

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 22 May 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Maida Vale	
Subject of Report	2 Randolph Court, Randolph Avenue, London, W9 1NW		
Proposal	Replacement of ground floor rear window with French Doors.		
Agent	Mr Elie Osborne		
On behalf of	Ms Sophia Fafalios		
Registered Number	18/00810/FULL	Date amended/ completed	6 February 2018
Date Application Received	1 February 2018		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

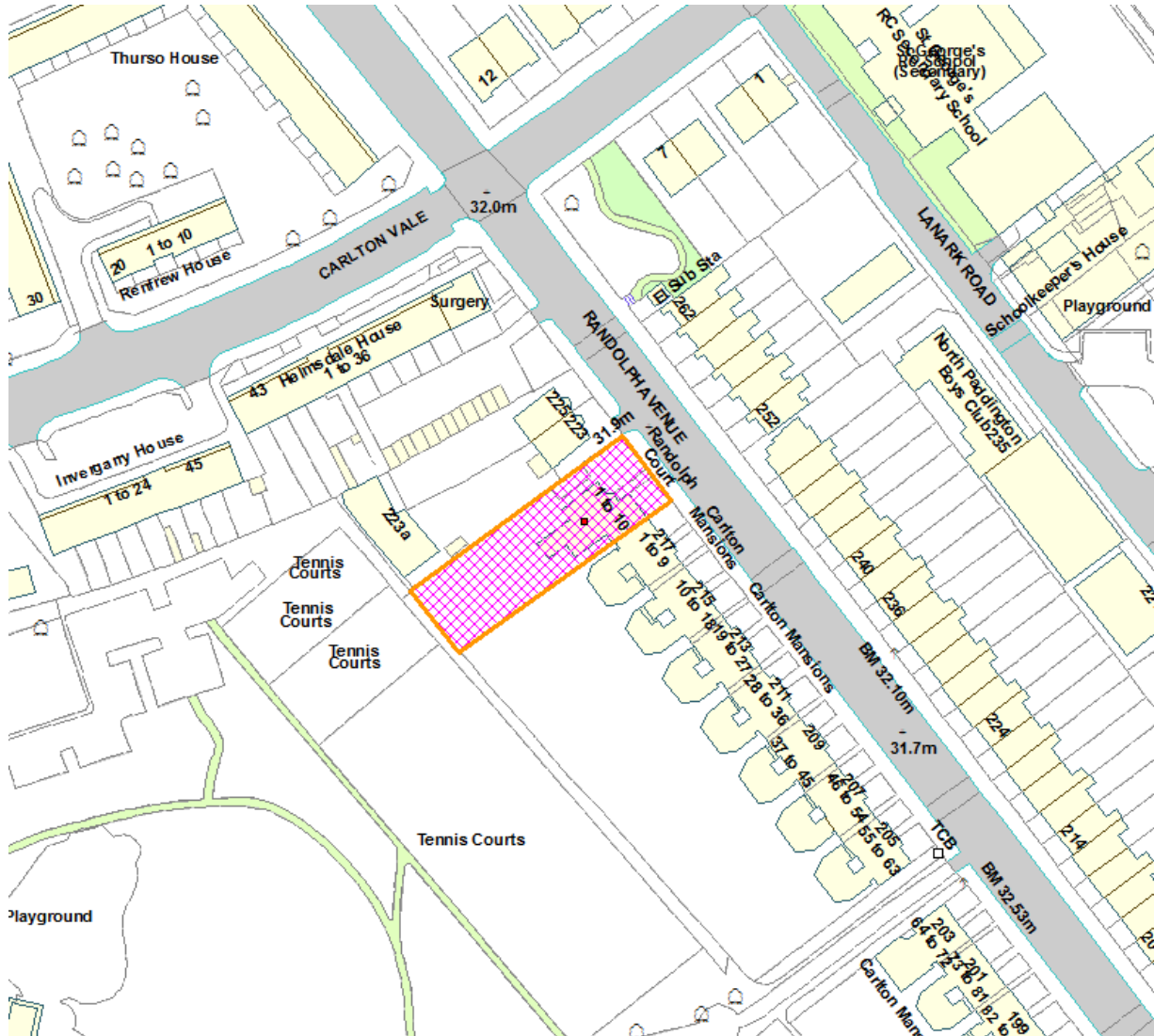
This application relates to an unlisted residential apartment building (Randolph Court) located within the Maida Vale Conservation Area. There are 10 flats within the building, which benefits from a large rear communal garden. Permission is sought for the alteration of a window to a door on the northern side of the building, to provide an additional access to the garden from flat 2. The works are in association with internal alterations to the flat to change its layout.

The key issues are:

- * The impact of the alterations on the amenity of adjacent residential occupiers.
- * The impact of the alterations on the character and appearance of the conservation area.

Objections have been received from three of the flats within the building on the grounds that the proposed alterations will negatively impact on their living environment. It is considered that the works are in accordance with adopted policies within Westminster's City Plan (the City Plan) and Unitary Development Plan (UDP) and are therefore recommended for approval.

3. LOCATION PLAN



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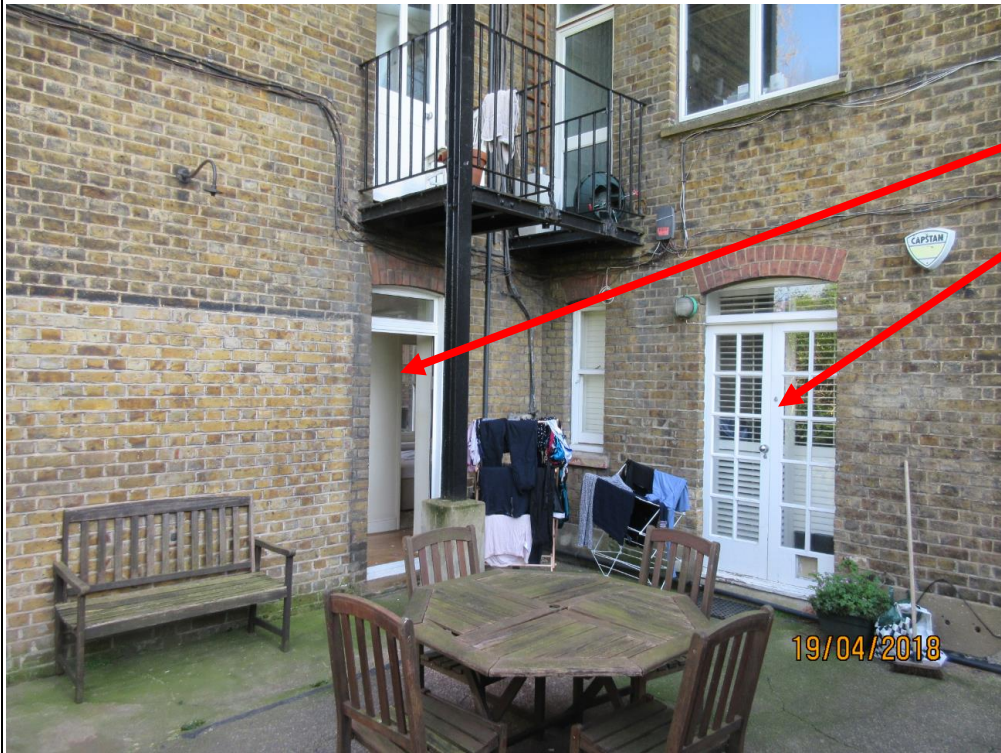
4. PHOTOGRAPHS



Rear elevation with Flat 2 outlined in red. Window to be altered indicated with an arrow



- Communal access door to garden identified with an arrow.
- Window to be amended to a door outlined in red



- Existing garden access from flat 2
- Existing garden access from neighbouring flat

5. CONSULTATIONS

PADDINGTON AND MAIDA VALE SOCIETY:

Raise no objection, however comment that the joinery should match existing and request for neighbours' views to be taken into consideration.

ADJOINING OWNERS / OCCUPIERS:

No Consulted: 22

No responses: 3 objections raising some or all of the following comments:

Amenity:

- Increased external noise as a result of intensified use of patio underneath bedroom windows.
- Increased internal noise through change of use of bedroom to living room, which will negatively impact on bedrooms above as the building has been laid out to have bedrooms over bedrooms. Reference is made to design guidance from the London Borough of Brent.
- Increased overlooking from patio.
- Disturbance from smells from both patio and living room / kitchen.

SITE NOTICE / PRESS ADVERT:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

This application relates to an unlisted residential apartment building (Randolph Court) located within the Maida Vale Conservation Area. The building is split into 10 flats and benefits from a large communal garden to the rear. The building is staggered to the rear with a projecting central section, with set back sections on both the north and south sides of the building.

There is communal access to the rear garden for all of the flats within the building via a gate on the northern side of the building. There are two flats on the ground floor which have direct access onto the communal rear garden from the southern set back section. There are small projecting terraces at all levels, which serve flats on the upper levels of the building.

6.2 Recent Relevant History

15/02496/FULL

Demolition and rebuilding of replacement boundary wall with bin store access gates.
Construction of new bin store area.

Application Refused 25 June 2015

08/07607/FULL

Erection of a four storey side extension to provide a two-bedroom house.

Application Refused 12 November 2008

7. THE PROPOSAL

Permission is sought to alter an existing ground floor window into a door to provide an additional access for flat 2 into the rear communal gardens.

8. DETAILED CONSIDERATIONS

8.1 Land Use

No change proposed to the existing residential use.

8.2 Townscape and Design

The proposals include the removal of an existing timber sash window, lowering of the cill, and installation of a set of timber doors in the enlarged opening. Stepped access to the yard is also proposed from the lowered cill.

The doors have been designed so that they are no wider than the existing window opening, retain the brick arch above, and are of a similar style to the existing window, being constructed from timber with a bar which splits the glazing. Subject to conditions to ensure that the doors are constructed from timber and painted white, it is not considered that the proposals will have a negative impact on the character and appearance of the building or wider conservation area.

8.3 Residential Amenity

Objection has been received from three residents within the building on the grounds that the proposed alterations will have a negative impact on their amenity, namely in relation to noise, privacy and general disturbance including smells as a result of an intensified use of this part of the patio.

Objections have also been received on the grounds that the internal alterations to the flat would have a negative impact on the amenity of other occupiers within the mansion block as the applicant is proposing to alter the internal arrangement of the flat, including changing an existing bedroom into a living room / dining room. The comments note that the building has been designed so that rooms are stacked, with bedrooms above bedrooms in order to reduce noise transference between the flats. While these comments are noted, permission could not be withheld on these grounds, as permission is not required for internal alterations to the flats. The applicant could therefore amend the existing layout of the flat without applying for planning permission. This application is solely for the alterations of the window to a door, and does not relate the use of the internal rooms. An informative is however recommended to advise the applicant that they may require building regulations approval for the internal alterations proposed.

The main objection is in relation to the proposal to allow the occupants of flat 2 to access a small area of hard landscaping outside of their flat, which forms part of the wider communal garden. Currently the flat only has direct access onto a similar yard on the

southern side of the building. The main concern of neighbours is that by allowing direct access, the use of this space will become more intensively used and therefore result in additional overlooking and disturbance to flats with windows on this side of the building (including smells). Particular concern is raised as these windows serve bedrooms.

While officers can understand these concerns, it is not considered that withholding permission on these grounds could be sustained. This area is already readily accessible to anyone within the block of flats, being the first area of hard standing located in the rear garden when accessed from the existing main communal access gate that runs down the side of the building. While it is noted that Flat 2 would gain direct access to this space, they already have direct access on the other side of the building and do not have sole custody of any of the garden. Should either of the ground floor flats, or anyone in the building wish to gather in this area, then they could do so currently. It is therefore not considered that it would be reasonable or enforceable to limit the use of this space by way of condition and that any concerns in relation to the use of any part of the garden should be a matter for the residents to discuss privately.

8.4 Transportation/Parking

No change to existing arrangements.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

While the proposals will alter access to the rear communal garden (as discussed in section 8.3), no changes are proposed to the main access to Flat 2.

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 and the CIL are not relevant in the determination of this application.

8.11 Environmental Impact Assessment (EIA)

The proposals is of insufficient scale to require the submission of an EIA.

8.12 Other Issues

None.

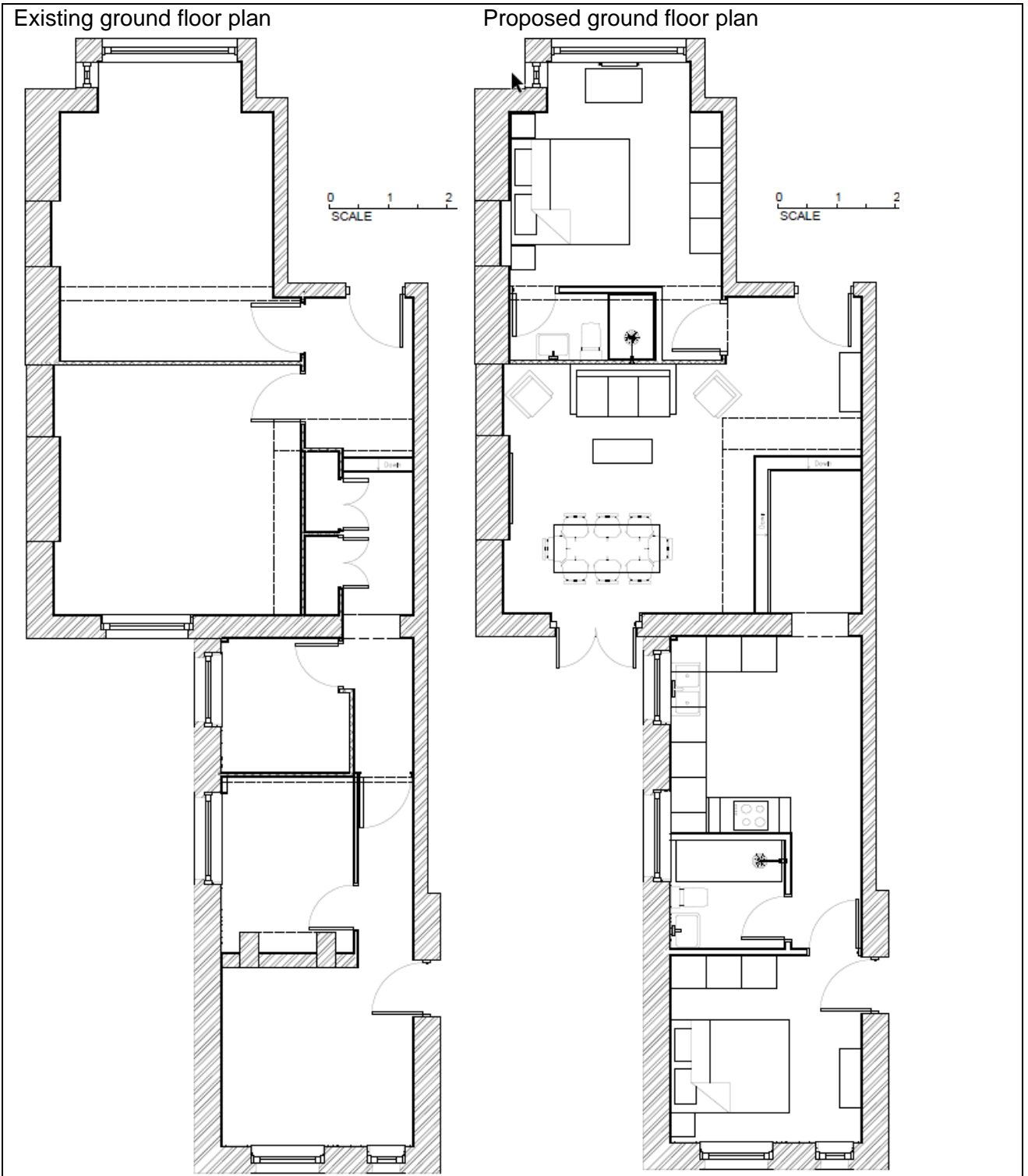
9. BACKGROUND PAPERS

1. Application form
2. Response from Paddington Waterways & Maida Vale Society, dated 2 March 2018
3. Letter from occupier of Flat 4 Randolph Court, dated 26 February 2018
4. Letter from occupier of flat 8, Randolph Court, dated 28 February 2018
5. Letter from occupier of Flat 10 Randolph Court, dated 2 March 2018

(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.

10. KEY DRAWINGS





EXISTING REAR ELEVATION

PROPOSED REAR ELEVATION

DRAFT DECISION LETTER

Address: 2 Randolph Court , Randolph Avenue, London, W9 1NW

Proposal: Replacement of rear ground floor rear window with French Doors.

Plan Nos: 001; 002; RC10; RC13; RC14; 4D01OS A.

Case Officer: Rupert Handley

Direct Tel. No. 020 7641 2497

Recommended Condition(s) and Reason(s) or Reason(s) for Refusal:

- 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 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)

- 4 The door shall have white painted timber framing and be maintained as such.

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):

- 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)
- 3 You are encouraged to join the nationally recognised Considerate Constructors Scheme. This commits those sites registered with the Scheme to be considerate and good neighbours, as well as clean, respectful, safe, environmentally conscious, responsible and accountable. For more information please contact the Considerate Constructors Scheme directly on 0800 783 1423, sitenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.
- 4 You are advised that the internal alterations to the flat may require an application for Building Regulations Approval.