to the decision notice stating that sub-committee was content with some form of roof extension.

The key issues are:

- *The impact on the appearance of the building and upon the character and appearance of the Covent Garden Conservation Area;
- *The impact of the proposals on neighbouring residential amenity.

The proposed development is considered to be unacceptable in design terms and does not accord with the policies set out in Westminster's City Plan: Strategic Policies (City Plan) and the Unitary Development Plan (UDP). As such, the application is recommended for refusal.

3. LOCATION PLAN



4. PHOTOGRAPHS



5. CONSULTATIONS

COVENT GARDEN COMMUNITY ASSOCIATION

- The proposed roof terrace would cause significant nuisance and harm to the amenity of neighbours. This includes overlooking and loss of privacy, noise, light spillage and security.
- A neighbouring resident at 61 St. Martin's Lane objected to the previous application (17/04855/FULL) due to the impact on residential amenity, including overlooking and loss of privacy. The applicant's efforts to address these concerns are appreciated but the Council's reasons for refusing the previous scheme remain.
- If permission is granted, conditions should be included to limit the hours of use of the terrace to 0800 – 2300 and to prohibit music during these hours, which should also be included in residential leases.

COVENT GARDEN AREA TRUST

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 110

Total No. of replies: 4

No. of objections: 1

No. in support: 2

Two letters of support have been received from local residents on design grounds:

- The proposal will contribute to the overall quality, standard and value of the entire property. It is entirely in keeping with the building itself and the surrounding built environment.
- The design looks great and if anything will lift the overall quality of the building.
- The proposals follow the compositional logic (scale and mass) of the original building.

One letter of objection has been received from a local resident on the following grounds:

- The extension adds significant height to the building, visible from St Martin's Lane and Upper St Martin's Lane.
- Particular concern is raised to the appearance looking down St Martin's Lane as the proposed extension massively overshadows 27 Garrick Street, which is Grade II listed.
- The development does not increase the availability of housing stock in Westminster.

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

63 – 66 St Martin's Lane is an unlisted, post-war building, which lies within the Covent Garden Conservation Area. It comprises ground plus seven upper storeys, with commercial units at ground floor level and residential flats on the upper floors. The fifth

and sixth floors are set back from the St Martin's Lane elevation and the seventh floor is substantially set back with a large terrace. The application relates to the top floor flat.

6.2 Recent Relevant History

Planning permission was granted in July 2010 for the erection of a small infill extension at seventh floor level; alterations to fenestration at sixth and seventh floor level; installation of glass balustrading; access hatch and air conditioning unit at seventh floor roof level in connection with use as a roof terrace (10/02612/FULL).

In October 2017 sub-committee refused planning permission for the erection of a roof extension to create a glazed sunroom with associated roof terrace, on design grounds (17/04855/FULL). An informative was attached to the decision notice stating that sub-committee was content with some form of roof extension.

7. THE PROPOSAL

8.

Planning permission is sought for the erection of a roof extension to create a partially glazed sunroom with green roof above and associated roof terrace

9. DETAILED CONSIDERATIONS

9.1 Land Use

9.2

The extension would enlarge the existing top floor flat (flat 24), creating additional residential floorspace. In land use terms the creation of additional residential floorspace is considered to be acceptable in accordance with Policy H3 of the UDP and Policy S14 of the City Plan.

9.3 Townscape and Design

An objection has been received from a neighbouring residential occupier on the grounds that the proposed design adds significant height to the building, visible from St Martin's Lane and Upper St Martin's Lane. Particular concern is raised to the appearance looking down St Martin's lane as the proposed extension would overshadow 27 Garrick Street, which is Grade II listed.

The previous application was refused because it was considered that the location, scale, massing, design and materials of the proposed glazed extension would harm the appearance of the building and fail to maintain or improve (preserve or enhance) the character and appearance of the Covent Garden Conservation Area. An informative was attached to the decision notice stating that sub-committee was content with some form of roof extension.

Whilst the informative is noted, the proposals must still be assessed against our relevant design policies and supplementary planning guidance (SPG).

Policy DES 6 of the UDP relates to roof level alterations and extensions and states that permission may be refused for roof extensions to existing buildings (which may include the installation of conservatories and roof terraces) in the following circumstances:

- 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 designed 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, constructions or features would be lost by such extensions.'

Westminster's 'Development and Demolition in Conservation Areas' SPG states that roof extensions, should always complement the appearance of the existing building and, where appropriate its neighbours; and that they will not be acceptable in principle, if they have an adverse impact on the architectural integrity of a building and its setting, or upon the character and appearance of the area.

Following the previous refusal, the size of the proposed extension has increased from an area of approx. 35.5m² with a maximum height of approx. 2.6m to approx. 38m² with a maximum height of approx. 3.0m (including rooflight). The proposed extension would further increase the height of the building, which is currently already equal or taller than its neighbours and would appear at odds with the seventh floor.

Officers remain of the view that although the seventh floor is shown on drawings from 1955, it was clearly a plant housing and separate to the architectural composition of the building below. The floor was subsequently converted into living space and now appears as an "extension".

Whilst the extensions detailed design and materials have been altered to better reflect the character of the building below, using render panels with glazing, the overarching policy position does not support extensions of this nature and therefore it is still considered unacceptable in design terms.

The extension would be visible from ground level and would also be clearly visible from the upper storeys of the surrounding buildings. These views highlight the presence of the proposed extension, where reflections from the glass within the façades would further the harm caused. Given the proposal is considered to harm the character of the building, it must therefore follow that it is harmful to the character and appearance of the conservation area and as such cannot be considered to preserve or enhance as is required. The terrace approved under application 10/02612/FULL is noted, however the access to the terrace only projected by 0.92m, which is substantially less than that proposed.

In summary the works are considered unacceptable in design terms.

9.4 Residential Amenity

Policies S29 of the City Plan and ENV13 of the UDP seek to protect residential amenity in terms of light, privacy, sense of enclosure and encourage development which enhances the residential environment.

The Covent Garden Community Association have raised concerns about overlooking, loss of privacy, noise, light spillage and security associated with the terrace.

The roof terrace approved in July 2010 (10/02612/FULL) measures approx.43.7 m2 and is set back from the parapet on the eastern boundary of the roof by approx. 0.8m. The proposed roof extension would be set back from the parapet by approx. 0.6m and would measure approx. 38 m2 with an associated terrace measuring 9.2 m2.

Given the reduction in the size of the terrace over that previously approved, it would not be sustainable to refuse the proposals on the grounds raised by the Covent Garden Community Society. Further, it is not considered reasonable to restrict the use of the terrace by condition.

The previous application (17/0485/FULL) was recommended for refusal on the grounds that the glazed sunroom would lead to an unacceptable loss of privacy for people in neighbouring properties. However, this reason for refusal was not supported by sub-committee. Whilst the redesigned sunroom is still heavily glazed, it has been set back from the parapet edge and it is no longer considered sustainable to refuse the proposals on these grounds.

Given the orientation of the property and the scale and massing of the proposed extension, it is considered that the proposals would not result in any significant loss of light to surrounding residential properties.

Accordingly, the proposals are considered to accord with policies S29 and ENV13.

9.5 Transportation/Parking

The proposals would not have a material impact on traffic regeneration or on-street parking pressure in this area.

9.6 Economic Considerations

No economic considerations are applicable for a development of this size

9.7 Access

The application does not propose any alteration to the existing means of access to this private residential dwelling.

9.8 Other UDP/Westminster Policy Considerations

None relevant.

9.9 London Plan

This application raises no strategic issues.

9.10 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.

9.11 Planning Obligations

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

This development does not generate a Mayor CIL or WCC CIL payment.

9.12 Environmental Impact Assessment

The application is not a sufficient scale to require an Environmental Impact Assessment.

9.13 Other Issues

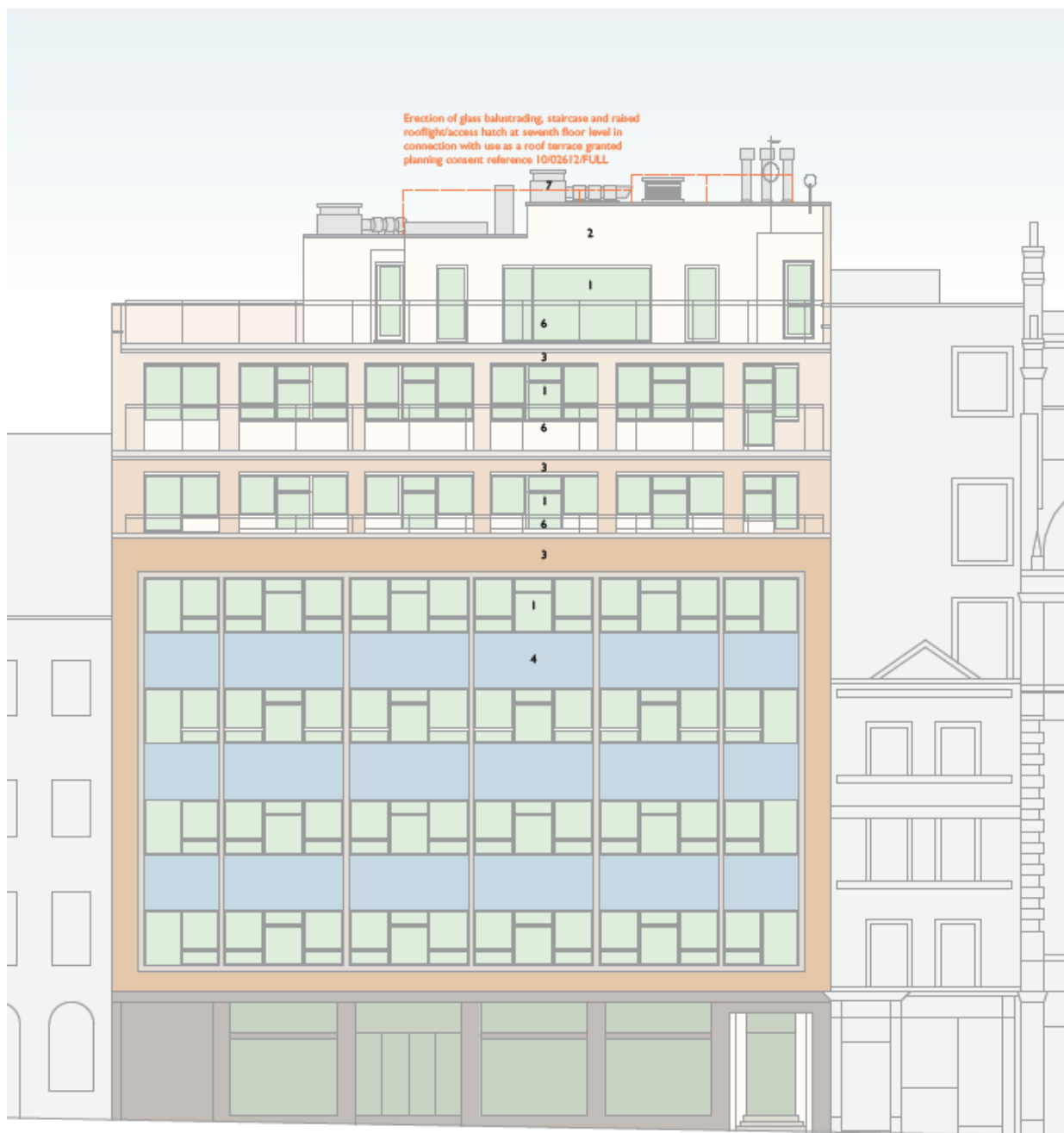
None.

(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: MATTHEW MASON BY EMAIL AT mmason@westminster.gov.uk

10. KEY DRAWINGS

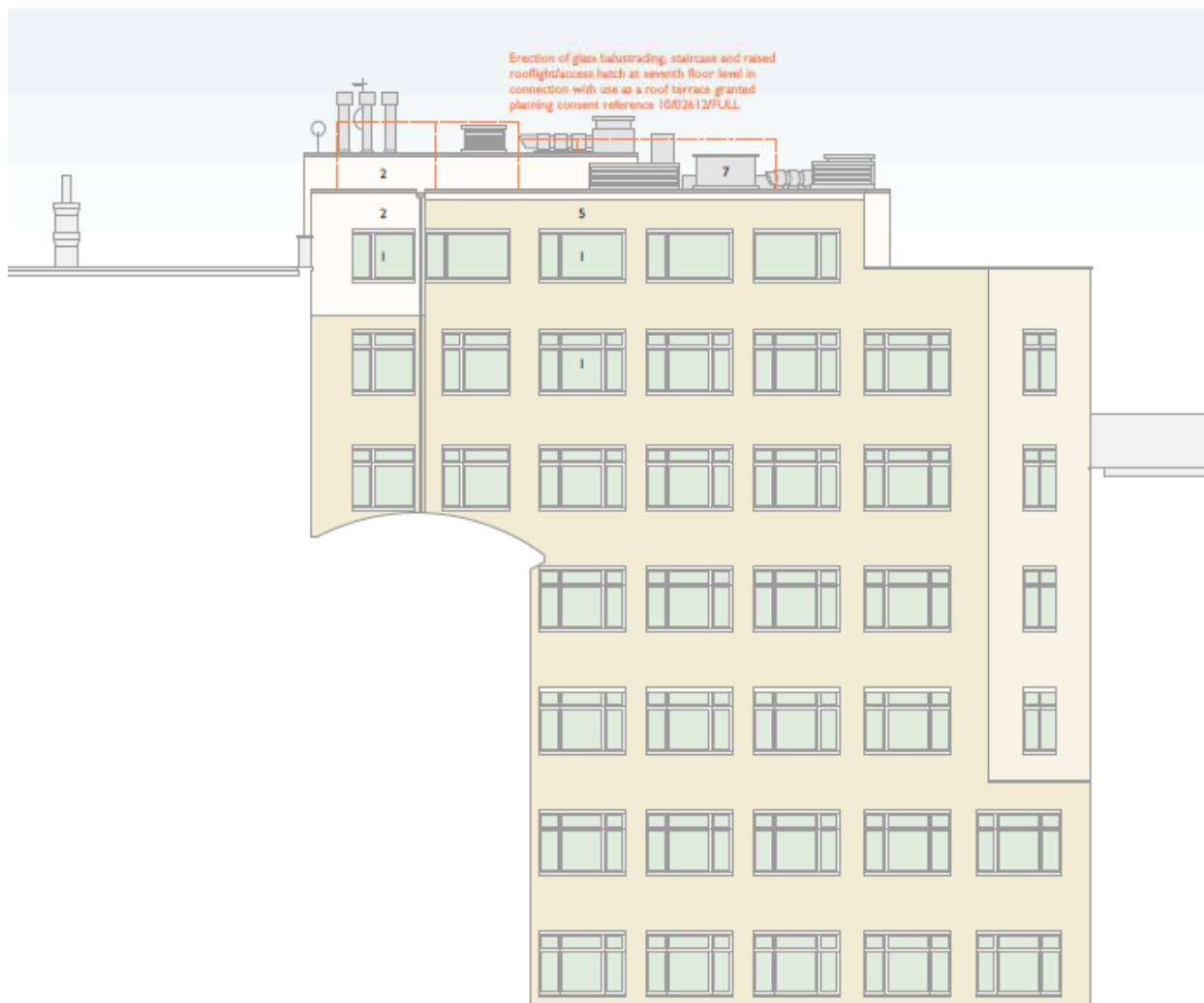
Existing West Elevation



Proposed West Elevation



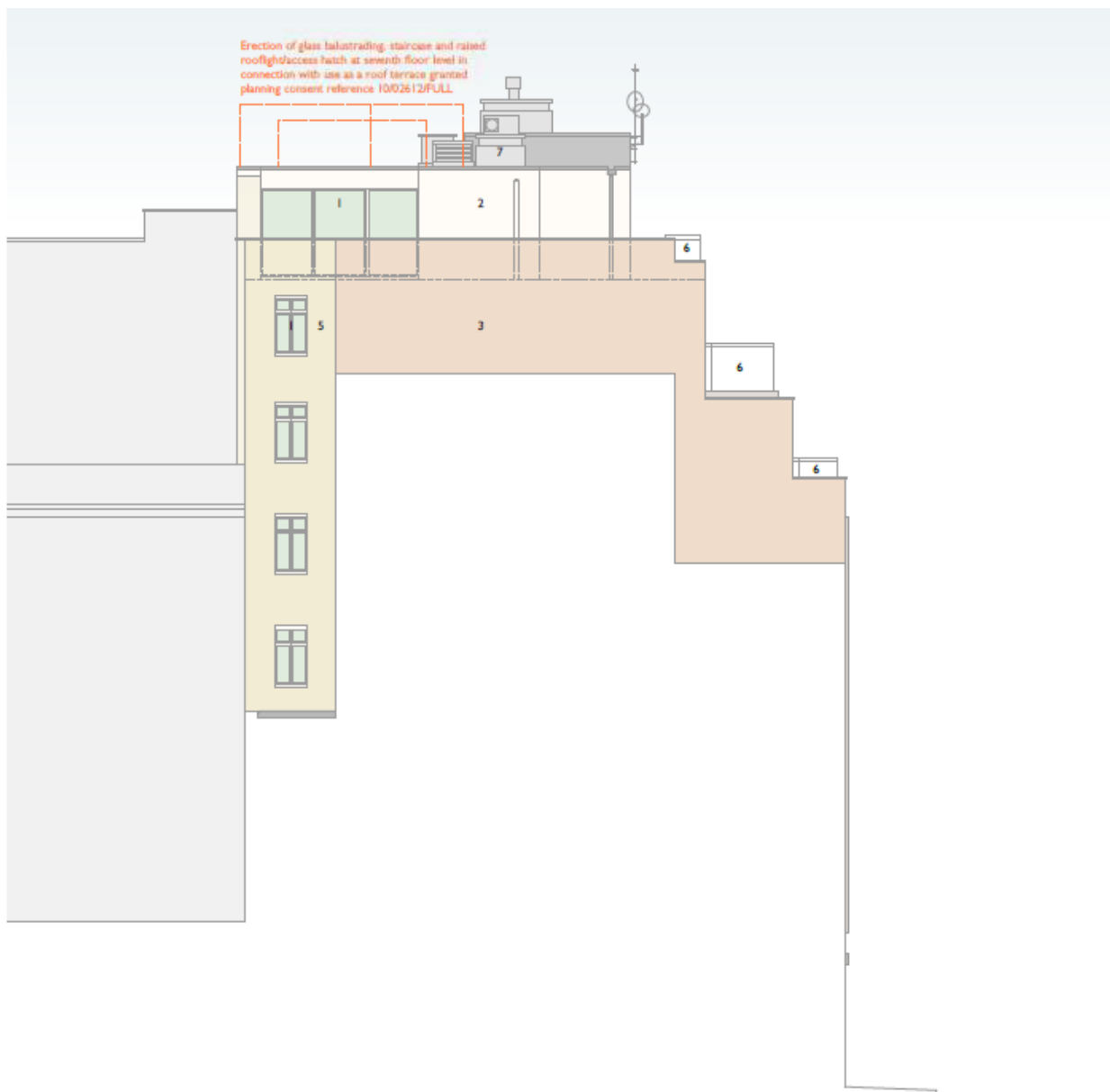
Existing East Elevation



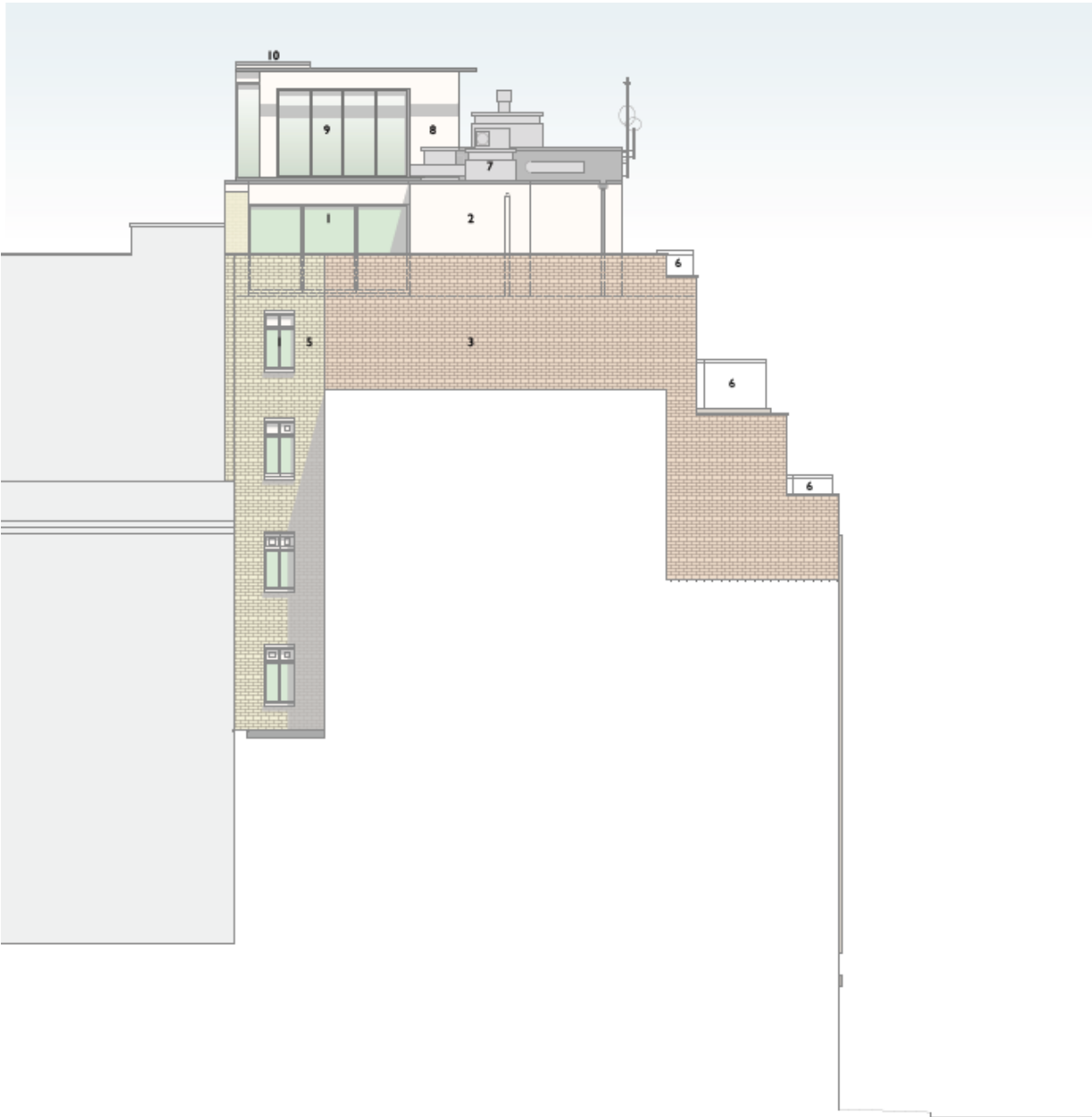
Proposed East Elevation



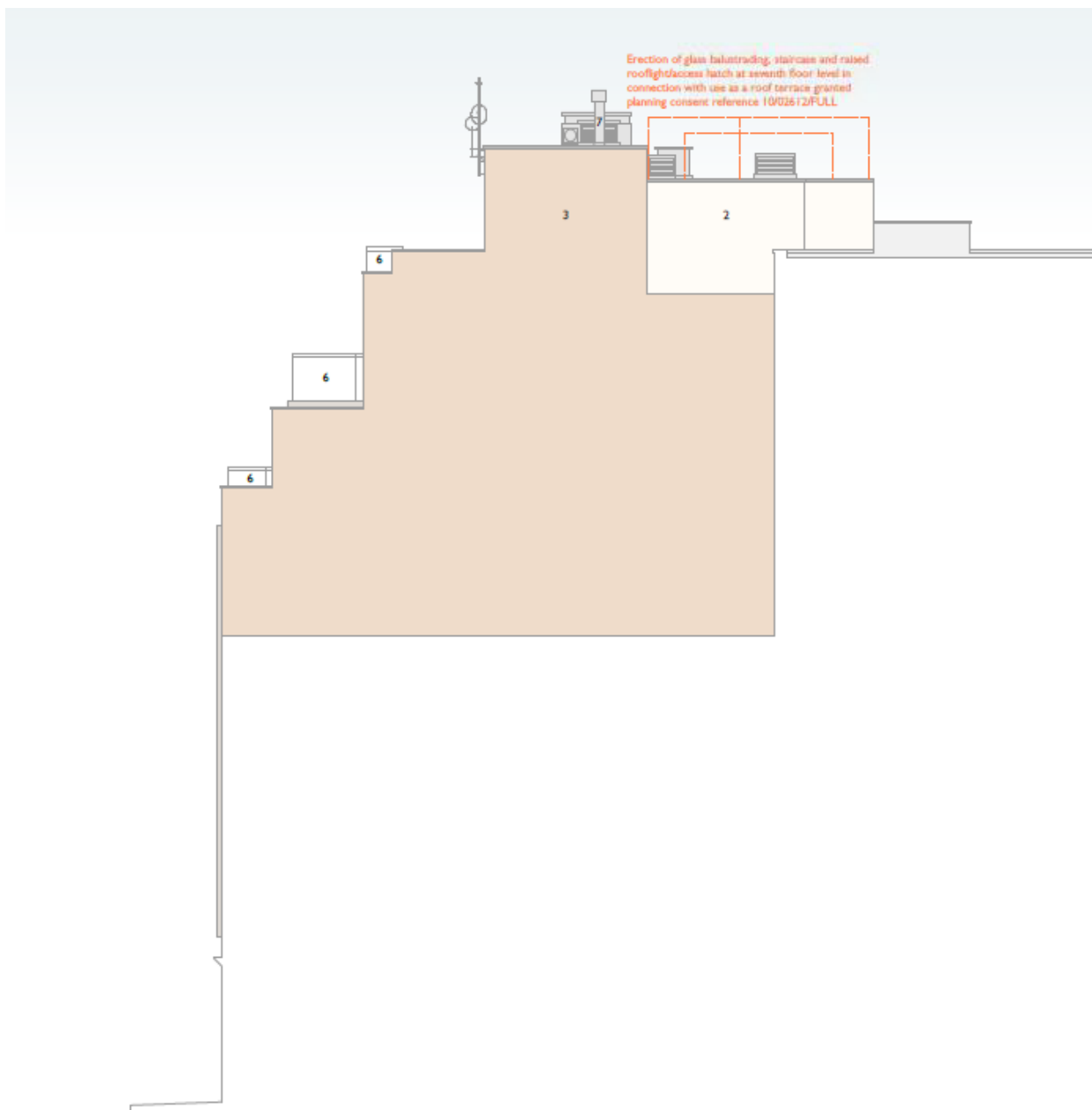
Existing North Elevation



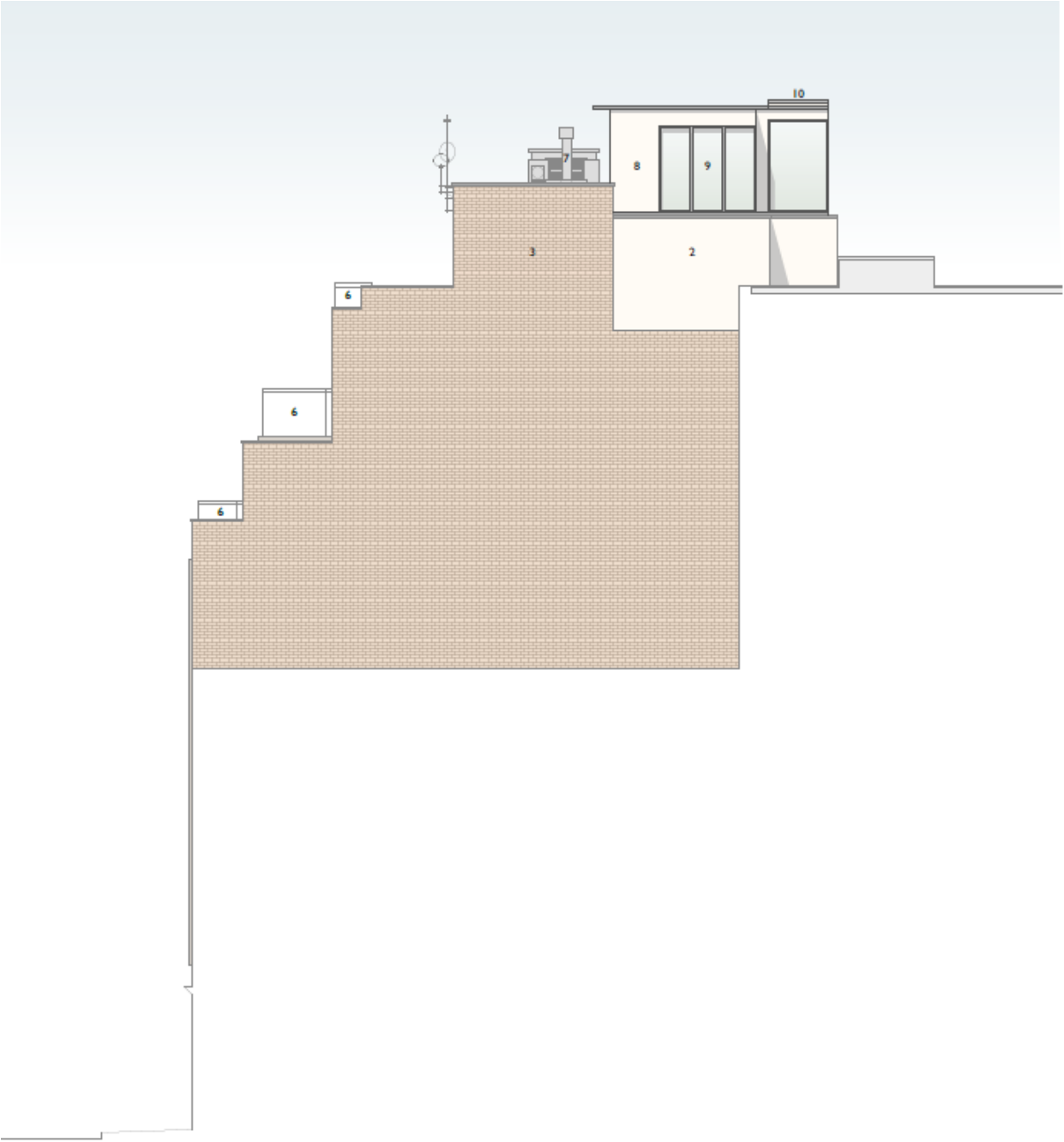
Proposed North Elevation

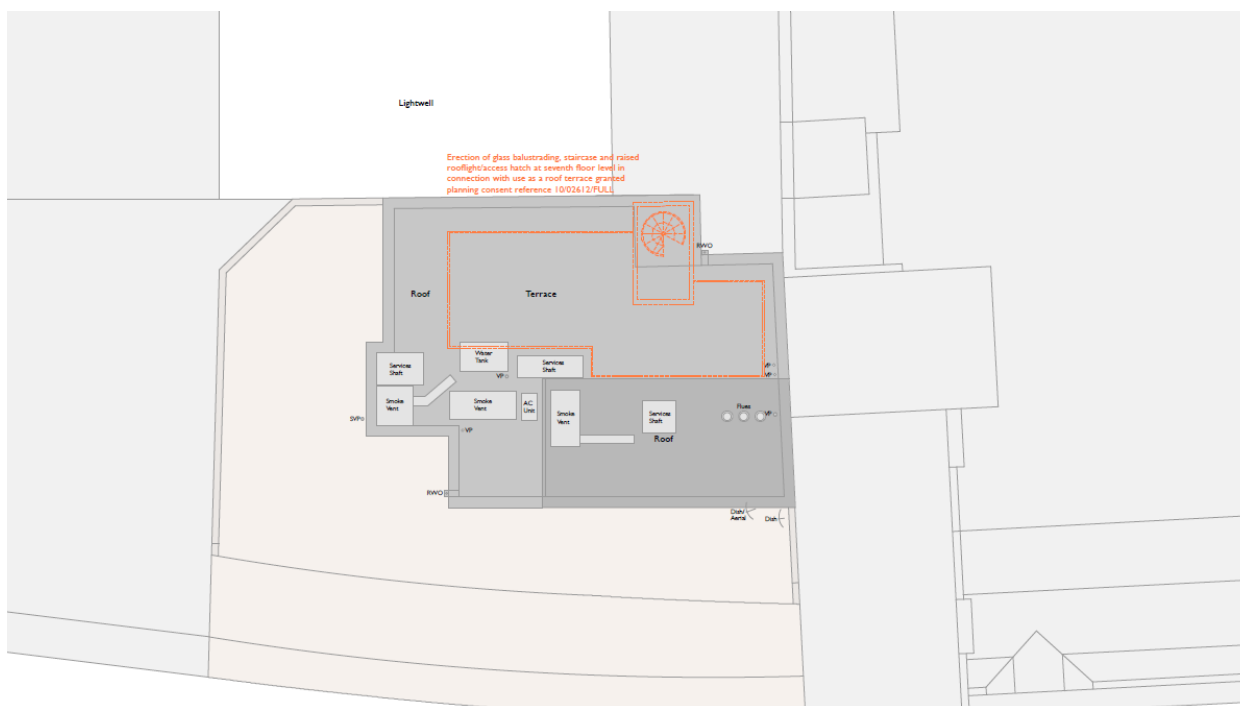


Existing South Elevation

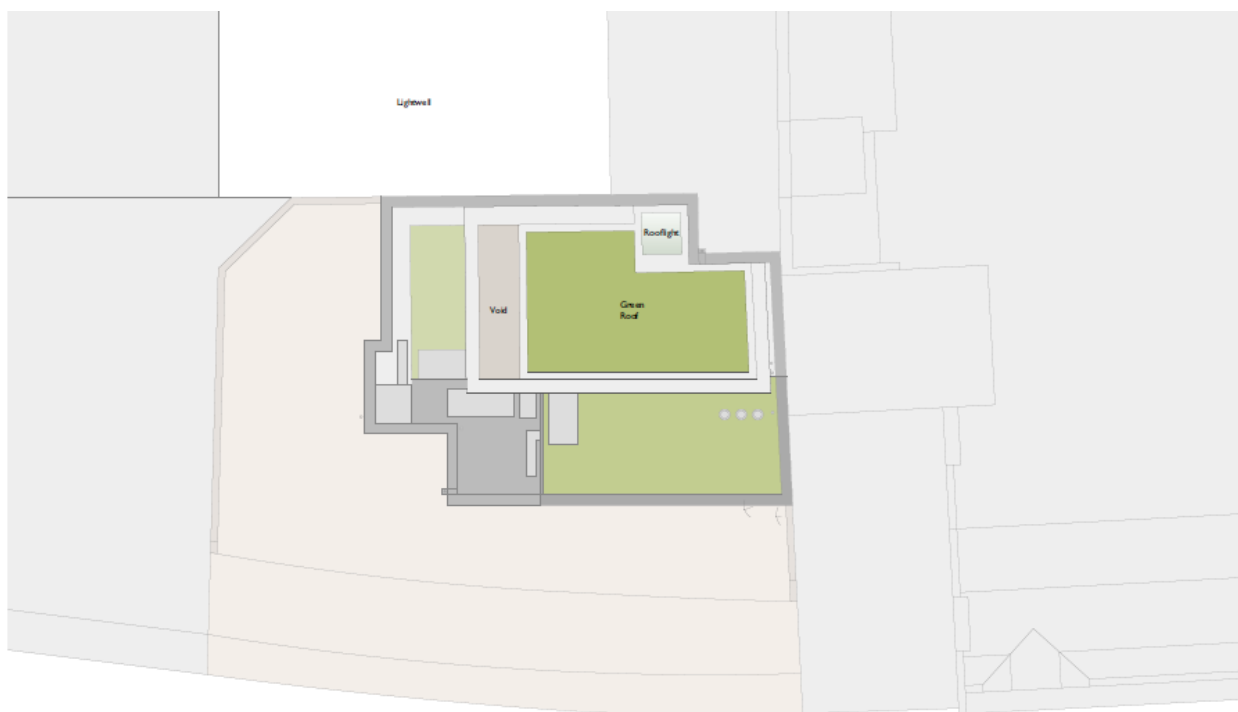


Proposed South Elevation



Existing Eighth Floor Plan**Proposed Eighth Floor Plan**

Proposed Roof Plan



DRAFT DECISION LETTER

Address: 63 St Martin's Lane, London, WC2N 4JS,

Proposal: Erection of roof extension to create a glazed sunroom with roof terrace in connection with enlargement of top floor flat.

Reference: 18/01639/FULL

Plan Nos: PL 001; PL 014 Rev. A; PL 010 Rev. A; PL012 Rev. A; PL 011 Rev. A; PL 009; PL 013 Rev. A; PL 015 Rev. A.

For information: , Street Level Views; External Materials/ Finishes Data Sheet; Design and Access Statement and Heritage Assessment Revision A dated 5 February 2018; Planning Statement Revision A dated 5 February 2018.

Case Officer: Ian Corrie

Direct Tel. No. 020 7641 1448

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

Because of its location, scale and massing the proposed sunroom would harm the appearance of this building and fail to maintain or improve (preserve or enhance) the character and appearance of the Covent Garden Conservation Area. This would not meet S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 6 and DES 9 and paras 10.108 to 10.128 of our Unitary Development Plan that we adopted in January 2007. (X16AD)

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 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.

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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.