

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 16 October 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Bayswater	
Subject of Report	103 Westbourne Grove, London, W2 4UW		
Proposal	Erection of roof extension at first floor level to provide a flat and associated alterations to provide pedestrian access from Monmouth Road.		
Agent	Mr Rikesh Mistry		
On behalf of	Mr P Santos		
Registered Number	17/09582/FULL	Date amended/ completed	23 August 2018
Date Application Received	27 October 2017		
Historic Building Grade	Unlisted		
Conservation Area	Westbourne/Bayswater		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Planning permission is sought for the erection of first floor roof extension to provide a 2 bedroom flat and associated alterations to provide access from Monmouth Road.

During the course of the application the proposal was revised to reduce the size of the stairway structure on the northern side.

Objections have been raised from four surrounding residential owners/occupiers on grounds of land use, amenity, design and the access.

The key issues in this case are:

- The impact of the proposed extension on the character, appearance and setting of the adjacent listed buildings and the character and appearance of the Westbourne and Bayswater Conservation Areas.
- The impact of the proposed extension on the amenity of neighbouring residents.

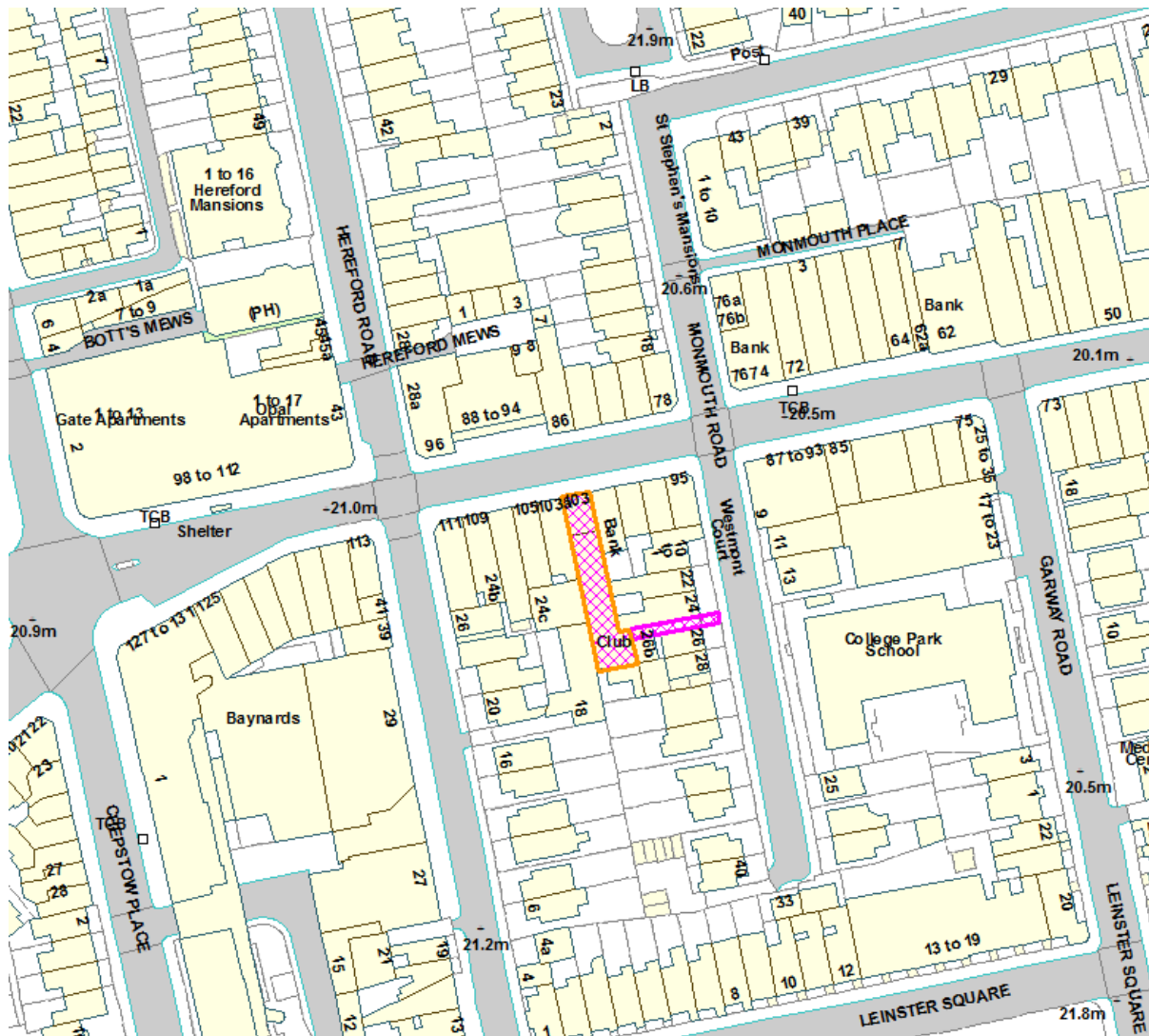
Subject to the recommended conditions, the proposal is considered to comply with the Council's

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policies in relation to design and amenity as set out in Westminster's City Plan and the Unitary Development Plan (UDP) and is accordingly recommended for approval.
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3. LOCATION PLAN



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4. PHOTOGRAPHS

4 Dec 2017 at 09:13:48



No. 103
Westbourne Grove

**View looking towards No. 26 and No. 28
Monmouth Road**

4 Dec 2017 at 09:15:51

View looking towards 103 Westbourne Grove



5. CONSULTATIONS

ORIGINAL CONSULTATION (sent out 02 November 2017):

BAYSWATER RESIDENTS ASSOCIATION:

Any response to be reported verbally.

HIGHWAYS PLANNING:

No objection, subject to condition to secure cycle parking.

WASTE PROJECT OFFICER:

No objection, subject to condition to secure details of waste and recyclables.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 92; Total No. of replies: 4

Four letters/comments received raising objection on all or some of the following grounds:

Land Use

- Accommodation provided does not meet the Mayors guidance in terms of external amenity space

Design

- Design quality is poor
- Angled roofs form an unwelcome 'shouty' and brash intervention into the roofscape

Amenity

- Impact on outlook and sense of enclosure to the first floor at 26 Monmouth Road, 28 Monmouth Road and 28d Monmouth Road
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Other

- Previous approved scheme should not establish precedent
- Proposal does not meet Westminster's policy on Sustainability
- Queries in regards to the new access and how security, lighting, emergency exits, refuse collection and postal service will be dealt with
- Proposal does not create an accessible WC as required by Building Regulations

PRESS ADVERTISEMENT / SITE NOTICE: Yes

CONSULTATION ON REVISED PROPOSAL; the proposed stairway structure on the northern elevation was reduced in size and projection (sent out 23rd August 2018):

BAYSWATER RESIDENTS ASSOCIATION:

Any response to be reported verbally.

HIGHWAYS PLANNING:

See original comments.

WASTE PROJECT OFFICER:

See original comments.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 92; Total No. of replies: 1

One letter/comment received raising objection on all of the following grounds:

Design

- Design quality is poor

Amenity

- Impact on outlook and sense of enclosure to the first floor at 26 Monmouth Road, 28 Monmouth Road and 28d Monmouth Road

PRESS ADVERTISEMENT / SITE NOTICE: Yes

6. BACKGROUND INFORMATION**6.1 The Application Site**

No. 103 Westbourne Grove is a four storey plus basement terraced building located on Westbourne Grove. The ground floor is occupied by Byron Burger, the upper floors are in use as three residential flats accessed independently by a door and staircase from Westbourne Grove. The ground floor footprint of the building extends back by 40m parallel with the residential properties in Monmouth Road and turns towards Monmouth Road creating a 'L' shape. Whilst the front part of the property comprises basement, ground and upper floors, at the rear the property is just single storey at ground floor level with a flat roof and five projecting roof lights which have been blocked off therefore being made redundant.

The site lies within the designated Queensway/Bayswater Stress Area and is located within both the Bayswater and Westbourne Conservation Areas due to the unusual form of the site. The building is not listed however does adjoin Grade II listed building at No. 26 and 28 Monmouth Road to the rear.

103 Westbourne Grove has an existing Freehold right of way to Monmouth Road via an alley between No. 24 and No. 26 Monmouth Road and is used as a fire escape by Byron Burger.

6.2 Recent Relevant History

Planning permission was granted by the Planning Applications Committee on 29 October 2013 (RN: 13/07507/FULL) for the construction of a first floor rear extension to provide a one bedroom residential unit with external terrace and associated alterations to the ground floor of the existing building to provide access to the new extension from

Westbourne Grove and fire escape access from Monmouth Road via a replacement rooflight.

No.103 Westbourne Grove has a right of way to Monmouth Road via an alley way between 24 and 26 Monmouth Road and is currently used as a fire escape by Byron Burgers.

7. THE PROPOSAL

Planning permission is sought for the construction of a first floor rear extension over the existing ground floor 'L shaped' footprint, to provide a 2 bedroom residential unit, together with alterations to provide pedestrian access from Monmouth Road.

The application has been amended during the course of the application to reduce the projection and overall bulk to the stairway structure. The current proposal differs from the previous permitted scheme in that it include pedestrian access via Monmouth Road rather than via the communal staircase at 103 Westbourne Grove. Furthermore, the current proposal includes a staircase access structure at first floor level. The proposed structure is slightly lower in height and of a more modern design than originally submitted. The unit proposed will be a 2 bedroom unit rather than a 1 bedroom residential flat.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The principle of creating additional residential floorspace is considered to be acceptable in land use terms in accordance with Policy H3 of Westminster's UDP, subject to meeting other relevant policies.

The proposed two bedroom self-contained flat would have a floor area of 134m² and would be accessed via an alleyway from Monmouth Road which is already used by Byron Burgers restaurant as an emergency exit. The layout of the proposed flat comprises a bathroom, utility and bin storage at ground floor level, a bedroom/study located on the mezzanine level and open plan living, dining and kitchen area with two bedrooms (both have en-suite shower rooms) and further WC and an enclosed external terrace (5m²). The flat would be served by a variety of windows, some proposed with opaque glazing and some with timber slatted screening in order to protect the privacy of existing residents. The use of lightwells and several rooflights will also provide daylight to the bedroom and the living area. As such, the proposed flat is considered to provide an acceptable standard of accommodation for future occupiers, in accordance with the requirements of Policy ENV13 in the UDP and Policy S29 in Westminster's City Plan.

8.2 Townscape and Design

The extension would be visible in a view between buildings from street level on Monmouth Road, and from a number of rear elevation windows of properties in the surrounding urban block. It is recognised that in these views the impression would be of a relatively large new addition, and one designed in a modern style. Nonetheless, for

the reasons set out below, the proposals are considered acceptable in design terms in the particular circumstances of this case.

The site spans across the boundary of the Bayswater and Westbourne Conservation Areas, and the extension is proposed on the southern flat roof area at the rear of the site which is principally located within the Bayswater Conservation Area. In addition, there are listed buildings on the west side of Monmouth Road in proximity to the site, including no. 26 Monmouth Road which is sited to the immediate east side of the rear flat roof area to the application building. As such, the extension would be in close proximity to the listed buildings of nos. 26 and also 28 Monmouth Road. The site therefore is sensitive in heritage terms.

Though recognising the quite striking modern form of the extension proposed, this is not dissimilar from the approach taken in the scheme previously approved on 29.10.2013 under application 13/07507/FULL which saw the scheme clad in zinc cladding, with areas of translucent glazing, sections of slatted timber and photovoltaic panels. The current scheme takes a similar approach to cladding and though quite strikingly modern, the principal material is zinc which will give a grey finish which will help tone down the overall appearance to a certain degree. The design has been simplified through the application process, and is now in a more standard 'mansard' form in the sense that it incorporates a principal pitch and a secondary pitch, with flat roof above. Though a clearly modern structure diverging from the traditional approach taken in most of the surrounding street facing buildings, it is sited on a more modern backlands commercial unit structure, flanked by a further modern structure to the east, with the existing flat roof cluttered by quite striking projecting rooflight features, and with the rear elements of the modern Gap House adjacent to the south. Seen in its own right, the extension is considered of sound design. In the very particular circumstances of this case and its surroundings, the extension is considered acceptable in design terms and not to harm this or the adjoining conservation area.

It is recognised that the extension does step closer to the rear elevations of the listed buildings on Monmouth Road, however the proposals have been amended during the course of the application and they now show a relatively shallow sloping roof beginning 4.5m away from the rear elevation of the closest listed building at no. 26 Monmouth Road, with the main height of the extension at its central ridge some 13.2m away. The extension represents relatively prominent bulk in some proximity to the listed buildings on Monmouth Road, however overall it is not considered that it harms its setting.

Overall, and mindful of the previous approval, this application proposal is considered in line with City Council policies and guidance in terms of design, conservation and listed building issues. The recommendation is also considered in line with the statutory duties in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act of 1990 which set out that the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and also that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of a conservation area, whilst recognising that considerable importance and weight should be given to these duties.

8.3 Residential Amenity

The proposed extension is, due to its location, surrounded on all sides by residential flats and houses. The proposal therefore has the potential to significantly impact on the amenities of these occupiers. Consequently, neighbours have raised objection to the proposal on amenity grounds. Whilst the proposed extension is not considered to be particularly neighbourly, the applicant has sought to minimise the potential impact on neighbouring residential occupiers through amending the design and the use of the materials in the proposed development.

No. 103 Westbourne Grove

The proposed flank of the first floor extension would be around 3m at its highest point above the existing flat roof and located 6m from the existing rear building line of the main property (103 Westbourne Grove) and the windows of an existing flat at first floor level. This is an increase of 1m in distance from the previous consented scheme. One of the windows within the first floor flat serves a bathroom and the other does not directly face the proposed extension. No windows are proposed within this elevation, however a door is proposed for means of emergency escape. Given the above, it is not considered that the extension would result in any significant loss of amenity to the occupier of that flat. Whilst the occupiers of other flats within 103 Westbourne Grove would look down upon the proposed extension, this in itself is not considered to be harmful to the amenity of the occupiers of these flats.

No. 18 Hereford Road

This neighbouring property is a contemporary single family dwellinghouse which backs onto the application site. The roof of this house extends above the height of the existing parapet wall between the two sites and has in its elevation three vertical slot windows which serve a corridor. The proposal would be of a similar height and would angle into the site resulting in a small distance between the properties which would affect two of the horizontal windows. Whilst this is an un-neighbourly relationship, the windows within No. 18 Hereford Road are also very un-neighbourly, given this, it is not considered that permission could be reasonably withheld on the basis of the impact on these windows.

Nos. 22-24 Monmouth Road and Westmont Court

These residential properties are in use as flats and back onto the application site. The proposed extension would face the rear of these properties and would be located between 8m and 10 m from their rear elevations. The proposed extension would be 3m at its highest point in height. Given this distance, it is not considered that the proposal would result in any significant adverse impact on the windows serving the flats by an increased sense of enclosure or loss of daylight.

In terms of privacy, the two bedrooms in the proposed extension facing these properties will have small lightwells funnelling light in along with rooflights therefore raising no loss of privacy for the residential properties. The proposed terrace would be enclosed with a timber slatted screen to prevent overlooking to neighbouring windows. Subject to the details of this timber slatted screen being secured via condition, it is not considered that the proposal would detrimentally impact on the occupiers of these neighbouring properties in terms of loss of privacy. Given the limited size of the proposed roof terrace it is not considered to cause concerns in terms of noise disturbance.

No. 26 Monmouth Road

This property is currently occupied as flats and the windows within the rear elevation face the proposed extension. The proposal will be set away from the rear elevation by 3.2m, which has been amended during the course of the application from 2.5m and due to the modern roof design has a height of 2.5m. There will be no openings in this elevation, apart from a rooflight to serve the hallway. It is acknowledged that the proposed extension would create additional built form and would change the outlook from neighbouring properties, however the occupiers have not raised an objection and it is considered that a refusal on these grounds cannot be justified.

No. 28 Monmouth Road

The closest part of the proposed extension would lie over 7m away from this property at a height of 3m at the highest point and whilst the extension would be visible from the rear facing upper floor windows of this neighbouring property (there is a window proposed on the flank wall) this would result in obscured views of this property.

The residents of this property have raised objection to the proposed development on grounds that the extension due to its massing and bulk would result in an increased sense of enclosure and loss of outlook from their property and that of their neighbours. Whilst it is acknowledged that the proposed extension would create additional built form and would change the outlook from neighbouring properties, however, in the absence of any significant harm to the amenities of neighbouring properties it is not considered that this objection is sustainable.

No. 28d Monmouth Road

This property is a contemporary house with projecting extensions to the rear which incorporate what previously was the garden of No. 28 Monmouth Road. The proposed extension will have one window within this elevation that would face the rear extension of this neighbouring property. Due to the location and angle of this window in relationship to this property, the proposed extension is not considered to result in any significant harm to the amenities of the occupiers of this dwellinghouse.

In conclusion, the proposed extension whilst not particularly neighbourly is not considered to result in any significant loss of amenity to neighbouring residents, so as to justify withholding permission on amenity grounds under policy ENV13 of the UDP and policy S29 of Westminster's City Plan. However, this is subject to the imposition of conditions to prevent any flat roof areas being used for sitting out and to require details of the slatted timber screen to be agreed and subsequently installed and maintained.

8.4 Transportation/Parking

Whilst the creation of an additional residential unit without the provision for off street parking is likely to add to the demand for on-street parking in the vicinity, the City Council's Highways Planning Manager has indicated that there is sufficient capacity on-street. As such, the proposal is considered to be in accordance with Policy TRANS23 in the UDP. Details of secure cycle storage and waste and recycling are to be secured by condition.

8.5 Economic Considerations

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

8.6 Access

Pedestrian access is proposed by alleyway via Monmouth Road which Byron Burgers uses as an emergency exit.

Objections have been received on matters relating to the proposed access from Monmouth Road and how security, lighting, emergency exits, refuse collection and postal service will be dealt with. The proposed access will generate more activity than currently however due to the size of the residential unit, it is not considered that this increase in activity could be grounds on which permission could be withheld on.

8.7 Other UDP/Westminster Policy Considerations

The proposed development would provide solar panels to the roof of the proposed first floor extension. These sustainability improvements are welcomed and a condition is recommended to ensure that these elements of the scheme are delivered in accordance with policy S28 in Westminster's City Plan.

8.8 Neighbourhood Plans

Not applicable.

8.9 London Plan

This application raises no strategic issues.

8.10 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 (July 2018) unless stated otherwise.

8.11 Planning Obligations

The proposed development does not generate a requirement for any planning obligations and is not CIL liable.

8.12 Environmental Impact Assessment

An Environmental Impact Assessment is not required for a development of this scale.

8.13 Other Issues

Objections have been raised in terms of the proposed residential unit not meeting Building Regulations due to not having an accessible WC. This is not considered to be a planning related matter and not a ground on which permission could be withheld on.

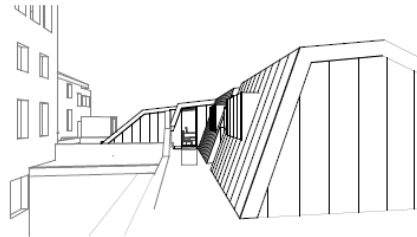
(Please note: All the application drawings and other relevant documents and Background

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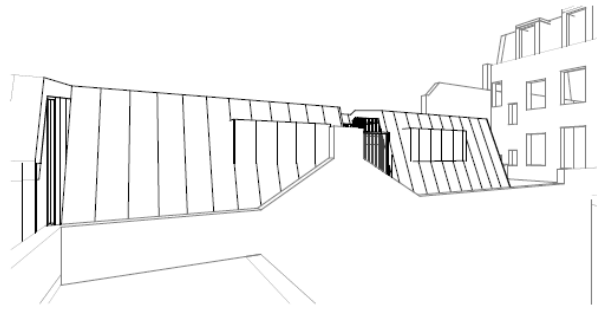
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Papers are available to view on the Council's website)

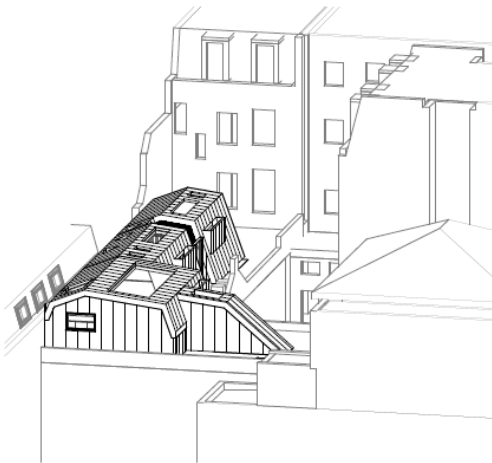
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: SARAH WHITNALL BY EMAIL AT NORTHPLANNINGTEAM@WESTMINSTER.GOV.UK
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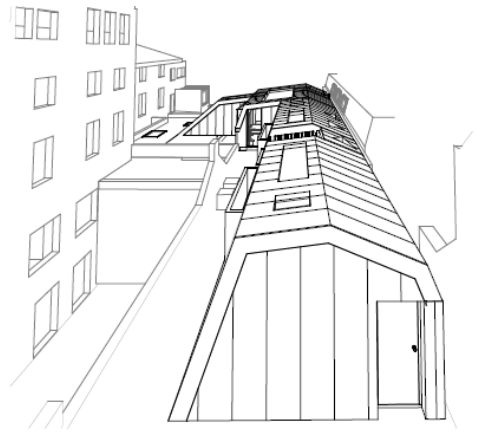
① View from first floor 103 Westbourne Grove



② View from first floor 24 Monmouth Road



③ Aerial from south



④ View from third floor 103 Westbourne Grove

DRAFT DECISION LETTER

Address: 103 Westbourne Grove, London, W2 4UW

Proposal: Erection of single storey 'roof' extension at first floor level to provide a flat and associated alterations to provide access from Monmouth Road.

Reference: 17/09582/FULL

Plan Nos: Site Location Plan, 4941_2_13 Rev A, 4941_2_12 Rev A, 4941_2_11 Rev A, 4941_2_10 Rev A, 4941_3_34 Rev C, 4941_3_32 Rev B, 4941_3_30 Rev C, 4941_3_31 Rev B, 4941_3_33 Rev B and 4941_3_35 Rev B.

Case Officer: Frederica Cooney

Direct Tel. No. 020 7641 7802

Recommended Condition(s) and Reason(s)

- 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 Bayswater 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 You must apply to us for approval of samples of the facing materials you will use, including glazing, and elevations and roof plans annotated to show where the materials are to be located. 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. (C26BC)

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 Bayswater 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 not use the roof of the building for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21AA)

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21AC)

- 6 You must not use the door in the west elevation of the first floor extension facing 103 Westbourne Grove, as shown on drawing 4941_3_31 Rev B. However, you may use the door and rooflight to escape in an emergency or for building maintenance purposes.

Reason:

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)

- 7 You must apply to us for approval of details of the timber slatted screen and a sample of the timber (at least 300mm square) to be used for the timber slatted screen annotated on the approved drawings. You must not start work on the relevant part of the development until we have approved the sample. You must then install the timber slatted screen in accordance with the details and sample we have approved, prior to the occupation of the flat, and it must be maintained as such thereafter and must not be changed without our permission.

Reason:

To protect the privacy and environment of people in neighbouring properties, as set out in S29 of Westminster's City Plan (November 2016) and ENV 13 of our Unitary Development Plan that we adopted

in January 2007. (R21AC)

- 8 You must provide the following environmental sustainability features (environmentally friendly features) before you start to use any part of the development, as set out in your application., , - Solar panels., , You must not remove any of these features.

Reason:

To make sure that the development provides the environmental sustainability features included in your application as set out in S28 or S40, or both, of Westminster's City Plan (November 2016). (R44AC)

- 9 You must apply to us for approval of details of how waste is going to be stored on the site and how materials for recycling will be stored separately. You must not start work on the relevant part of the development until we have approved what you have sent us. You must then provide the stores for waste and materials for recycling according to these details, clearly mark the stores and make them available at all times to everyone using the residential unit. (C14EC)

Reason:

To protect the environment and provide suitable storage for waste as set out in S44 of Westminster's City Plan (November 2016) and ENV 12 of our Unitary Development Plan that we adopted in January 2007. (R14BD)

- 10 You must apply to us for approval of details of secure cycle storage for the residential use. You must not start any work on this part of the development until we have approved what you have sent us. You must then provide the cycle storage in line with the approved details prior to occupation. You must not use the cycle storage for any other purpose.

Reason:

To provide cycle parking spaces for people using the development as set out in Policy 6.9 (Table 6.3) of the London Plan 2016 (R22FA)

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.

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.

BACKGROUND PAPERS - 103 Westbourne Grove, London, W2 4UW 17/09582/FULL

1. Application form
2. Highways Planning Officer memo dated 13 November 2017
3. Waste Project Officer memo dated 17 November 2017
4. Letter from owner of basement flat, 26 Monmouth Road, dated 10 November 2017
5. Letter from Gerald Eve, on behalf of Byron Burger at 103 Westbourne Grove, dated 16 November 2017
6. Two letters from occupier of 28 Monmouth Rd, London, dated 7 January 2018 and 3 October 2018
7. Letter from owner of 28d Monmouth Road, London, dated 4 January 2018