Item	No.
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CITY OF WESTMINSTER			
PLANNING	Date	Classification	
APPLICATIONS SUB COMMITTEE	31 July 2018	For General Rele	ase
Report of	Ward(s) involved		
Director of Planning		Regent's Park	
Subject of Report	Parkwood, 22 St Edmund's Terrace, London, NW8 7QQ		
Proposal	Demolition of an existing summerhouse and the erection of extension at third floor level to enlarge Flat 17, the erection of extension at fourth floor level to enlarge Flat 19, and alterations to roof structure at sixth floor level to increase its height and bulk, including a new roof terrace to rear elevation in connection with the reduction in the size of Flat 20 and the enlargement of Flat 21.		
Agent	Oakley Hough Limited		
On behalf of	Parkwood Properties Limited		
Registered Number	18/04743/FULL	Date amended/ completed	6 June 2018
Date Application Received	6 June 2018		
Historic Building Grade	Unlisted		
Conservation Area	N/A		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

This application site comprises a 1980's block of flats ranging between 4 and 7 storeys in height above ground level and located at the corner of St Edmund's Terrace and Titchfield Road. The building is not listed and is not located within a conservation area.

Planning permission is sought for extensions and third floor and fourth floor level as well as an increase in the height and bulk of the roof structure at sixth floor level. A new roof terrace is proposed at sixth floor level.

An identical scheme to that now proposed was granted planning permission in January 2014 (RN: 13/08927/FULL), but it expired in January 2017 without being lawfully implemented. External demolition and construction works in relation to the expired permission have since been carried out without the benefit of planning permission and are currently the subject of investigation by the

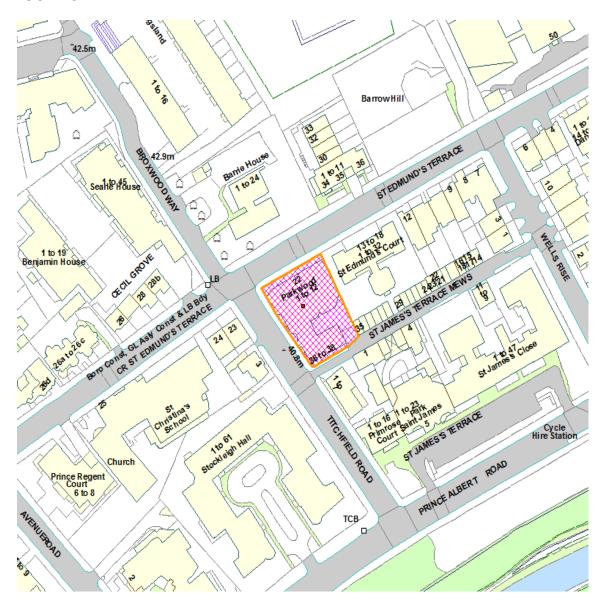
Planning Enforcement Team. The applicants have advised that they incorrectly believed that internal works carried out prior to January 2017 had implemented the 2014 permission.

The key issues in this case are:

- The standard of residential accommodation that would be provided by the extended and reconfigured residential accommodation.
- The impact of the extensions and alterations on the appearance of the building and this part of the City.
- The impact of the proposed development on the amenity of neighbouring residents.

The proposed development is considered to be acceptable in land use, design and amenity terms and would accord with the relevant policies in the Unitary Development Plan adopted in January 2007 ('the UDP') and Westminster's City Plan adopted in November 2016 ('the City Plan'). As such, it is recommended that permission is granted subject to the conditions set out in the draft decision letter appended to this report.

3. LOCATION PLAN



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4. PHOTOGRAPHS



Parkwood, as seen from the junction of St. Edmund's Terrace and Titchfield Road.

5. CONSULTATIONS

LONDON BOROUGH OF CAMDEN:

Any response to be reported verbally.

ST JOHN'S WOOD SOCIETY:

Concerns raised on the following grounds:

- Requested that the case officer ensures that all neighbours impacted by this
 development have been consulted and visits those neighbours who have raised
 relevant planning objections.
- Note that neighbours have commented that the works being carried out in site are
 not the same as what is depicted in the plans for the current application. The
 applicant should meet the neighbours to explain what is intended.
- Works should cease pending the outcome of the current application.
- Share concerns of neighbours regarding the impact the increased bulk of the building may have on their amenity.
- Noise and general disturbance from construction works are being caused to neighbours.
- Dismayed that construction works are continuing despite lack of permission. Shows a disregard for planning process.
- Consider that compliance with the Code of Construction Practice should be required as believe works go well beyond works of refurbishment.
- Want hours of work to be restricted to prevent construction works occurring on Saturday mornings.

CLEASNSING MANAGER

No objection, as the application does not propose any increase in residential unit numbers.

HIGHWAYS PLANNING MANAGER:

No objection. The proposal does not represent an increase in residential units or propose a loss of existing parking.

ENVIRONMENTAL HEALTH:

No objection. Conditions recommended to control the hours of construction works and to ensure the structure of the extensions prevent noise disturbance to future residents from external noise sources. Informatives relating to the carrying out of construction works also recommended.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 273. Total No. of replies: 8. No. of objections: 8. No. in support: 0.

Eight emails received from 7 respondents raising objection on all or some of the following grounds:

Amenity

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- Obstruction of views and loss of privacy for St. Edmunds Court residents.
- Noise pollution from proposed new terrace.
- Increase in height of the building would obstruct southerly view from Barrie House and this will affect the enjoyment of neighbouring properties and their value.

Transportation/ Parking

- Development and creation of more flats in the area is making it impossible to live/ drive/ park in the area.
- People park in the area at weekends to visit Primrose Hill, increasing pressure on on-street parking

Other Matters

- Noisy building works has been taking place on the application site since January 2018 and have started without planning permission.
- Noise and general disturbance from construction works.
- Landlords/ developers appear to be able to do anything they like without planning permission. Media should be aware of this.
- Outrageous that Council has sought opinion on this application in June when works began in January. Question whether the Council is aware of the works commencing.
- Noise disturbance typically occurs between 08.00 and 17.10 hours, including on Saturdays.
- The developer should be required to cease works if they do not have permission.
- A planning application has been submitted to Camden Council for the erection a
 block of flats in the car park to the north of the application site, next to Barrie House.
 If both developments are approved and built concurrently they would cause an
 unacceptable level of and noise and pollution in the area.
- Building is currently an eyesore due to the construction works that are ongoing.
- Occupiers of neighbouring properties have to pay extra to have their windows cleaned as result of dust from the construction work on the application site.
- Question whether the developer can be required to mitigate noise and dust pollution and be made to pay for window cleaning.
- Question why works have continued to date without permission and without the City Council preventing works from continuing.

PRESS ADVERTISEMENT/ SITE NOTICE Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

This application site is known as Parkwood Point. It comprises a residential block of flats located at the junction of St. Edmund's Terrace and Titchfield Road. The building contains 21 residential flats. The building is not listed and is not within a conservation area.

6.2 Recent Relevant History

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13/08927/FULL

Demolition of existing summerhouse and erection of extension at third floor level to enlarge Flats 17, erection of extension at fourth floor level to enlarge Flat 19 and alterations to roof structure at sixth floor level to increase its height and bulk, with roof terrace to rear elevation, in connection with a reduction in the size of Flat 20 and enlargement of Flat 21.

Application Permitted 14 January 2014

Permission expired after 3 years without being lawfully commenced. See copy of decision letter and relevant previously approved drawings for the above application in the background papers.

89/06628/FULL

Alteration during course of construction to 5th floor to increase size of sitting room and reduce terrace area.

Application Permitted 7 June 1990

86/05258/FULL

Demolition of existing nursing home and houses and erection of 21 flats and two houses with associated parking.

Application Permitted 30 June 1987

7. THE PROPOSAL

Planning permission is sought for the demolition of an existing summerhouse and the erection of extension at third floor level to enlarge Flat 17, the erection of an extension at fourth floor level to enlarge Flat 19, and alterations to roof structure at sixth floor level to increase its height and bulk, including a new roof terrace to rear elevation in connection with the reduction in the size of Flat 20 and the enlargement of Flat 21.

An identical proposal was granted planning permission on 14 January 2014 (RN: 13/08927/FULL), but this permission expired on 14 January 2017 without being lawfully implemented. External demolition and construction works were commenced in January 2018, apparently with the intention of carrying out the development granted planning permission dated 14 January 2014. The works were reported to the Planning Enforcement team and the current application, which seeks to regularise the current unauthorised situation is the product of the Planning Enforcement team's investigation. Enforcement action is currently being held in abeyance pending the outcome of the current application.

The applicant has advised during the course of the application that they had incorrectly believed that internal strip out and demolition works to some of the flats carried out in December 2016 had constituted a material operation that was sufficient to implement the January 2014 under Section 55 of the Town and Country Planning Act 1990 (as amended). The applicant has advised that works relating to the flats within the building that the current planning application seeks to extend and alter have ceased since the beginning of June 2018, although internal refurbishment of other flats within the building, remain ongoing.

8. DETAILED CONSIDERATIONS

8.1 Land Use

There are currently 21 flats in Parkwood and the current application does not propose alter the number of units in the building. The proposed extensions would enlarge flats 17, 19 and 21 by 151m2 and the increase in residential floorspace would accord with Policy H3 in the UDP and Policy S14 in the City Plan.

The scheme would alter the size of a number of the units, but all would remain in accordance with the minimum standards set out in Policy 3.5 in the London Plan and the Government's 'Technical Housing Standards'. The proportion of family sized units with 3 or more bedrooms would increase from 62% to 67% and this proportion of family size units would remain compliant with Policy H5 in the UDP and Policy S15 in the City Plan.

8.2 Townscape and Design

The relevant policies for consideration of this case are Policies DES 1, DES 5, and DES 6 in the UDP and Policy S28 of the adopted City Plan 2016.

The application building occupies a prominent corner position at the corner of St. Edmund's Terrace and Titchfield Road. The St. Edmund's Terrace elevation is of a consistent seven storey height with a spire feature on the corner. Along Titchfield Road the building steps down as it extends to the south, reflecting both the gradual slope of the road down towards Regents Park and the lower scale of Titchfield House, the neighbouring building on the east side of Titchfield Road. There are a number of existing roof terraces and other roof features at roof level, including a summerhouse, along the Titchfield Road elevation.

The proposed extensions retain the stepped form of the existing building and are considered to be acceptable in design terms. The existing building has a 'stepped down' form and the proposed extensions at third, fourth and fifth floor levels and associated rood terraces would all retain this stepped form and would remain in scale with the host building. The increase in height and bulk of the building would be relatively minor, having regard to its existing massing and the extensions proposed would not adversely affect its appearance in street views.

At roof level, it is proposed to alter the pitch and height of the existing roof form by increasing the pitch of the roof slopes to increase the size of the sixth floor level contained within the roof space. The ridge line of the roof would be raised by 0.3m. It is also proposed to enlarge and reconfigure the dormer windows. The increase in the pitch of the roof would increase the bulk and prominence of the roof form of the building, but notwithstanding this, the proposed roof form would remain in keeping with the original detailed design of the building and as such, it would not detract from the appearance of the building or this part of the City. The proposed dormer windows, although larger than existing, would maintain the detailed design and proportions of the existing windows in the building and they are therefore acceptable in design terms.

In summary, for the reasons set out in this section, proposed alterations and extensions are acceptable and would accord with Policies DES1, DES5, and DES6 in the UDP and Policy S28 in the City Plan.

8.3 Residential Amenity

The relevant policies for consideration of this case are Policies ENV6 and ENV13 in the UDP and Policies S29 and S32 in the City Plan.

Despite the increases in bulk they would create, the proposed extensions to the stepped southern elevation at third, fourth and fifth floor levels and the enlargement of the sixth floor roof storey would all be sufficiently distant from neighbouring residential windows so as not to cause a material loss of daylight or sunlight.

Objections have been received on grounds that views from neighbouring properties in St. Edmund's Court and Barrie House would be obstructed. However, the impact of development on private views is not a ground on which planning permission can reasonably be withheld. In terms of sense of enclosure, the distance of the additional bulk from neighbouring residential windows, would be sufficient so as not to result in a material increase in enclosure.

The proposed dormer windows on the St. Edmund's Terrace and Titchfield Road elevation overlook the public highway and would not cause a material increase in overlooking to windows in the front elevations of adjacent properties. It is proposed to introduce one additional dormer window in the north eastern side roof slope facing St. Edmund's Court, but this would replace an existing rooflight in the same location. Additionally, the roof form of the application site is higher than the adjacent flat roof of Sf St. Edmund's Court and as such, the additional dormer window would not cause a material increase in overlooking or loss of privacy to the residents of St. Edmund's Court.

The windows and terraces on the south eastern elevations of the proposed extensions between third and sixth floor levels overlook the neighbouring residential properties to the south east of the application site. However, as these proposed windows and terraces are only positioned marginally closer to the neighbouring properties than is currently the case and as such, it is not considered that the proposed arrangement would give rise to a significant increase in overlooking.

For the reasons stated above it is considered that the proposed fenestration would not cause the occupiers of neighbouring and adjoining properties to suffer a material loss of privacy as a result of overlooking.

In terms of noise disturbance, the proposed scheme would not increase the amount of terrace space at third floor level. The scheme would increase the depth of the terrace at fourth floor level, whilst at fifth floor level the existing terrace would be replaced by a new terrace of approximately the same size that would be located slight further to the south east towards Titchfield House. A new terrace would be created at sixth floor level. As noted earlier in this section of the report in respect of overlooking, there is already a significant amount of terrace space at the south eastern end of the application building at

roof level and the proposed scheme would not significantly alter the existing extent of terrace space spread across the third, fourth and fifth floors. Consequently, it is not considered that permission could reasonably be withheld on noise disturbance grounds despite the objections raised on this ground. At sixth floor level the terrace proposed would be at a high level, remote from neighbouring residential windows, where it would not give rise to significant increases in noise disturbance.

In summary the proposed alterations and extensions are acceptable in amenity terms and accord with Policies ENV6 and ENV13 in the UDP and Policy S29 in the City Plan.

8.4 Transportation/ Parking

The proposal does not propose an increase in residential units or a loss of existing parking and as such, the proposals do not raise any car or cycle parking considerations. Therefore, the objection raised on grounds of increased pressure on on-street residents parking cannot be supported as a ground on which to withhold permission.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size.

8.6 Access

No alterations are proposed to the existing access to this private residential building.

8.7 Other UDP/ Westminster Policy Considerations

Environmental Health have suggested a condition to ensure the structure of the proposed extensions would protect future residents from noise disturbance from external noise sources and this condition is included in the draft decision letter.

8.8 London Plan

The application does not raise any 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

The proposed development is of insufficient scale to require an Environmental Impact Assessment.

8.12 Other Issues

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8.12.1 Unauthorised Works

A number of objectors and the St. John's Wood Society have raised concerns that works continued to be carried out to the building during the first half of 2018 despite them being reported to the Planning Enforcement team in February 2018. As a result of the planning enforcement investigation carried out between March and June 2018, the applicant has confirmed that works on the parts of the refurbishment of the building requiring planning permission ceased in early June 2018, pending the outcome of the current planning application. Internal works to other parts of the building in connection with refurbishment of flats that are not being externally altered or extended continuing to be carried out. Planning enforcement action is being held in abeyance at the present time pending the outcome of the current application.

Concerns have been expressed by objectors that the some of the works being carried out at the application site are not the same as the works depicted in the proposed plans forming part of the current application. However, a site visit undertaken by the case officer during the course of the current application did not indicate that the works being carried out deviated from the alterations and extensions shown in the submitted drawings.

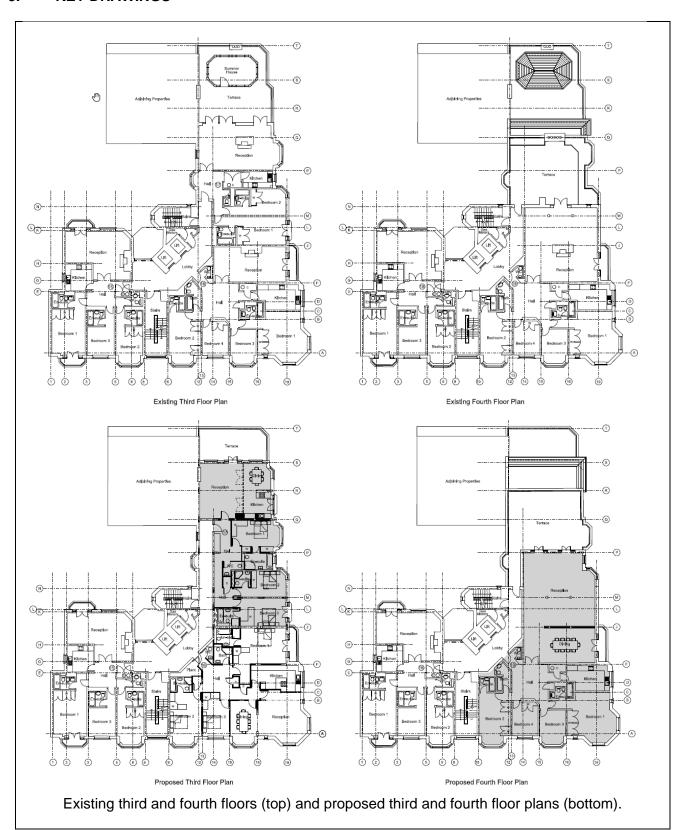
8.12.2 Construction Impact

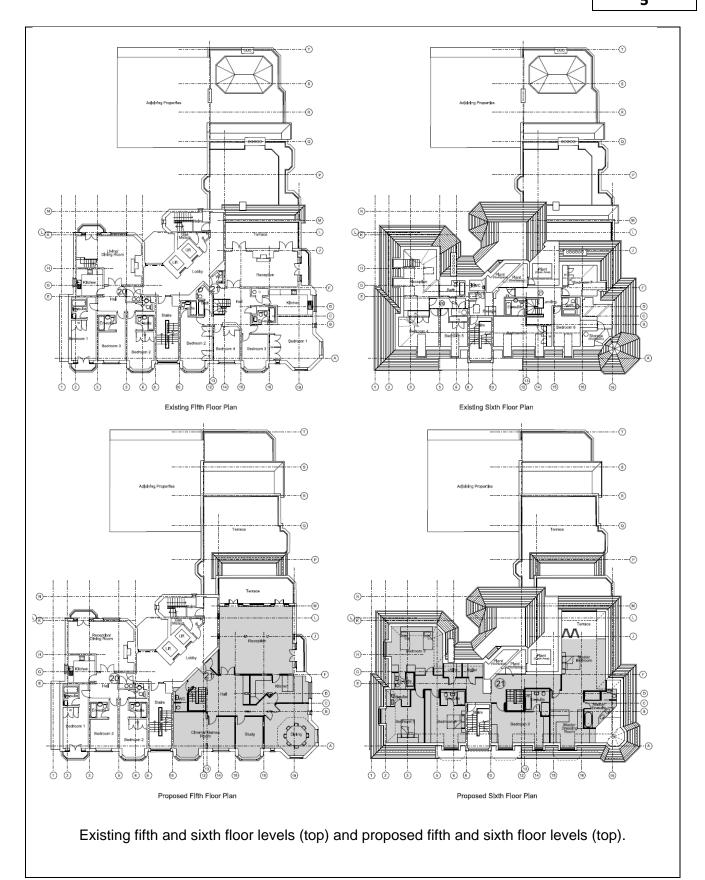
A number of objectors have raised objection on grounds that the construction works carried out to date without the benefit of permission have caused them noise and disturbance. The St. John's Wood Society has requested that the applicant be required to comply with the City Council's Code of Construction Practice (CoCP) in order to protect the amenity of neighbouring residents. Given the limited scale of the proposed development, it would fall within the 'Level 3' band of developments, for which compliance with the CoCP is not normally controlled by planning condition, unless the sensitivity of the local environment warrants taking a more restrictive approach to construction management. In this case, although the concerns expressed as a result of the unauthorised works carried out in the first half of 2018 are noted, it is considered that a condition controlling the hours of construction works to between 08.00 and 18.00 Monday to Friday and between 08.00 and 13.00 on Saturdays, as recommended by Environmental Health, would be sufficient to control the impact of the proposed development. To go further in terms of controlling the hours of works is not considered to be reasonable and risks elongating the overall period of the construction works. Informatives are recommended to encourage the developer to ensure their contractor joins the nationally recognised Considerate Constructors Scheme and to encourage the developer to keep neighbouring residents informed of unavoidable disturbance such as noise, dust and disruption of traffic, resulting from construction works.

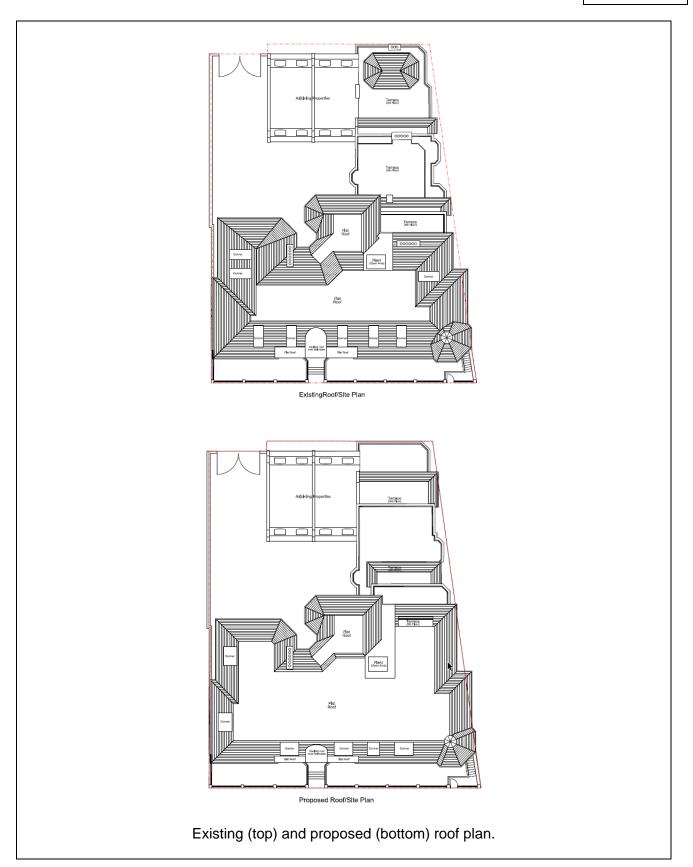
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council's website)

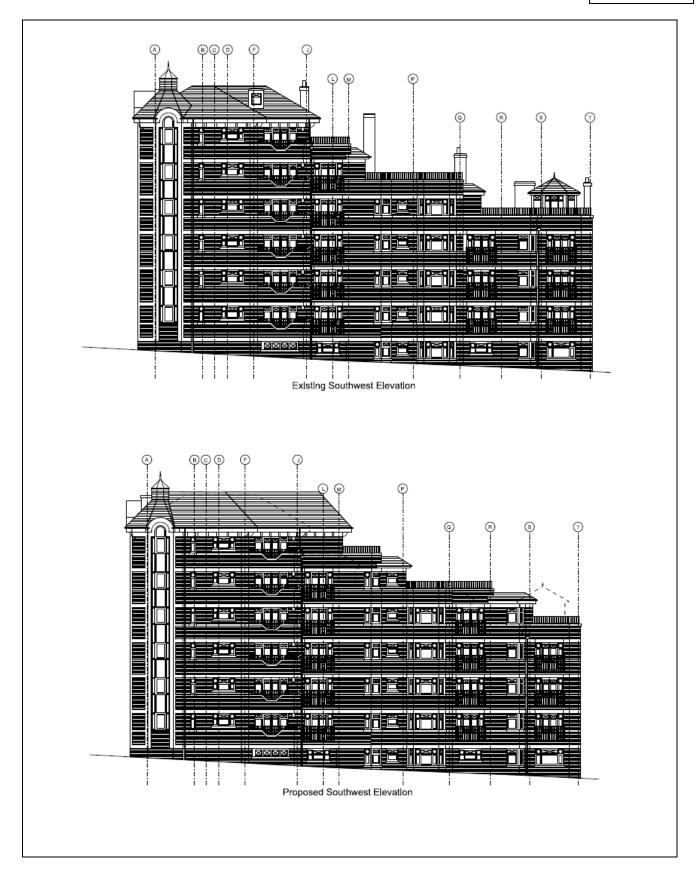
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk

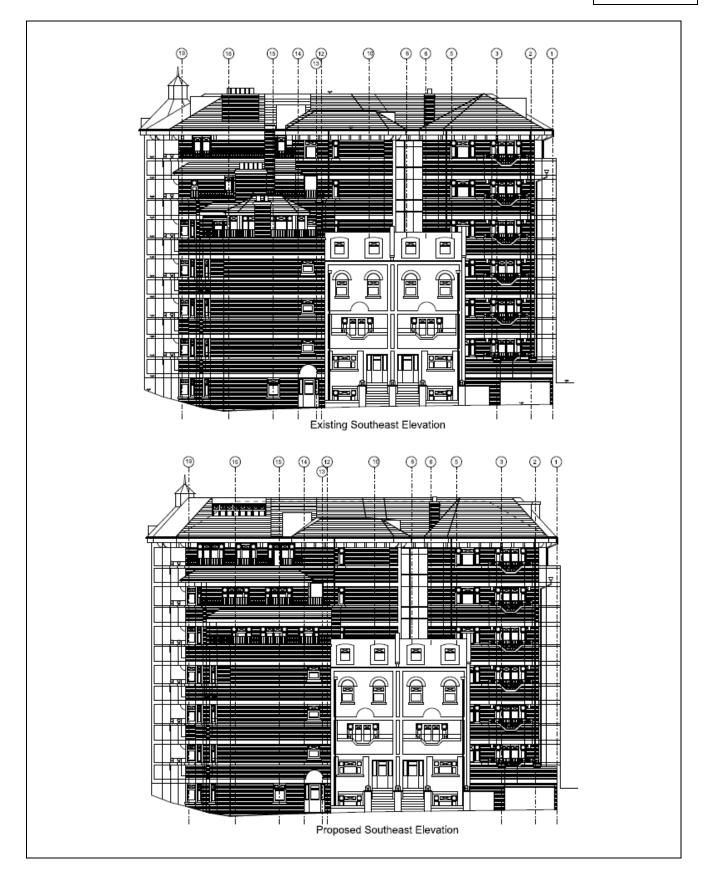
9. KEY DRAWINGS

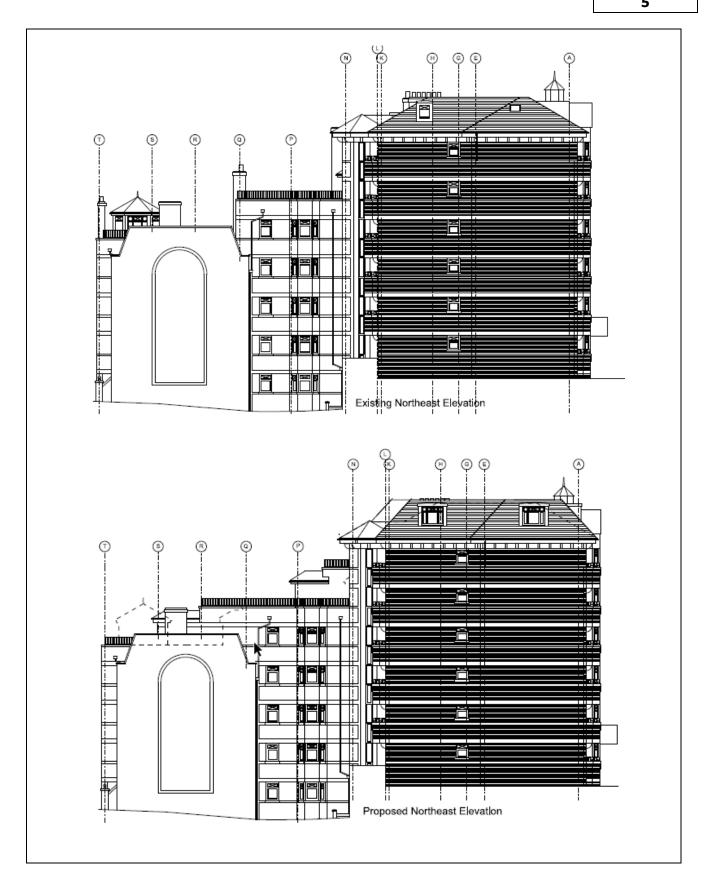












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DRAFT DECISION LETTER

Address: Parkwood , 22 St Edmund's Terrace, London, NW8 7QQ

Proposal: Demolition of an existing summerhouse and the erection of extension at third floor

level to enlarge Flat 17, the erection of extension at fourth floor level to enlarge Flat 19, and alterations to roof structure at sixth floor level to increase its height and bulk, including a new roof terrace to rear elevation in connection with the reduction in the

size of Flat 20 and the enlargement of Flat 21.

Plan Nos: 890/01, 890/02, 890/03, 890/04, 890/05, 890/06, 890/07, 890/11, 890/12, 890/13 A,

890/14 A, 890/15, 890/16, 890/17, Planning Application Statement Parkwood Point 19-22 St. Edmund's Terrace, Schedule of Area, Design and Access Statement

Parkwood Point 19-22 St. Edmund's Terrace.

Case Officer: William Philps Direct Tel. No. 020 7641 3993

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

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 the area. This is as set out in S28 of Westminster's City Plan (November 2016) and DES 1 and DES 5 or DES 6 or both of our Unitary Development Plan that we adopted in January 2007. (R26AD)

The design and structure of the development shall be of such a standard that it will protect residents within it from existing external noise so that they are not exposed to levels indoors of more than 35 dB LAeq 16 hrs daytime and of more than 30 dB LAeq 8 hrs in bedrooms at night.

Reason:

As set out in ENV6 (4) of our Unitary Development Plan that we adopted in January 2007, and the related Policy Application at sections 9.84 to 9.87, in order to ensure that design, structure and acoustic insulation of the development will provide sufficient protection for residents of the development from the intrusion of external noise.

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.
- The construction manager should keep residents and others informed about unavoidable disturbance such as noise, dust and extended working hours, and disruption of traffic. Site neighbours should be given clear information well in advance, preferably in writing, perhaps by issuing regular bulletins about site progress.
- 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, siteenquiries@ccscheme.org.uk or visit www.ccscheme.org.uk.

Under the Construction (Design and Management) Regulations 2007, clients, the CDM Coordinator, designers and contractors must plan, co-ordinate and manage health and safety throughout all stages of a building project. By law, designers must consider the following:

- * Hazards to safety must be avoided if it is reasonably practicable to do so or the risks of the hazard arising be reduced to a safe level if avoidance is not possible;
- * This not only relates to the building project itself but also to all aspects of the use of the completed building: any fixed workplaces (for example offices, shops, factories, schools etc) which are to be constructed must comply, in respect of their design and the materials used, with any requirements of the Workplace (Health, Safety and Welfare) Regulations 1992. At the design stage particular attention must be given to incorporate safe schemes for the methods of cleaning windows and for preventing falls during maintenance such as for any high level plant.

Preparing a health and safety file is an important part of the regulations. This is a record of information for the client or person using the building, and tells them about the risks that have to be managed during future maintenance, repairs or renovation. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/risk/index.htm.

It is now possible for local authorities to prosecute any of the relevant parties with respect to non compliance with the CDM Regulations after the completion of a building project, particularly if such non compliance has resulted in a death or major injury.

- Asbestos is the largest single cause of work-related death. People most at risk are those working in the construction industry who may inadvertently disturb asbestos containing materials (ACM¿s). Where building work is planned it is essential that building owners or occupiers, who have relevant information about the location of ACM¿s, supply this information to the main contractor (or the co-ordinator if a CDM project) prior to work commencing. For more information, visit the Health and Safety Executive website at www.hse.gov.uk/asbestos/regulations.htm (I80AB)
- 6 Every year in the UK, about 70 people are killed and around 4,000 are seriously injured as a result of falling from height. You should carefully consider the following.
 - * Window cleaning where possible, install windows that can be cleaned safely from within the building.
 - * Internal atria design these spaces so that glazing can be safely cleaned and maintained.
 - * Lighting ensure luminaires can be safely accessed for replacement.
 - * Roof plant provide safe access including walkways and roof edge protection where necessary (but these may need further planning permission).

 More guidance can be found on the Health and Safety Executive website at www.hse.gov.uk/falls/index.htm.

Note: Window cleaning cradles and tracking should blend in as much as possible with the appearance of the building when not in use. If you decide to use equipment not shown in your drawings which will affect the appearance of the building, you will need to apply separately for planning permission. (I80CB)

When carrying out building work you must do all you can to reduce noise emission and take suitable steps to prevent nuisance from dust and smoke. Please speak to our Environmental Health Service to make sure that you meet all requirements before you draw up the contracts for demolition and building work.

Your main contractor should also speak to our Environmental Health Service before starting work. They can do this formally by applying to the following address for consent to work on construction sites under Section 61 of the Control of Pollution Act 1974.

24 Hour Noise Team
Environmental Health Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Phone: 020 7641 2000

Our Environmental Health Service may change the hours of working we have set out in this permission if your work is particularly noisy. Deliveries to and from the site should not take place outside the permitted hours unless you have our written approval. (I50AA)

Your proposals include demolition works. If the estimated cost of the whole project exceeds £300,000 (excluding VAT), the Site Waste Management Plan (SWMP) Regulations 2008 require you to prepare an SWMP before works begin, to keep the Plan at the site for inspection, and to retain the Plan for two years afterwards. One of the duties set out in the Regulations is that the developer or principal contractor "must ensure, so far as is reasonably practicable, that waste produced during construction is re-used, recycled or recovered" (para 4 of the Schedule to the Regulations). Failure to comply with this duty is an offence. Even if the estimated cost of the project is less than £300,000, the City Council strongly encourages you to re-use, recycle or recover as much as possible of the construction waste, to minimise the environmental damage caused by the works. The Regulations can be viewed at www.opsi.gov.uk.

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.