

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 18 th June 2019	Classification For General Release	
Report of Director of Place Shaping and Town Planning		Ward(s) involved Harrow Road	
Subject of Report	Basement Flat , 55 Portnall Road, London, W9 3BA		
Proposal	Erection of a single storey rear and side infill extension at lower ground floor level. Alterations to the front garden and lightwell including new planter.		
Agent	Mr Dressler		
On behalf of	Mr Edelstein		
Registered Number	19/01686/FULL	Date amended/ completed	5 March 2019
Date Application Received	5 March 2019		
Historic Building Grade	Unlisted		
Conservation Area	Outside of conservation area.		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

55 Portnall Road is an unlisted mid-terrace three storey building subdivided into three flats. This application relates to the flat at basement / lower ground floor level. The building is outside of a conservation area.

Permission is sought for works involving rear extensions and alterations to the building, namely a single storey extension from the closet wing and a single storey extension infilling to the side of the closet wing. Alterations are also proposed to the front including a new planter.

Objections have been received from neighbours on a number of grounds including the design of the extension, land use, amenity impacts and concerns in relation to construction and maintenance.

The key considerations are:

- Impact of the proposal on the character and appearance of the building and townscape; and
- Impact of the proposal on the amenities of neighbouring properties.

Subject to the conditions as set out on the draft decision letter at the end of this report, the proposal is considered acceptable and satisfies the relevant planning policies in our Unitary Development Plan and City Plan. Accordingly, it is recommended that permission is granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Front elevation of nos. 57 (left), 55 (centre) and 53 (right) Portnall Road.



Rear elevation of nos. 53 (left), 55 (centre) and 57 (right) Portnall Road.



View north from the rear garden of 55 Portnall Road.



View south from the rear garden of 55 Portnall Road.



Existing bin store and front lightwell area of 55 Portnall Road.



5. CONSULTATIONS

FIRST CONSULTATION

MAIDA HILL NEIGHBOURHOOD FORUM

Any response to be reported verbally.

NORTH PADDINGTON SOCIETY

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. consulted: 35

No. of objections: 9 (from 5 different addresses) on the following grounds:

LAND USE

- The cumulative impact of the provision of more bedrooms will pressurise local infrastructure.

DESIGN

- Scale and style not in keeping with the building's character and neighbouring properties.
- Interrupts views down the gardens of the side of the street.
- Loss of over half of rear garden land.

AMENITY

- Loss of daylight to 53A and 57A Portnall Road.
- Increased enclosure and loss of outlook from kitchen diner at 53A Portnall Road.
- Light pollution - requests the use of integrated blinds.
- The glazed roof may reflect light and heat into upstairs flat.

CONSTRUCTION

- Construction work nearby has displaced rats threatening resident's health and their electrics.
- Construction will generate noise disturbance to residents and wildlife.
- Request that builders hose down site to reduce dust.
- Demolition of internal fireplaces could harm the structure of the party walls and create further subsidence.
- Request no building after 16:30 on weekdays and none at weekends.

OTHER

- Errors in drawings - waste water pipes and roofs are not shown correctly.
- Lack of details of how the existing boundary walls will be retained.
- Comments in relation to future maintenance of the extension and that maintenance would not be possible without access to gardens nos. 53 and 57.
- Increasing the likelihood of the flat above being burgled.
- The cumulative impact of the provision of more bedrooms will pressurise local infrastructure.
- Increased surface water run-off due to extension and loss of soft landscaping and increased flooding.

- Loss of garden would be detrimental to local wildlife.
- Structural concerns.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

RESPONSES TO RECONSULTATION:

The following changes were consulted on:

1. Inaccuracies on drawings rectified.
2. The front lightwell area has been redesigned

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. consulted: 35

No. of objections: 3 (from 2 different addresses) on the following grounds:

DESIGN

- The extension will look 'ugly'.
- Loss of green space.

AMENITY

- Light pollution - requests the use of integrated blinds.
- The glazed roof may reflect light and heat into upstairs flat.

OTHER

- Waste water pipes and roofs are not shown correctly.
- The annotations on the proposed lower ground floor plan and proposed section do not match.
- Insufficient information with respect to green roof.
- The applicant has not discussed the shared bin store with neighbours.
- Increasing the likelihood of the flat above being burgled.
- Concern about water pressure and increased demand on sewer.
- Query in relation to Solar Panels and green roof.

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

The application site is the basement level flat in a mid-terrace building that is formed of three storeys. The building dates from 1880s is unlisted and is located outside of a conservation area. The building is faced in London stock bricks and has a painted stucco bay to the front.

6.2 Recent Relevant History18/09874/FULL

Erection of single storey rear extension at lower ground floor flat rear extension and installation of solar panels on the new flat roof.

Application Withdrawn

28 January 2019

7. THE PROPOSAL

Planning permission is sought for a single storey brick extension from the rear closet wing, which will feature a green roof and a glazed side infill extension. Permission is also sought for alterations to the front lightwell area, these include formation of an area to store bins and a new planter bed.

8. DETAILED CONSIDERATIONS

8.1 Land Use

An objection has been received that the cumulative increase in floor space and increase in provision of bedrooms within properties' in the area will pressurise local infrastructure. As the proposals relate to an existing flat and no additional units are proposed, it is not considered that this objection can be sustained. The proposed 16sqm increase of residential floor space is in accordance with City Plan policy S14 and Unitary Development Plan (UDP) policy H3.

8.2 Townscape and Design

Extensions

The majority of the properties on the eastern side of Portnall Road still retain their original layout and footprint, however No. 59 Portnall Road to the north has a two-storey brick closet wing extension that appears to have been in place for some time and no. 45 Portnall Road to the south had permission granted under application referenced 17/07392/FULL on 27th October 2017 for a closet wing extension and side infill extension which projects approximately 3.4m from the original closet wing.

The rear extension proposed projects 3m from the closet wing into the garden adjacent the boundary with no. 57 Portnall Road. The extension is to be brick built but contains a set of folding glazed doors in its rearward facing elevation. The side infill extension is to be set back slightly from the rear brick extension adjacent with the boundary to No. 53 Portnall Road and formed from glazing with powder coated aluminium frames in dark grey.

It has been raised in objections from neighbours that the extensions result in an unacceptable loss of the rear garden. The existing rear garden measures approximately 48sqm, and that the retained rear garden would measure approximately 25sqm plus an additional 2sqm with the formation of the internal lightwell. UDP policy DES 5 Part B2 states permission may be refused when extensions occupy an "excessive part of the garden". The amount of rear garden retained is considered acceptable, providing adequate space for the enjoyment of the flat and will not retaining an acceptable amount in townscape terms, which is considered to be in accordance with this policy.

Objections have also been received in relation to the design and scale of the proposed rear extensions. While these objections are noted officers consider that the lightweight infill extension with a glazed roof and fully glazed rearward facing elevation, allows for a clear distinction between the adjacent brick rear closet wing extension which sits in line

with the original brick closet wing. The infill extensions lightweight character gives recognition to the side return that was originally designed to be kept open as garden. For these reasons it is therefore considered that the design approach is in keeping with the character and appearance of the host building and considered acceptable.

In order to help protect the character of the area, conditions are recommended to ensure that the bricks used match those of the existing building. A condition is also recommended to ensure the provision of the green roof, to help mitigate the loss of the small amount of garden.

It was raised in an objection that as the extensions project beyond the original rear line of the building by 3m, they would interrupt views up and down the gardens over the low rear garden walls found in the area. As these local views are not protected, refusal on these grounds could not be sustained.

Front Lightwell Alterations

The front lightwell area as existing is fully hard landscaped and includes a concrete bin store. It is proposed that a new planter is formed and an area is created behind the front boundary wall for the storage of bins. At the bottom of the steps in the lightwell there is to be a bench. This simple arrangement is not considered contentious in design terms.

Conclusion

Given the above, the application is considered to be compliant with relevant design policies of S25 of the City Plan and DES 1 and DES 5 of our UDP.

8.3 Residential Amenity

Development proposals are assessed against policies ENV13 of the UDP and S29 of the City Plan, which seek to protect the environment and amenity of adjacent occupiers. Objections have been received from adjacent occupiers in relation to the impact of the development in terms of loss of light, increased sense of enclosure and loss of outlook.

Due to the orientation of the site, the main impact in terms of daylight and sunlight will be on the property to the north, 57 Portnall Road, which has a lower ground floor window looking out onto the rear garden in the end of the closet wing. This window will also be impacted in terms of sense of enclosure. The existing party wall which runs down between the properties is approximately 1.2m high. The proposed extension is to be set within the site and is to be 2.4m in height and extends 3m further into the garden from the closet wing, therefore increasing the bulk along the boundary by approximately 1.2m. The affected window has obscure glazing and therefore the impact in terms of sense of enclosure is considered to be limited as the outlook is already impaired by the type of glazing. There is likely to be some impact in terms of light, however as the extension is only a single storey and the location of the window set away from the boundary, it is not considered that the impact would be so significant as to justify a reason for refusal.

The neighbour to the south, No 53, will also be affected, with the most affected window being a kitchen diner which looks down the side return along the boundary with No 55. There is also a glazed door which faces onto the boundary, providing access to the garden. While there are some inaccuracies on the drawings in relation to the existing boundary wall between these properties, officers have visited the site, and the neighbouring property to assess the impact. The drawings are annotated that the

boundary wall is not to be altered, with the extension set on the applicant's land. The new extension is approximately 0.7m higher than the existing boundary, is set away from the main rear elevation by 1.1m and projects 7m down the boundary (shared with No 53). Occupiers of No 53 are unlikely to experience a significant increased loss of light, or increased sense of enclosure given the height of the existing boundary wall, the single storey nature of the extension, and given the existing bulk of the closet wing on the application site.

It is not considered that the proposed extension would result in a significant increase in terms of overlooking, given that its main aspect will be out onto its own garden, and will be more overlooked by existing windows above than result in additional overlooking.

The proposals are therefore considered to be acceptable in amenity terms.

8.4 Transportation/Parking

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

8.5 Economic Considerations

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

8.6 Access

No change to access is proposed.

8.7 Other UDP/Westminster Policy Considerations

None.

8.8 Westminster City Plan

The City Council is currently working on a complete review of its City Plan. Informal consultation on the first draft of Westminster's City Plan 2019-2040 took place between Monday 12 November 2018 and Friday 21 December 2018. Following this informal consultation, any representations received are being considered and the draft plan will be revised in advance of formal consultation under Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012. Given the very early stage of the consultation process and having regard to the tests set out in para. 48 of the NPPF, the policies of the emerging draft City Plan are given little to no weight at the present time.

8.9 Neighbourhood Plans

None relevant to this application.

8.10 London Plan

This application raises no strategic issues.

8.11 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.

8.12 Planning Obligations

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

8.13 Environmental Impact Assessment

No environmental impact assessment was required for this application.

8.14 Other Issues

Construction

Objections have been submitted that raise concerns over construction matters, namely how it will cause disturbance to residents, local wildlife and also displace rats which may threaten resident's health and their electrics. Concerns have also been received that the proposed works could also cause undue harm to the structure of the building and affect adjacent properties.

As the building is not listed, internal works would not require planning permission. In relation to the structural concerns, such considerations are governed by building regulations and subject to separate building control approval. Refusal of planning permission on such grounds could not be sustained.

It was requested by a neighbour that if permission is granted, builders should hose down the site to reduce a dust created and that no building work after 16:30 on week days and none at weekend is carried out. Although the City Council cannot directly control the activity of the builders, if permission is granted a condition will be included requiring that work ceases at 18:00 on weekdays, 13:00 on Saturdays and that there is none on Sundays. This condition is in accordance with environmental health legislation and to further limit the hours is not considered to be justified as this could have the unwelcome impact of elongating the time it takes to implement the works. In addition, an informative is to be added advising the applicant to use builders who are members of the considerate constructors scheme.

Light reflection and heat

Concerns have been raised that the proposed glazed side extension could result in unwanted light and heat being reflected, and light emanating from the extension could cause disturbance to flats above. Glazed extensions such as the one proposed and conservatories are common structures within rear gardens and refusal on such grounds could not be sustained. Some suggestion is made to the provision of blinds within the roof of the extension, however it is not considered that such a requirement could be justified or suitably enforced post implementation.

Security and maintenance

It has been raised that the flat roof would make the flat above the application site more vulnerable to burglaries. Concerns have also been raised that the development would be hard to maintain and make the maintenance of the existing building difficult. Single

storey extensions are common and refusal on these grounds could not be sustained and are a private matter between residents and their management companies.

Bin Store

There is an existing concrete structure in the front garden for bins. The plans indicate that bins can be placed adjacent to the front boundary and new planter. Such arrangements are common and the provision of some greening with the new planter is welcomed. The existing bin store is not attractive and an area for the bins is to be retained.

Flooding

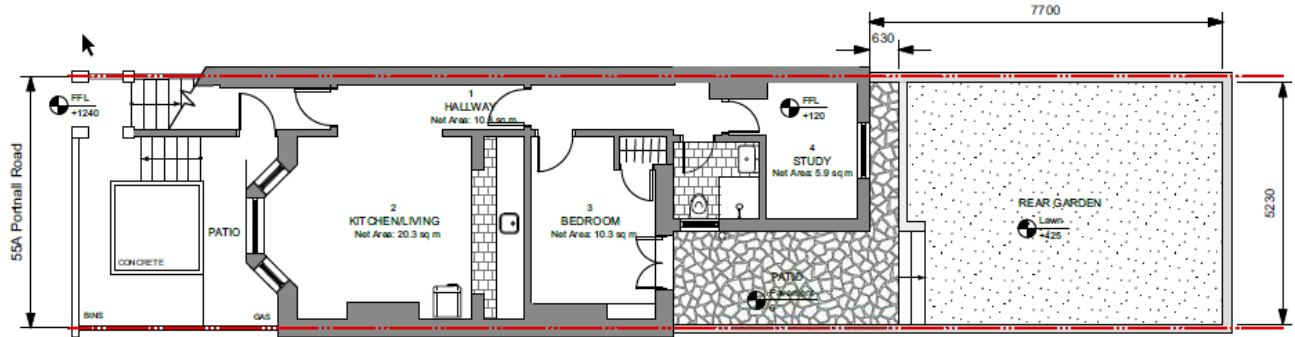
Concerns have been raised in relation to loss of habitat, increased surface water runoff and flooding. As the proposals relate to an existing lower ground floor flat, and as a green roof and a large proportion of the garden is to be retained, it is not considered that the development would have a significant impact in these terms.

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

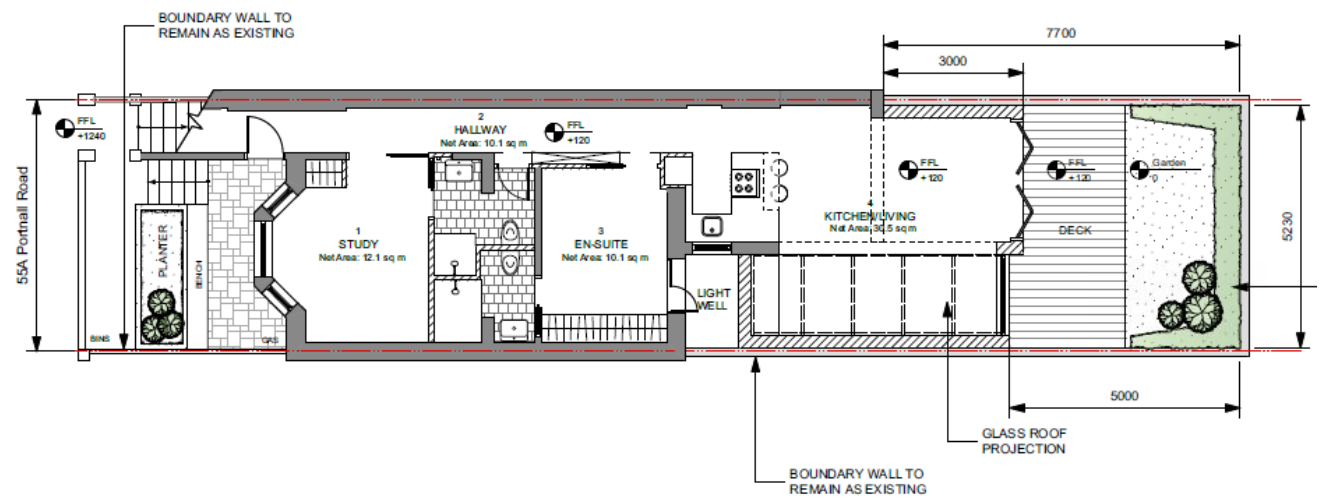
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RUPERT HANDLEY BY EMAIL AT RHANDLEY@WESTMINSTER.GOV.UK

9. KEY DRAWINGS

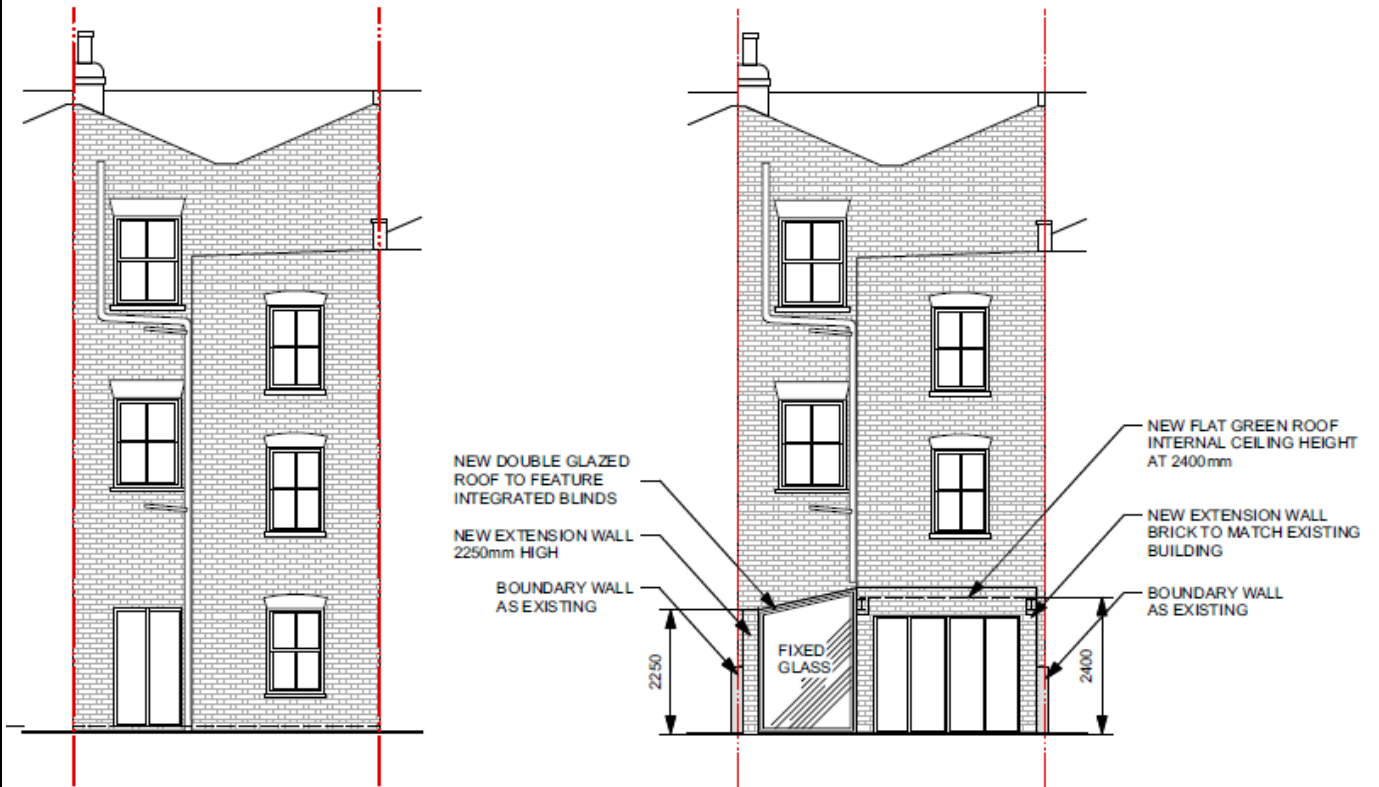
Existing Ground Floor Plan



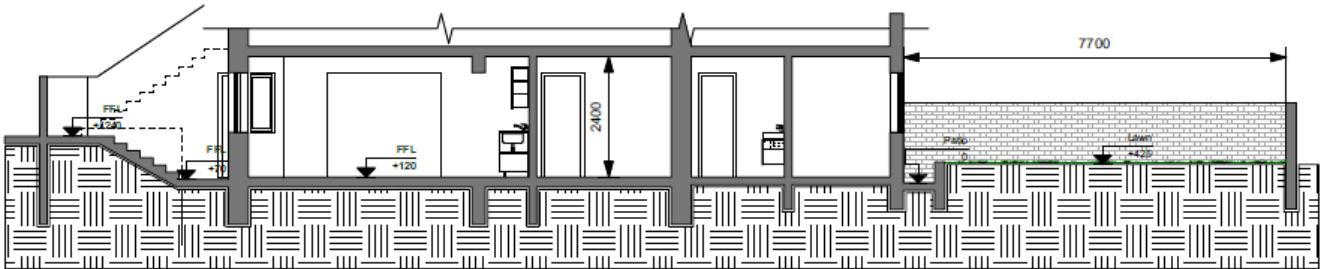
Proposed Ground Floor Plan



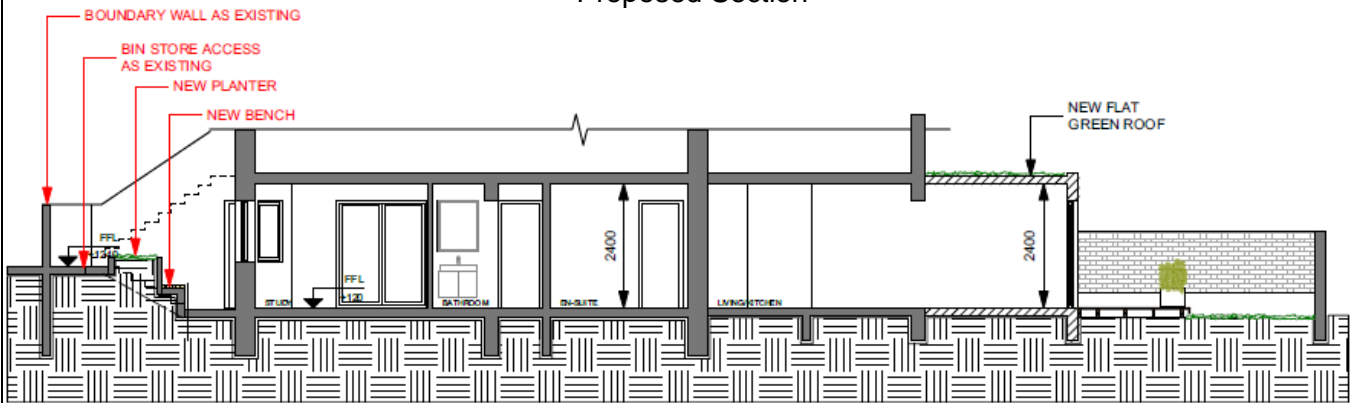
Existing and Proposed Rear Elevations



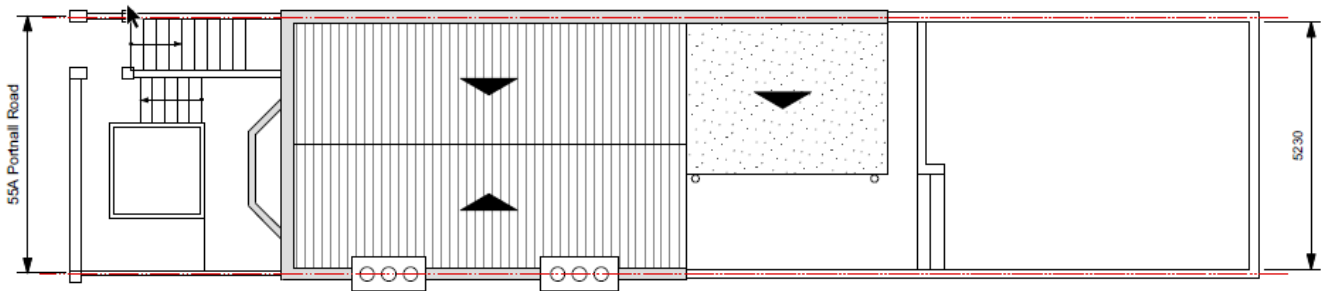
Existing Section



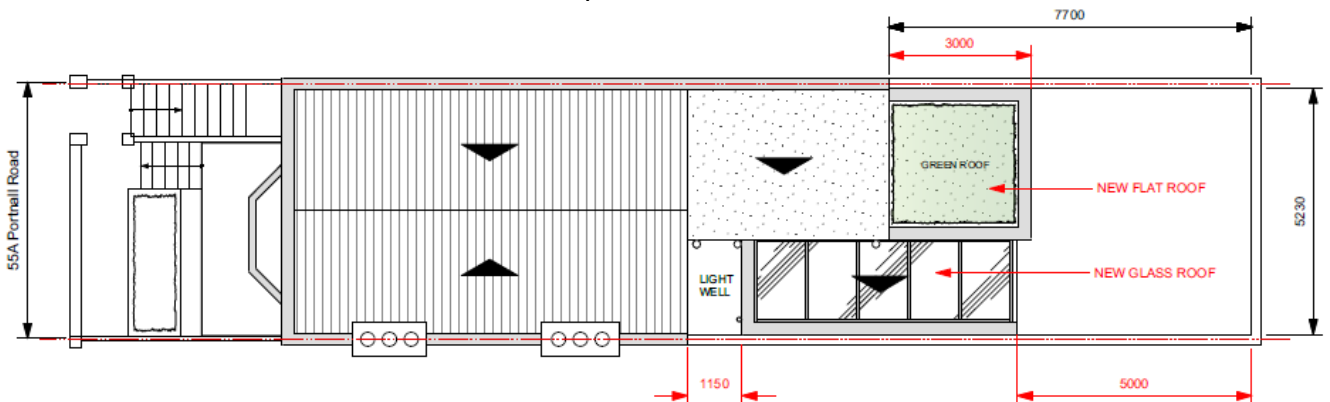
Proposed Section



Existing Roof Plan



Proposed Roof Plan



DRAFT DECISION LETTER

Address: Basement Flat , 55 Portnall Road, London, W9 3BA

Proposal: Erection of a single storey rear and side infill extension at lower ground floor level. Alterations to the front garden and lightwell including new planter.

Plan Nos: A-001, A-010, A-011 Rev A, A-020 Rev A, A-021 Rev A, A-022 Rev A, A-033 Rev A, A-034 Rev A, A-090 and Design and Access Statement.

Case Officer: Harry Berks

Direct Tel. No. 020 7641 3998

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 residents and the area generally as set out in S29 of Westminster's City Plan (November 2016) and STRA 25, TRANS 23, ENV 5 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. (R26CD)

- 4 The facing brickwork must match the existing original work in terms of colour, texture, face bond and pointing. This applies unless differences are shown on the approved drawings. (C27CA)

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)

- 5 You must provide, maintain and retain the following bio-diversity features before you start to use any part of the development, as set out in your application.

Green roof

You must not remove any of these features. (C43FA)

Reason:

To reduce the effect the development has on the biodiversity of the environment, as set out in S38 of Westminster's City Plan (November 2016) and ENV 17 of our Unitary Development Plan that we adopted in January 2007. (R43AB)

- 6 You must not use the roof of the extension for sitting out or for any other purpose. You can however use the roof to escape in an emergency. (C21BA)

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)

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, neighbourhood plan (where relevant), 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 HIGHWAYS LICENSING:

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.

CONSIDERATE CONSTRUCTORS:

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.

BUILDING REGULATIONS:

You are advised that the works are likely to require building regulations approval. Details in relation to Westminster Building Control services can be found on our website <https://www.westminster.gov.uk/contact-us-building-control>