

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 6 December 2022	Classification For General Release	
Report of Director of Town Planning & Building Control		Ward(s) involved Little Venice	
Subject of Report	26D Randolph Crescent, London, W9 1DR		
Proposal	Erection of two storey side extension at lower ground and upper ground floors, additional rear window, use of garage as internal floor space, replacement of garage doors with sash windows and brick panels and associated alterations.		
Agent	Mr. Carl Falck		
On behalf of	Mr. Carl Falck		
Registered Number	21/06815/FULL	Date amended/ completed	5 October 2021
Date Application Received	5 October 2021		
Historic Building Grade	Unlisted		
Conservation Area	Maida Vale		
Neighbourhood Plan	Not applicable		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY & KEY CONSIDERATIONS

The application site is a maisonette flat set over lower and upper ground floors in an unlisted end of terrace building in the Maida Vale Conservation Area. The application site is to the rear of the Grade II listed terrace.

It is proposed to erect a two storey side extension. It is also proposed to change the garage doors facing onto the street into sash windows in association with the use of the garage as additional habitable space for the flat.

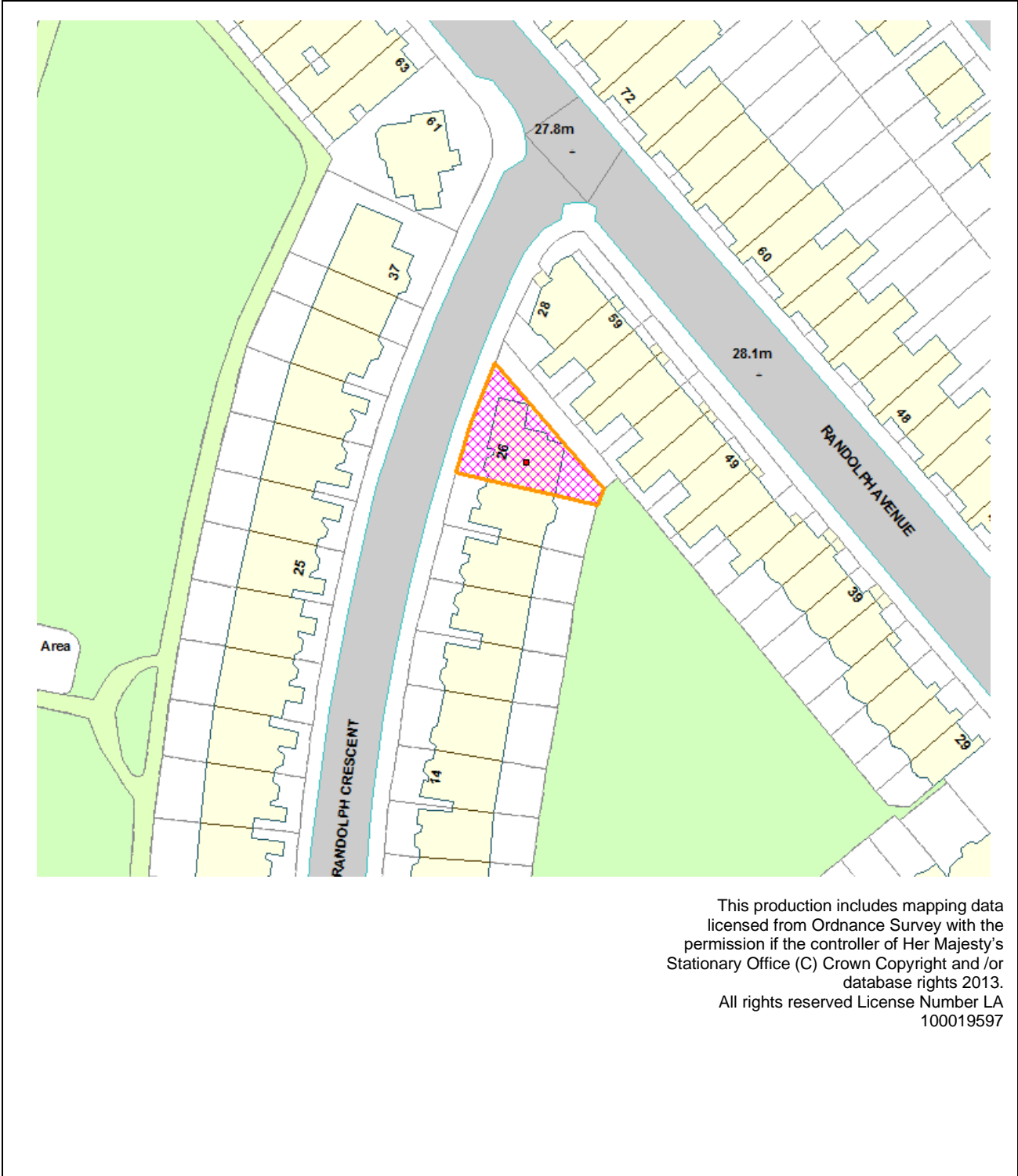
The key considerations in this case are:

- The impact of the proposed extension on the character and appearance of the host building, the Maida Vale Conservation Area and the setting of the adjacent Grade II listed buildings on Randolph Avenue and the end of terrace, grade II listed property on Randolph Crescent.
- The impact of the proposed extension on neighbour's access to daylight and sunlight as well as their outlook and privacy.

During the course of the application the scale of the extension at upper ground floor level has been reduced in the interest of trying to overcome objections from neighbours and members of the public, who raised concerns including design and amenity matters.

The revised extension is considered to be discreetly located and of a scale that limits its impact on the appearance of the host building, the adjacent listed terrace, the conservation area and amenity of neighbours. As such the application is considered to be acceptable and in accordance with Westminster's City Plan, and is therefore recommended for approval, subject to the conditions as set out on the draft decision letter.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Rear Elevations to Randolph Avenue (left). Front/side elevation of 26 Randolph Crescent (right) as viewed from Randolph Crescent



Side elevation of 26 Randolph Crescent as viewed from passageway



Side elevation of 26 Randolph Crescent and location of proposed extension as viewed from passageway



Rear of 26 Randolph Crescent (left) and rear of 55, 57 and 59 Randolph Avenue (right) as viewed from Triangle Garden



5. CONSULTATIONS

5.1 Application Consultations

FIRST CONSULTATION – STARTED 21ST SEPTEMBER AND EXPIRED 29TH OCTOBER 2021

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

Objection – whilst we do not object to the extension and removal of the metal garage doors we consider the increase in height of the parapet wall will be harmful of the host building and wider conservation area. Please take neighbours' views into consideration.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. of neighbours consulted: 69

No. of objections: 20

No. of supports: 5

No. of neutrals: 0

The objections are summarised as follows:

Design –

- The extension will impact the character of the host building
- The extension will impact the character and integrity of the Triangle Garden
- The extension's detailed design will not be in keeping with the building
- The removal of garage doors would cause a loss of character to Randolph Crescent

Amenity –

- The extension will reduce daylight and sunlight for nos. 53 – 59 Randolph Avenue
- The extension will reduce the outlook for nos. 53 – 59 Randolph Avenue
- The extension will reduce daylight to the passageway
- The garage's parapet will reduce daylight for no. 57 Randolph Avenue
- The roof terrace on the garage will create noise / cause disturbance to 53 – 59 Randolph Avenue

Highways –

- The current driveway is not suitable for modern cars

Other –

- The construction work will create a security risk if the Triangle Garden gate is left open
- The construction work will create noise in location which already suffers from echoes

The supporting comments are summarised as follows:

Design –

- The front windows will enhance the building
- The extension will be in keeping with the area

Other –

- The extension's location utilises and small piece of inaccessible and scruffy land

The supporting comments are summarised as follows:

Design –

- The front windows will enhance the building
- The extension will be in keeping with the area

Other –

- The extension's location utilises a small piece of inaccessible and scruffy land

SECOND CONSULTATION –

“Amendments include: reduction in height of the proposed side/ rear extension, omission of proposed parapet at first floor level, addition of green roof over existing and proposed extensions, amendments to the design of the proposed windows on the front and rear elevations at upper ground floor level. A Heritage, Design and Planning Statement Addendum has also been provided.”

STARTED 24TH NOVEMBER AND EXPIRED 15TH DECEMBER 2021

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

No response received.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. of neighbours consulted: 69

No. of objections: 29

No. of supports: 6

No. of neutrals: 1

The objections are summarised as follows:

Design –

- The building and surroundings are all well preserved and not suitable for extensions
- The extension will impact the character of the host building
- The extension will impact the adjacent Grade II listed buildings
- The extension will set a precedent for more extension in the future
- The spaces between buildings should be preserved due to the conservation area location
- The extension will truncate an existing window
- The front window's detailed design are out of keeping

Amenity –

- The extension will reduce daylight and sunlight for nos. 53 – 59 Randolph Avenue
- The extension will reduce the outlook for nos. 53 – 59 Randolph Avenue
- The extension will reduce daylight to the passageway
- The extension will enclose the passageway making it oppressive and tunnel-like
- The right to light drawing is inaccurate

Highways –

- The driveway is understood to be rented out to other residents

Other –

- The construction work will create a security risk if the Triangle Garden gate is left open
- The construction work will create noise causing disturbance to neighbours
- The construction work will cause safety issues for Triangle Garden users

The supporting comments are summarised as follows:

Design –

- The extension would have little or no impact on the area
- The extension will replace patchy brickwork

Highways –

- The garage has been unused for a long time

Other –

- There is no conflict of interest with the Triangle Management as the applicant recused themselves from all discussions.

The supporting comments are summarised as follows:

Design –

- The extension would have little or no impact on the area
- The extension will replace patchy brickwork

Highways –

- The garage has been unused for a long time

Other –

- There is no conflict of interest with the Triangle Management as the applicant recused themselves from all discussions.

THIRD CONSULTATION –

“The scale of the extension at Upper Ground Floor level has now been reduced and there has also been minor revisions to the detailed design of the extension. In addition, the applicant has supplied Daylight and Sunlight Assessment, however this relates to a previous proposal of larger scale and as such it is now to be used for information only.”

STARTED 15TH SEPTEMBER AND EXPIRED 6TH OCTOBER 2022

PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY

No response received.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. of neighbours consulted: 69

No. of objections: 25

No. of supports: 11

No. of neutrals: 0

The objections are summarised as follows:

Design –

- The extension will impact the character of the host building
- The extension will impact the entrance to the Triangle Gardens
- The extension will impact the immediately surroundings and listed building
- The extension will set a precedent for more extensions in the future
- The spaces between in-between buildings must be protected in conservation areas
- The extension's revised design does not overcome previous objections
- The extension will truncate an existing window
- The windows to the front are out of character with the area

Amenity –

- The extension will reduce light to the passageway to the Triangle Garden
- The extension will reduce light to neighbours at nos. 55 – 59 Randolph Avenue
- The extension will reduce outlook for neighbours
- The extension will enclose the passageway making it feel claustrophobic
- The use of rooms in neighbouring flats may change in the future and therefore require more protection in the Daylight and Sunlight Assessment
- A roof terrace would create noise and loss of privacy for neighbours
- A roof terrace would set a precedent for further in the future and a loss of tranquillity

Other –

- The construction work will create noise causing disturbance to neighbours
- The planning application is not in accordance with Triangle Amenity Companies' Rentcharge Deed
- The applicant is a part of the Garden Committee which is a conflict of interest
- The extension appears to involve subdividing the flat renting out the lower ground floor

The supporting comments are summarised as follows:

Design -

- The extension utilises dead space
- The extension would be in keeping with the character of the building
- The front windows will be more in keeping than the existing garage

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Design -

- The extension utilises dead space
- The extension would be in keeping with the character of the building
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SITE / PRESS NOTICES

Yes

5.2 Applicant's Pre-Application Community Engagement

Formal pre-application engagement is not required for a development of this scale although it is encouraged by the City Council for all development. No community engagement was carried out with regards to this proposal.

6. WESTMINSTER'S DEVELOPMENT PLAN

6.1 City Plan 2019-2040 & London Plan

The City Plan 2019-2040 was adopted at Full Council on 21 April 2021. The policies in the City Plan 2019-2040 are consistent with national policy as set out in the National Planning Policy Framework (NPPF) (July 2021) and should be afforded full weight in accordance with paragraph 219 of the NPPF. Therefore, in accordance with Section 38 of the Planning and Compulsory Purchase Act 2004, it comprises the development plan for Westminster in combination with the London Plan, which was adopted by the Mayor of London in March 2021 and, where relevant, neighbourhood plans covering specific parts of the city (see further details in Section 6.2).

As set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and paragraph 49 of the NPPF, the application must be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Neighbourhood Planning

The application site is not located within an area covered by a Neighbourhood Plan.

6.3 National Policy & Guidance

The City Plan 2019-2040 policies referred to in the consideration of this application have been examined and have been found to be sound in accordance with tests set out in Paragraph 35 of the NPPF. They are considered to remain consistent with the policies in the NPPF (July 2021) unless stated otherwise.

7. BACKGROUND INFORMATION

7.1 The Application Site

26D Randolph Crescent ('the application site' or 'the site') is a maisonette flat over lower and upper ground floors in an unlisted end-of-terrace building formed of four storeys plus a lower ground floor. The building dates from the late 19th century and is located within the Maida Vale Conservation Area. Immediately adjacent to the eastern (side) boundary of the application site is a gated passageway that provides one of two access points to the private Triangle Garden to the rear of the application site. To the other side of this passageway is the Grade II listed no. 28 Randolph Crescent and the Grade II listed terrace of nos. 45 to 59 Randolph Avenue (odd only).

7.2 Recent Relevant History

21/06259/CLEUD

Use of upper ground/ground floor level garages as habitable accommodation.
Application Permitted 17 November 2021

There is not any planning enforcement history associated with the building.

8. THE PROPOSAL

Permission is sought for:

- The erection of part one storey and part two storey side extension
- Installation of a window on the rear elevation at lower ground floor level
- Use of garage as internal habitable floor space
- Removal of both garage doors and blocking over with brick and sash windows

During this application the scale and detailed design of the proposed extension has been amended. Neighbours have been consulted on three occasions in response to the various amendments to the extension.

In response to the first consultation a total of 20 objections were received neighbours and members of the public. The objections mainly raised concern over the design and visual impact of the extension and its daylight and sunlight impacts. There were also supporting comments.

Revisions were then made to the originally submitted drawings. A re-consultation was carried out on the revised drawings and a total 29 objections were received from neighbours and members of the public. As before, the objections mainly raised concern over the design and visual impact of the extension and its daylight and sunlight impacts of the extension. There was also a neutral comment and supporting comments.

The proposed drawings were then revised for a second time and a further re-consultation was carried out on the newly revised drawings. 25 objections were received from neighbours and members of the public. The objections again mainly raised concern over the design and visual impact of the extension and its daylight and sunlight impacts of the extension. There were also supporting comments.

9. DETAILED CONSIDERATIONS

9.1 Land Use

The creation of extensions to enlarge existing dwellings to provide additional habitable floorspace is supported by policy 8 of the City Plan 2019 – 2040.

The revised lower ground floor of the proposed extension would provide approximately 9sq.m of additional floor space. The extension at upper ground floor level would provide an additional 4.1sq.m. The external space that the extension is proposed to occupy was observed during the Officer's visit to be of little practical or functional use given its shape and location. The extension would provide additional habitable floor space the application and is considered acceptable in land use terms.

An objection from member of the public stated that the extension appears to involve the subdivision of the flat to enable the renting out of the lower ground floor. The City Council has not seen any evidence of this and is therefore unable to take any action on the matter. If neighbours or members of the public find that the lower ground floor is being occupied as self contained unit the matter should be reported to the City Council's Planning Enforcement Team for further investigation.

9.2 Environment & Sustainability

The City Council seek all developments follow the principles of the Mayor of London's energy hierarchy and that sustainable design including greening is incorporated into all development as set out in policies 36 and 38 of the City Plan. In addition, it is also sought that all development is safe from the risk of flooding and that Sustainable Urban Drainage is provided to improve on the existing risks as set out in policy 35 of the City Plan.

Sustainable Design

The submitted Planning Statement confirms the use of reclaimed materials and the reuse of materials on site and that the bathroom will be fitted with water efficient devices and sanitaryware. The proposed extension and the associated internal alterations are considered to create a layout that is sufficiently flexible and would be functional to other potential occupiers of the building in the future without the need of any further works. The design of the structure will prevent any risks of overheating and the need for any plant equipment to provide additional cooling or ventilation.

Flood Risk & Sustainable Drainage

The submitted Planning Statement confirms that the finished floor level of the extension will be at least 300mm above the level of the external courtyard as required by the City Council's flood risk guidelines for development in surface water hotspots. The statement also confirms that a water butt will be installed and the courtyard will be repaved in a permeable and open jointed material to reduce the amount of surface water run-off and this is to be secured by condition.

Environment & Sustainability Summary

The proposed design of the extension is considered to meet the relevant policy requirements and represent an improvement in on the existing scenario. The removal of the garage doors and their replacement does not raise any sustainability considerations. The application is subsequently regarded as being acceptable in environment and sustainability terms.

9.3 Biodiversity & Greening

The flat roof on the lower ground floor extension and the flat roof of the extension at upper ground floor are proposed to be covered by green roofs. Given the scope of the application the provision of green roofs in this location is considered acceptable as the only form of additional greening. A condition is recommended that requires that the green roof is implemented and maintained.

9.4 Townscape, Design & Heritage Impact

Legislative & Policy Context

The key legislative requirements in respect to designated heritage assets are as follows:

Section 66 of the LBCA Act requires that *“In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”*

Section 72 of the LBCA Act requires that *“In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”* This is supported by policy 39 of the City Plan 2019 – 2040 which seeks that development in conservation areas preserves or enhances the conservation area.

Furthermore Chapters 12 and 16 of the NPPF require great weight be placed on design quality and the preservation of designated heritage assets including their setting.

Policy 38 of the City Plan 2019 – 2040 seeks that development incorporates exemplary standards of high quality, sustainable design and architecture that responds to Westminster’s locally distinctive neighbourhoods and townscape. Policy 40 seeks that development is sensitively designed by having regard to prevailing scale, heights, character, building lines, plot widths, materials and that alterations and extensions respect the character of the existing and adjoining buildings, avoiding adverse visual amenity impacts, not obscuring important features or disrupting uniformity patterns or rhythms.

With regard to the setting of listed buildings, the City Council aims to have special regard to the desirability of preserving their setting as set out in Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Policy 39 of the City Plan 2019 – 2040 requires development to optimise the historic environment by ensuring the setting of heritage assets are conserved and enhanced in a way appropriate to their significance.

Bulk, Height & Scale

Objections received from members of the public objected to the principle of the extension due to, and for reasons including, the character and appearance and architectural merit of the host building and terrace, its location within a conservation area and the proximity of nearby listed buildings. It should be noted that there is not any policy basis at either local, regional or national level which can be used to declare that extensions to unlisted buildings are unacceptable in principle as a whole irrespective of their context. As with any planning application, the City Council has a duty to, and must consider, any and all proposals on its own merits. Similarly, objections from members of the public stating that the proposed extension may set a precedent is also not considered to be sufficient reason to refuse permission, for the previously stated reason that the City Council must consider all planning applications on their own merits.

It was observed during the Officer’s visit that the host terrace of nos. 2 to 26 Randolph Crescent (evens only) and the adjacent Grade II listed terrace of nos. 29 to 59 Randolph Road are largely well preserved and maintain much of their original form and character. However, this matter alone cannot be used as reason and does not mean all proposed

extensions and alterations are unacceptable in principle. As set out in the above stated policies, the design and visual impact of extensions must be considered against policies 38, 39 and 40 of the City Plan.

It is proposed that the extension is to be erected in an area to the side of the host building at lower and upper ground floors. The space the extension is to be erected in at lower ground floor level is a courtyard-like area that it is not interconnect with the main garden to the rear of the application site. The courtyard is irregularly shaped and considered to be of little functional use given its shape, size and low down position which results in it being heavily overlooked by nos. 53 – 59 Randolph Road (evens only). The space is considered to contribute little to the character and appearance of the host building and the conservation area due to its irregularity, not forming part of any wider rhythm in the terrace of nos. 2 to 26 Randolph Crescent and not being a typical feature of the Maida Vale Conservation Area.

The floor area of the space that will be lost measures approximately 11sq.m. Accordingly in the context of the host building, the extension is considered to be of a small scale. By virtue of the proposed extension abutting two existing walls which are both taller than the proposed extension, and it being located at low level to the side of the building it is considered to be discreetly located. Its scale and its set down location to the side of the building, would not interfere with any part of the host building which are integral to its character and appearance, such as its front and rear elevations. The proposed extension does not project beyond the existing furthest point of the side of the building and finishes approximately 4.2m short of the line of the rear elevation, as well as not rising above the height of the two existing walls it will abut and is therefore discreetly located and will have limited visual impact on the appearance of the host building and the townscape of the conservation area.

It was confirmed during the Officer's visit that the extension will not be visible in any public views from Randolph Crescent or from any other nearby streets and public vantage points. It was also observed that the extension will not be visible from the gardens themselves, due to being tucked to the side of the host building and approximately 4.2m behind the line of its main rear elevation, as previously stated.

The extension will only be visible from the passageway when users leave Triangle Garden and also in private views from the nos. 53 – 59 Randolph Road (evens only). In both of these sets of views, the extension's form will be appreciable, however due to its position where it abuts the four storey side elevation of the building and the two storey garage wing, and it not projecting beyond the lines of these elements, it is considered that the extension will not generate any harmful views of the host building or the conservation area for either residents or members of the public. The use of bricks to match existing will enable the extension to further appear as a discreet feature and cohesive part of the host building.

As the extension is located to other side of the passageway to the grade II listed terrace of nos. 29 to 59 Randolph Road and it abuts the host building on two of its four sides, the views where the extension and nos. 29 to 59 Randolph Road will be visible in the same context will only be in long distance views of users of the Triangle Gardens when they are exiting the Triangle Garden only. In these views, the extension's overall design including its use of bricks to match existing and low height preventing it being seen

against the sky will enable it to have little or no impact on the setting of the Grade II terrace of nos. 29 to 59 Randolph Road. In respect of these matters, the scale and location of the extension is not considered to result in any harm to the character and appearance of the host building, the character and appearance of the conservation area or the setting of the adjacent listed buildings.

Detailed Design

The extension will be detailed to match the host building, with a stucco moulding string course between the lower and upper ground floors. The use of this detailing will further enable the extension to visually form a cohesive part of the host building, and it not disrupt its character and appearance. This traditional use of materials and detailing will ensure that the extension sits comfortably in this conservation area location and continues to preserve the setting of the adjacent listed buildings. It was raised in an objection that the extension at upper ground floor level will truncate a window on the side elevation of the building. In response to this matter and to further reduce the scale and bulk of the extension at the upper ground floor level, the extension at this level was lowered so as not to interfere with the window.

In total two windows are proposed to the side / rear of the building. One window is to be installed in the existing rearward facing elevation of part of side of the host building. Through this part of the building being away from the main rear elevation at lower ground floor level it will appear as minor and discreet alteration to the building. The detailed design of the window is considered to be sufficiently traditional and in keeping with the building to preserve its character and appearance.

The other proposed window is to be located adjacent to this window and be situated in the rearward facing elevation of the extension. This window is similarly considered acceptable. The window frames are shown to be timber framed and sash opening and therefore matching with the windows elsewhere in the host building and consistent with most windows found in the Maida Vale Conservation Area and adjacent listed buildings.

To the front of the building it is proposed that the two existing garage doors are to be removed and replace with brickwork containing two windows. Objections were received from members of the public which stated that the garage doors should be retained as they contribute to the character of the building and conservation area, however, letter of support were also received which stated that the proposed removal of the garage doors would enhance the appearance of the building.

Due to garages such as these not being a typical feature on either Randolph Crescent or Randolph Road, and also not being a typical feature of the Maida Vale Conservation Area, it is considered difficult to justify their retention given that proposed alternative of a brick elevation will be in keeping with the building and conservation area. The proposed areas of brick work are to be set behind the existing brick piers to the garage and therefore offer some acknowledgement to the existing form and also provide a level of detailing that is consistent with the period of the host building.

Some objections were received that stated that the two windows that are to be installed in this elevation are not in keeping with the main parts of the building. It is acknowledged that the proposed windows differ from the windows found elsewhere in the main front

elevation, however, it should be noted that as the existing garage wing is a non-typical ancillary addition to the host building as opposed to being an integral part of the main building, there is considered to be less of a need to ensure that every detailing matches exactly. If the proposed windows were to match exactly, it is likely that this would aggrandise the garage wing in a way which may alter its original character and therefore result in a greater impact on the appearance of the host building. The window frames are timber framed and sash opening and therefore considered acceptable.

Summary

In summary of the above, the application is considered acceptable in design terms and in terms of its impacts on the host building, Maida Vale Conservation Area and the setting of the Grade II listed terrace of nos. 29 to 59 Randolph Road.

9.5 Residential Amenity

The City Council seeks that all development will be neighbourly by protecting and where appropriate enhancing local environmental quality as set out in policy 7, 33 and 38C of the City Plan 2019 – 2040. These policies seek to prevent unacceptable impacts in terms of losses of daylight and sunlight, privacy and increases in sense of enclosure and overshadowing to residential and sensitive uses.

Daylight & Sunlight

A significant number of the submitted objections from members of the public and neighbours have raised concern over the extension reducing the amount of daylight and sunlight that would be received by nos. 53 – 59 Randolph Avenue, as well losses of daylight and sunlight for the passageway.

The revised extension at lower ground floor level measures approximately 3.4m in height and 4.8m in length. It is to rise approximately 1.3m above the top of the existing boundary wall and have a rearward facing elevation that is approximately 1.3m wide. The extension at upper ground floor level will measure approximately 1.3m in width (its projection away from the side elevation), 4.2m in length and 3.2m above the roof of the lower ground floor level extension. Due to the extension's modest scale and very modest width at upper ground floor level, as well as its position abutting two existing taller walls of the side elevation of 26 Randolph Crescent and the rear of the garage wing, it is considered unlikely to generate any notable losses of daylight or sunlight for the nearest neighbouring property of no. 57 which is approximately 5.5m away at its closest point.

Nevertheless, and given the number of objections that have been submitted from members of the public and neighbours which raise concerns over losses of daylight and sunlight as well as an objection which questioned the originally submitted right to light drawing, the applicant agreed to provide a Daylight and Sunlight Assessment. The assessment that has been provided assesses an earlier revision of the proposed extension, however, it is considered that the assessment can still be used for information purposes as the now proposed and revised extension is of a lower height and reduced width at upper ground floor level.

The Daylight and Sunlight Assessment has assessed the impact of the extension on

nos. 55, 57 and 59 Randolph Avenue (lower and upper ground floors only). It is not considered necessary to assess the impacts on any first floor windows given that the top of the proposed extension does not rise this high. It is also not considered necessary to assess any impacts on no. 53 Randolph Avenue due to it being approximately 14m away from the extension at its closest point.

The assessment finds that all the assessed windows meet the BRE Guidelines for the amount of daylight and sunlight that they should receive. There are therefore considered to be no reasonable grounds to refuse permission on grounds of losses of daylight or sunlight.

One objection was from a neighbour challenged the fundamental principles of the Daylight and Sunlight Assessment, through implying that it should be discounted due to the occupants of the assessed flats being able to alter their internal layouts and uses of the rooms. Whilst it is true that the occupants of the flats could indeed do this, the losses of daylight and sunlight were identified as being so minor that any such changes would be considered highly unlikely to result in any material changes. In any case, the format of the Daylight and Sunlight Assessment provided is consistent with national standards, and there seems to be no justifiable reason to depart from these requirements in this instance.

During the Officer's visit it was observed that the passageway connecting Randolph Crescent and the Triangle Garden which runs adjacent to the eastern side of 26 Randolph Crescent, is a place in which people will walk through. It is not a place where anybody would be likely to dwell, nor does it form any integral part of the Triangle Gardens themselves. Whilst it is noted that the passageway is well maintained and has been made pleasant with large planters, and that it is the main access point to the Triangle Gardens, the passageway is not considered to warrant any great degree of protection in terms of light due to it being a highly functional place and only being a place that people would walk through very briefly as they either enter or exit the Triangle Garden. Regardless, only a very short section of the walkway would be affected.

An objection was received in the first round of consultation which raised concern over the addition of a parapet to the garage roof and that this would reduce daylight for flats at Randolph Avenue. This additional proposed parapet to the garage roof has been omitted from the proposal and the form of the garage roof is to be maintained as existing, therefore overcoming this objection.

Sense of Enclosure

Objections were received from neighbours and members of the public raising concern over a loss of outlook and increased sense of enclosure for nos. 53 – 59 Randolph Avenue. The area of land directly opposite the extension on the other side of the passageway is the rear garden of no. 57 Randolph Avenue. The garden to no. 57 is dominated by a large coniferous tree which is approximately three storeys tall, as such the extension will be unlikely to cause any loss out outlook from this garden.

The occupiers of the lower and upper ground floor maisonette at no. 57 and the occupiers of first and second floor maisonette at no. 57 have supplied the City Council with photographs of their would-be view towards the extension. The photographs show

that the bay window in the rearward facing elevation of the closest wing at no. 57 at lower ground floor level will have an oblique view of the extension, with the extension occupying approximately only one third of the view towards the right hand side when facing forward out of this bay window. It is therefore considered that the extension will result in some increase in the sense of enclosure on this room. However, the window already has a view of the side elevation of no. 26 Randolph Crescent, and it is not considered the impact will be significant.

The room on the upper ground floor within no. 57 will also have a partial and oblique view of the extension. The photographs show that this window is positioned entirely above the larger lower ground floor extension as such this part of the extension will not cause any sense of enclosure or loss of outlook. The smaller extension at upper ground floor level will be visible, however, as before, this will only bring the side elevation of no. 26 Randolph Crescent approximately 1.3m closer at its closest point and given the extension's recent revisions it will also not alter the view of the sky from this room. As such, the increase in the enclosure on this room at upper ground floor level will be so minor and at oblique angle and subsequently not result in any harm to the user of this room.

The upper ground floor window at no. 59 Randolph Road and the upper ground floor window at no. 53 Randolph Road, may have very partial views of the extension, however it is considered that they will not be any increase in enclosure on this window given the highly oblique angle and the greater separation distance between the two points. In respect of these matters, it is not considered reasonable to uphold the objections which raise concern over a sense of enclosure and loss of outlook as reason to refuse permission.

Other objections raised concern over the extension enclosing the passageway. It is also considered not reasonable to uphold these objections as grounds for refusal as the passageway is highly utilitarian place, where people do not dwell, and therefore not resulting in any amenity impacts for members of the public.

Privacy & Overlooking

The window in the proposed rearward facing elevation of the extension and the other proposed window in an existing part of the host building will both be located at lower ground floor level, and only be likely to have a view within the garden of the application site given the height of the boundary wall. No. 51 Randolph Road may be visible above the boundary wall, however, this is approximately 13m away and therefore would not cause a loss of privacy to any occupiers within this building. The windows that are proposed to replace the garage doors will face onto the street and therefore not cause any loss of privacy for the other properties on the north west side of Randolph Crescent.

A number of objections referred to a loss privacy and the creation of noise disturbance from the use of the garage roof as a roof terrace. Permission has never been sought for a roof terrace. If the applicant wishes to use the roof the garage as a terrace, or the roof of any of extensions which are sought permission for, then they must make a separate planning application for this, as the current application does would not allow the roof of the garage roof as a terrace. A condition is recommended to ensure the roofs of the extension are not used for sitting out. If members of the public find that the garage roof is

being used as a roof terrace, then the matter should be reported to the City Council's planning enforcement team for investigation.

9.6 Transportation, Accessibility & Servicing

The car parking standards in policy T6 of the London Plan apply to all development, this means all development within Westminster should be car free as set out in policy 27 of the City Plan 2019 – 2040. The policy also states the proposal for redevelopment of existing car parking uses to alternatives uses will be supported.

The proposed conversion of the garage to habitable internal accommodation has already been approved under application 21/06259/CLEUD dated 17 November 2021. In any case, the proposed conversion of the garage is consistent with the outlined policies, the matter is therefore uncontentious and as such the use of the garage as habitable internal accommodation is fully acceptable.

Whilst the objection which stated that the driveway is not suitable for modern cars as they can overhang into the footway is noted, it is not considered reasonable that the applicant removes their off-street parking for this reason. Another objection stated that the driveway is rented out to other residents. Whether the driveway is or is not rented to other residents is not a planning consideration and therefore not a reason to refuse this application.

9.7 Economy including Employment & Skills

Any economic benefits resultant from the development proposals are welcomed.

9.8 Other Considerations

Objections have been received from neighbours and members of the public raising concern over construction matters including; noise which would cause disturbance to neighbours and that the area already suffers from echoes, construction work and safety issues for Triangle Garden users as well as security issues if construction activity results in the gate being left open. Regrettably it should be made clear that construction matters and construction impacts are not regarded as material planning considerations, and therefore cannot constitute justifiable reasons to refuse planning permission. In interest of protecting neighbours from noise disturbance, a condition will be recommended that controls the hours in which construction work can take place. An informative is also recommended suggesting that the applicant enters into the considerate constructors scheme.

Other objections stated that the planning application is not in accordance with Triangle Amenity Companies' Rentcharge Deed and that the applicant is a part of the Garden Committee which is a conflict of interest. Such matters are private and therefore could not influence the outcome this planning application.

9.9 Environmental Impact Assessment

The proposed development is not of sufficient scale to require an Environmental Impact Assessment.

9.10 Planning Obligations & Pre-Commencement Conditions

There is no estimated CIL payment due to the additional floorspace being less than 100sq.m. There are not any further planning obligations relevant in the determination of this application.

10. Conclusion

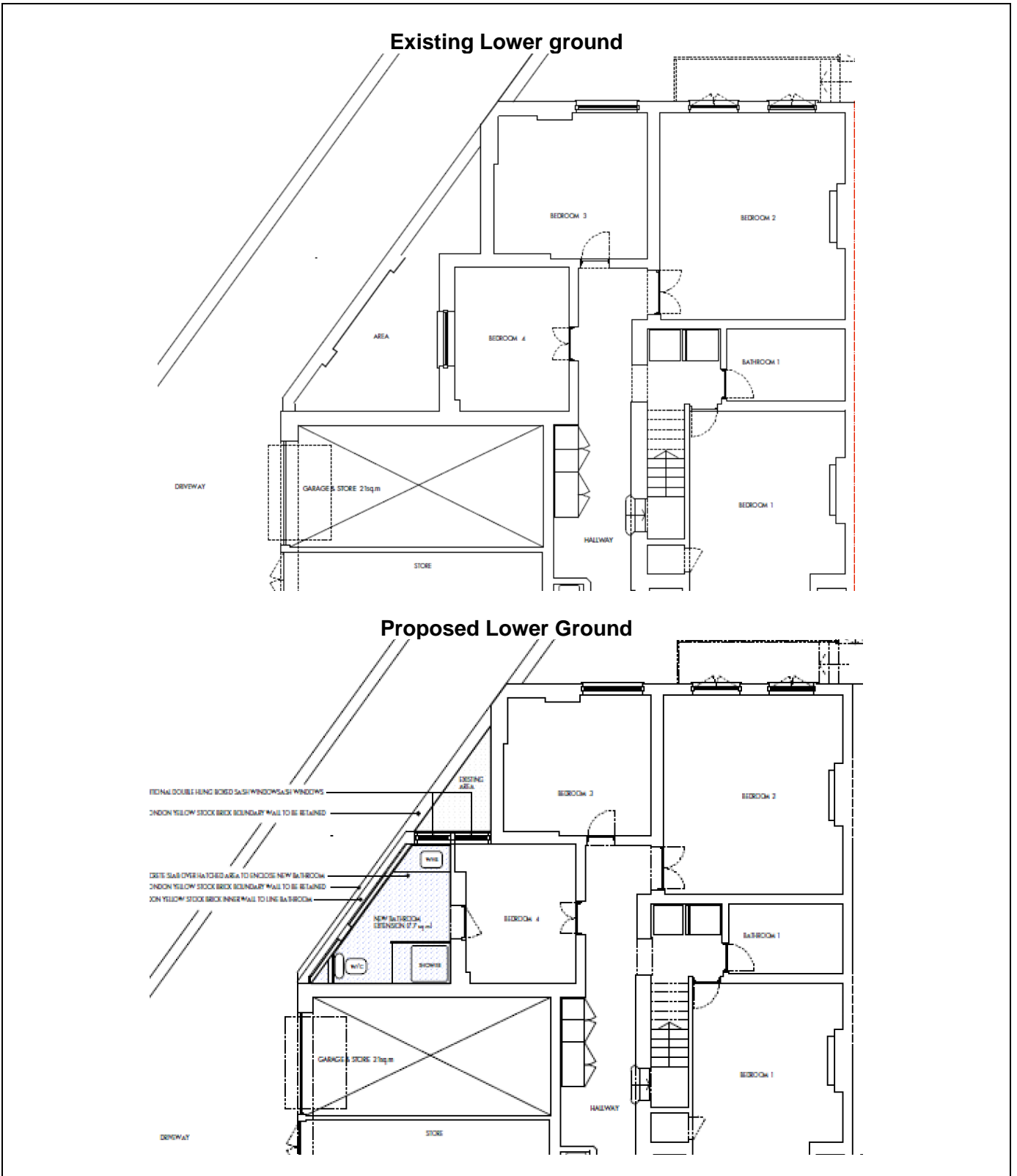
It has been considered that the revised and now submitted proposal is in full accordance with all the relevant policies and produces a private benefit to the applicant. Further to this, all of the objections that have been received from members of the public have been refused are considered to not raise sufficient grounds for refusing planning permission in this instance.

As such, the proposal is considered acceptable, mindful of policies 7, 8, 27, 33, 35, 36, 38, 39, 40 of the City Plan 2019-2040 and therefore, a recommendation to grant conditional permission would be compliant with the requirements of the NPPF and the statutory duties of the Planning (Listed Buildings and Conservation Areas) Act 1990.”

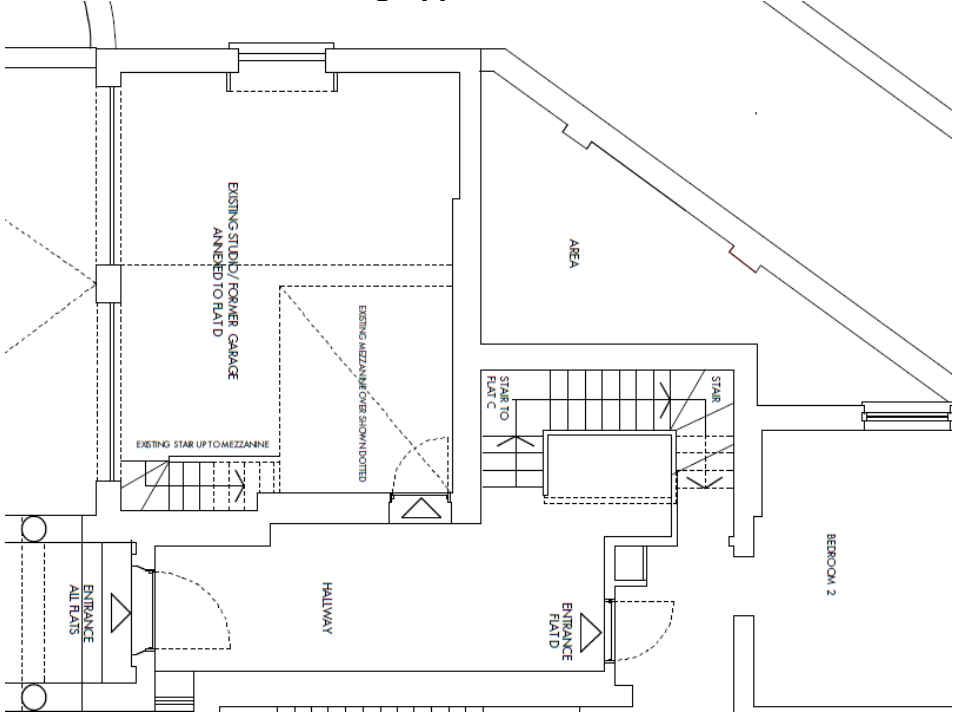
(Please note: All the application drawings and other relevant documents and Background Papers are available to view on the Council’s website)

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

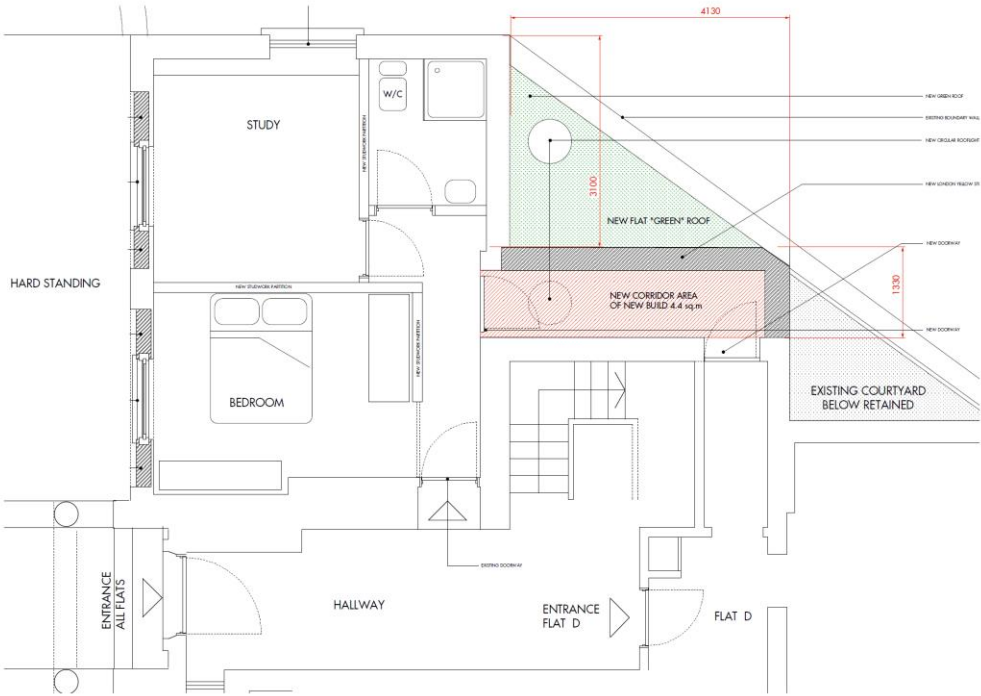
11. KEY DRAWINGS



Existing Upper Ground Floor



Proposed Upper Ground Floor



Existing Rear Elevation



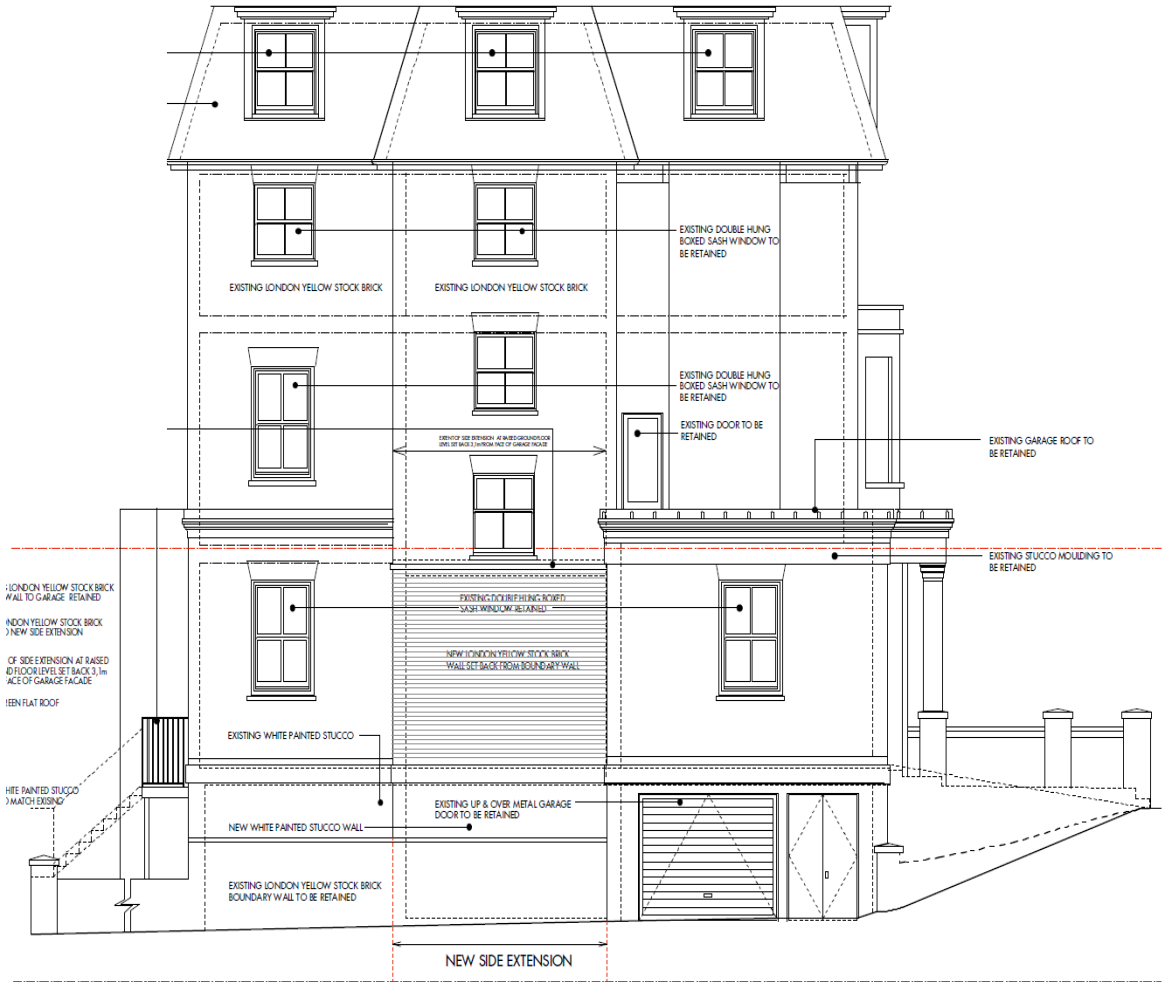
Proposed Rear Elevation



Existing Side Elevation



Proposed Side Elevation



DRAFT DECISION LETTER

- Address:** 26D Randolph Crescent, London, W9 1DR
- Proposal:** Erection of two storey rear/side extension at lower ground and upper ground floors, use of garage as internal floor space, replacement of garage doors with sash windows and brick panels and associated alterations.
- Reference:** 21/06815/FULL
- Plan Nos:** 618/05 A, 618/02 A, 618/21 B, 618/06 C, 618/23 C, 618/07 B, 618/24 C, 618/08 C, 618/11 H, 618/22 E, 618/14 E, 618/26 B, 618/25 H, 618/20 A; and Revised Heritage Statement dated 20th October 2022.
- Used for information – Daylight and Sunlight Assessment

Case Officer: Harry Berks

Direct Tel. No. 020 7641
07866037030

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:
 - between 08.00 and 18.00 Monday to Friday;
 - between 08.00 and 13.00 on Saturday; and
 - not at all on Sundays, bank holidays and public holidays.

You must carry out piling, excavation and demolition work only:

- between 08.00 and 18.00 Monday to Friday; and
- 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 Policies 7 and 33 of the City Plan 2019 - 2040 (April 2021). (R11AD)

- 3 You must paint all new outside rainwater and soil pipes black and keep them that colour. (C26EA)

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 Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 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 this part of the Maida Vale Conservation Area. This is as set out in Policies 38, 39 and 40 of the City Plan 2019 - 2040 (April 2021). (R26BF)

- 5 You must not use the roofs of the extensions 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 Policies 7, 33 and 38 of the City Plan 2019 - 2040 (April 2021). (R21BD)

- 6 You must provide us with details for our approval of:
- Green roof on the side extension(s)
 - Water butt
 - Permeable paving

You must then maintain and retain these following biodiversity and flooding measures before you start to use any part of the development, as set out in your application. You must not remove any of these features. (C44AA)

Reason:

To make sure that the development provides the environmental sustainability features and reduces surface water runoff included in your application as set out in Policies 35, 36 and 38 of the City Plan 2019 - 2040 (April 2021). (R44AD)

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 the City Plan 2019 - 2040 (April 2021), neighbourhood plan (where relevant), supplementary planning documents, the London Plan (March 2021), 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 visit our website at www.westminster.gov.uk/guide-temporary-structures.

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 at www.westminster.gov.uk/contact-us-building-control

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.