

Ward: Sands End

Site Address:

8 King's Quay Thames Avenue Chelsea Harbour London SW10 0UX



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Reg. No:
2018/03508/FUL

Case Officer:
Marina Lai

Date Valid:
26.10.2018

Conservation Area:

Committee Date:
12.02.2019

Applicant:

Mr Nikolay Busin
8 King's Quay

Description:

Erection of roof extension with dormer window openings fronting Northern, eastern and southern elevations.

Drg Nos: Site Location Plan; 1686_GA_103; 1686_GA_104_A;
1686_GA_110;1686_GA_115_A; 1686_GA_116_A; 1686_GA_117_B;
1686_GA_118;1686_GA_120_A;

Application Type:

Full Detailed Planning Application

Officer Recommendation:

That the Committee resolve that the Strategic Director, Growth and Place, be authorised to determine the application and grant permission subject to the condition(s) listed below:

To authorise the Strategic Director, Growth and Place, after consultation with the Director of Law and the Chair of the Planning and Development Control Committee to make any minor changes to the proposed conditions which may include the variation, addition or deletion of the conditions, any such changes shall be within their discretion.

- 1) The development hereby permitted shall not commence later than the expiration of 3 years beginning with the date of this planning permission.

Condition required to be imposed by section 91(1)(a) of the Town and Country Planning Act 1990 (as amended by section 51 of the Planning and Compulsory Purchase Act 2004).

- 2) The development hereby approved shall be carried out and completed only in accordance with the following drawings which have been approved, and the height of ridge shall not be increased as indicated on the drawings hereby approved.

1686_GA_103; 1686_GA_104_A; 1686_GA_110; 1686_GA_115_A;
1686_GA_116_A; 1686_GA_117_B; 1686_GA_118; 1686_GA_120_A;

In order to ensure full compliance with the planning permission hereby approved and to prevent harm arising through deviations from the approved plans, in accordance with Policies DC1, DC4 and RTC3 of the Local Plan (2018).

- 3) Any alterations to the elevations of the existing building shall be carried out in the same materials as the existing elevation to which the alterations relate.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4 and RTC3 of the Local Plan (2018).

- 4) Prior to the commencement of the proposed development hereby permitted, details of all new external materials (including samples where considered

appropriate by the Council) to be used in the development including brickwork, windows, balustrades and roofing materials shall be submitted to, and approved in writing by, the Council. The development shall be carried out in accordance with the approved details; and permanently retained as such.

To ensure a satisfactory external appearance and to prevent harm to the street scene and public realm, to preserve the character and appearance of the area; and the setting and special architectural and historic interest of the locally listed building in accordance with policies 7.1, 7.6 and 7.9 of the London Plan (2016) and Policies DC1, DC2 and DC4 of the Local Plan 2018.

- 5) Prior to the commencement of the proposed development hereby permitted, detailed drawings in plan, section and elevation at a scale of no less than 1:20 of all typical bays of the windows on east, south and north elevations shall be submitted to and approved in writing by the Council and the development shall be carried out in accordance with such details as have been approved.

To ensure a satisfactory external appearance, in accordance with Policies DC1, DC4 and RTC3 of the Local Plan 2018.

- 6) No water tanks, water tank enclosures or other structures shall be erected upon the flat roofs of the extensions hereby permitted.

It is considered that such structures would seriously detract from the appearance of the building, in accordance with Policies DC1, DC4 and RTC3 of the Local Plan (2018).

- 7) No plumbing, extract flues or pipes, other than rainwater pipes, may be fixed on the front elevation of the building.

To ensure a satisfactory external appearance and to prevent harm to the street scene, in accordance with Policies DC1, DC4 and RTC3 of the Local Plan (2018).

- 8) The development hereby permitted shall not be occupied until the new window at fifth floor level (facing No.48 Thames Quay) of the extension hereby permitted, has been installed so as to be non-openable and with obscure glazing to a height of 1.7 metres from the internal floor level, a sample of which shall have been submitted to and approved in writing by the Council prior to any development on site. Thereafter the window shall be retained in the form approved.

Such a use would be harmful to the existing residential amenities of neighbouring occupiers as a result of overlooking and loss of privacy, contrary to Policy DC1, HO11 and DC4 of the Local Plan (2018).

- 9) The additional floor hereby approved shall only be used in connection with, and ancillary to, the use of the remainder of the application property as a single residential unit. The accommodation at fifth floor level shall not be occupied as a self-contained flat that is separate and distinct from the use of the remainder of the application property as a single residential unit.

The use of the extended accommodation as a self-contained flat, separate from the use of the remainder of the application property as a single residential unit,

would raise materially different planning considerations that the Council would wish to consider at that time, in accordance with CC2, HO1, HO4, HO11 and T4 of the Local Plan (2018) and Key Principles HS3 of the Planning Guidance Supplementary Planning Document (2018).

Justification for Approving the Application:

- 1) 1. It is considered that the proposal would not generate unacceptable impact on the existing amenities of the occupiers of neighbouring residential properties, and would be of an acceptable visual appearance. It is not considered that the development would harm the existing character or appearance of the surrounding area. In this respect the development is judged to be acceptable and in accordance with Policies 7.4, 7.6 and 7.8 of London Plan, Policies HO11, DC1, DC4 and RTC3 of the Local Plan (2018), and associated Key Principles of Planning Guidance SPD (2018).
2. Conditions: In line with the Town and Country Planning Act 1990 and the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, officers have consulted the applicant on the pre-commencement conditions included in the agenda and the applicant has raised no objections.

**LOCAL GOVERNMENT ACT 2000
LIST OF BACKGROUND PAPERS**

All Background Papers held by Andrew Marshall (Ext: 4841):

Application form received: 25th October 2018
Drawing Nos: see above

Policy documents: National Planning Policy Framework (NPPF) 2018
The London Plan 2016
LBHF - Local Plan 2018
LBHF - Supplementary Planning Document 2018

Consultation Comments:

Comments from:

Dated:

Neighbour Comments:

Letters from:	Dated:
48 Thames Quay Thames Avenue Chelsea Harbour SW10	30.11.18
19 Thames Quay Thames Avenue Chelsea Harbour SW10	06.12.18
12 Chelsea Crescent Chelsea Harbour London SW10 0XB	12.12.18
35 Thames Quay Chelsea Harbour London SW10 0UY	04.12.18
36 Carlyle Court Chelsea Harbour London SW10 0UQ	04.12.18
8 The Quadrangle Chelsea Harbour SW10 0UG	04.12.18
20 Carlyle Court Chelsea Harbour SW10 0UQ	04.12.18

45 The Quadrangle Chelsea Harbour Drive SW10 0UG	07.12.18
18 Chelsea Crescent Chelsea Harbour London SW10 0XB	22.12.18
9 Thames Quay London SW10 0UY	03.12.18
30 Thames Quay Chelsea Harbour London SW10 0UY	08.12.18
47 Kings Quay Chelsea Harbour London SW10 0UX	10.12.18
NAG	05.12.18
21 The Quadrangle Chelsea Harbour London SW10 0UG	19.12.18
17 Kings Quay Chelsea Harbour London SW10 0UX	10.12.18

1.0. SITE DESCRIPTION

1.1. The application relates to the penthouse flat on top of the Kings Quay building which forms part of the Chelsea Harbour development. Kings Quay is a part four storey and part five storey residential building with an elevation facing the Thames.

1.2. The site is not within a conservation area but is adjacent to the Sands End Conservation Area and within the Thames Policy Area.

2.0. RELEVANT PLANNING HISTORY

2.1. In 2010, planning permission was granted (2010/03301//FUL) for alterations at roof level, including infilling of valley roofs, conversion of hip to gable on riverside elevation, and installation of rooflights, relating to the enlargement of the existing flats No.8 and No.17 Kings Quay.

2.3. In 2018, planning permission was refused (2018/02688/FUL) for the erection of a roof extension with dormer window openings fronting northern, eastern and southern elevations, on the grounds of overlooking and loss of privacy to No.48 Thames Quay.

3.0. PROPOSAL

3.1. The current proposal seeks also involves the erection of a roof extension with various dormer windows but seeks to overcome the previous reason for refusal.

3.2. The main difference between this application and the previous scheme is that the previously unacceptable proposed south facing window would be obscured to prevent overlooking.

4.0. PUBLICITY AND CONSULTATIONS

4.1. The application has been advertised by means of a site and a press notices. In addition, some 240 individual notification letters have been sent to the occupiers of neighbouring properties.

4.2. A letter from Chestnut Planning was submitted on behalf of the owners of No.48 Thames Quay, raised the concerns that the proposal would adversely impact on the neighbouring amenity and the character of the roof line within the Chelsea Harbour Development.

4.3. In addition to the letter, 16 representations have also been received. The grounds of the objections can be summarised as follows:

- roofline and design
- out of character;
- loss of privacy;
- overlooking and
- unneighbourly.

5.0. PLANNING CONSIDERATIONS

5.1. The main planning considerations in light of the London Plan (2016), and the Local Plan 2018 and the Planning Guidance Supplementary Planning Document 2018, include: design and appearance, and impact on existing residential amenities of neighbouring properties.

Draft London Plan

5.2. The new draft London Plan was published on 29 November 2017. The Plan's consultation ended on 2 March 2018. An Examination in Public (EiP) commenced in January 2019, and publication of the new Plan is expected in the autumn of 2019. It is therefore considered that the new draft London Plan should be given limited weight at this stage in determining this application. In the interim, consideration shall be given to the London Plan (Consolidated with Further Alterations 2016).

DESIGN AND APPEARANCE

5.3. London Plan Policies 7.4 and 7.6 require all new development to be of high quality that responds to the surrounding context and contributes to the provision of high quality living environments and enhances the character, legibility, permeability, and accessibility of the surrounding neighbourhood.

5.4. Local Plan Policy DC1 (Built Environment) and DC4 (Alterations and Extensions including Outbuildings) state 'that all development within the borough should create a high quality urban environment that respects and enhances its townscape context and heritage assets. There should be an approach to accessible and inclusive urban design that demonstrates how good design, quality public realm, landscaping and land use can be integrated to help regenerate places.'

5.5. Local Plan RTC3 (Design and Appearance of Development within the Thames Policy Area) asserts that development within the Thames Policy Area should respect the riverside, including the foreshore, context and heritage assets, and is of a high standard of accessible and inclusive design, and maintain or enhance the quality of the built, natural and historic environment.

5.6. The proposed extension would be confined to the roof of 8 Kings Quay which occupies a prominent position on the riverside frontage of the Chelsea Harbour development.

5.7. The predominant character of the skyline of the Chelsea Harbour development is one of gables and pitched and hipped roofs. The hipped roof form is carried through to the tallest element and used to terminate the Belvedere tower. The roofs are an important element of the buildings in the overall masterplan.

5.8. The conversion of hipped to gable roof form is in keeping with the general roof silhouette across Chelsea Harbour. The proposal would retain the original roof height and in so doing would retain the original proportions of the composition of the facades. The incorporation of fenestration is based upon precedent examples from adjoining blocks and is suitably scaled for the new gables.

5.9. In views from the opposite bank of the Thames, the new gabled pitched form would be apparent and despite taking a new geometry, and would appear as a modest integration into the existing roof profiles. In adhering to the existing height of the building, the relative scales of the adjoining blocks would be retained. The block would remain mediating between the heights of the adjoining riverside terrace frontages. In addition, it is considered that in more local views across the Chelsea Harbour, the proposed form would be satisfactorily accommodated.

5.10. Details of a typical bay of the east, north and south elevations in plan, section and elevation (at a scale of not less than 1:20), and details of materials and finishes would be secured by Conditions 4 and 5.

5.11. Overall, Officers consider that the proposed design would integrate with the existing character and appearance of the Chelsea Harbour development area. Subject to conditions, the proposal development would be of a sufficient quality development to make a positive contribution to the urban environment in this part of the Borough.

RESIDENTIAL AMENITY

5.12. Policies DC1, DC4 and HO11 of the Local Plan (2018) require all proposals to be formulated to respect the principles of good neighbourliness. SPD Housing Key Principles 6 and 7 seek to protect the existing amenities of neighbouring residential properties in terms of outlook, light and privacy.

5.13. In this case, the closest neighbouring properties are No.48 Thames Quay and No.18 Admiral Court, both of which have existing windows that serve habitable rooms.

Outlook

5.14. SPD Key Principle HS6 note that the proximity of a development can have an overbearing and dominating effect detrimental to the enjoyment by adjoining residential occupiers of their properties. Although it is dependent upon the proximity and scale of the proposed development a general standard can be adopted by reference to a line produced at an angle of 45 degrees from a point 2 metres above the adjoining ground level of the boundaries of the site where it adjoins residential properties. If any part of the proposed building extends beyond these lines then on-site judgement will be a determining factor in assessing the effect which the extension will have on the existing amenities of neighbouring properties.

5.15. No.18 Admiral Court is situated 18m from the application site and No.48 is positioned 10m away from the application site. The proposed roof extension would not have any undue impact in terms of outlook to either of these properties.

Overlooking/Privacy:

5.16. SPD Key Principle 7 states that any new windows should be positioned at least 18m from existing habitable room windows.

5.17. Except for the proposed south facing dormer window, none of the proposed windows would be within 18m of existing opposing habitable room windows in neighbouring blocks. While, the application would involve the creation of large windows facing No.48 Thames Quay, unlike the previous 2018 refusal, the proposed south-facing window in the current proposal would include obscured glazing to prevent overlooking. The obscured side window will be secured by Condition 8.

5.18. Overall, the proposed rear extension would not unduly impact on the neighbouring amenity in terms of loss of light and outlook, a sense of enclosure or overlooking.

6.0. CONCLUSION

6.1. Officers consider that the design and appearance of the building is considered acceptable and the proposals would not cause harm to residential amenity.

7.0. RECOMMENDATION

7.1. That planning Permission be approved, subject to conditions.