

CITY OF WESTMINSTER			
PLANNING APPLICATIONS SUB COMMITTEE	Date 17 th July 2018	Classification For General Release	
Report of Director of Planning		Ward(s) involved Hyde Park	
Subject of Report	9 Albion Close, London, W2 2AT		
Proposal	Erection of mansard roof extension with an enclosed terrace.		
Agent	Mr Paul Watson		
On behalf of	Mr & Mrs Malhotra		
Registered Number	18/03487/FULL	Date amended/ completed	3 May 2018
Date Application Received	30 April 2018		
Historic Building Grade	Unlisted		
Conservation Area	Bayswater		

1. RECOMMENDATION

Grant conditional permission.

2. SUMMARY

Permission is sought for the erection of a mansard roof extension to 9 Albion Close, a two storey mews building in the Bayswater Conservation Area. The mansard roof extension would include the provision of an enclosed roof terrace with three dormer windows to the front elevation and a roof light to the rear. Permission has been granted for an identical scheme in 2009, 2012 and 2015 and permission is sought again as the permissions have expired and not been implemented.

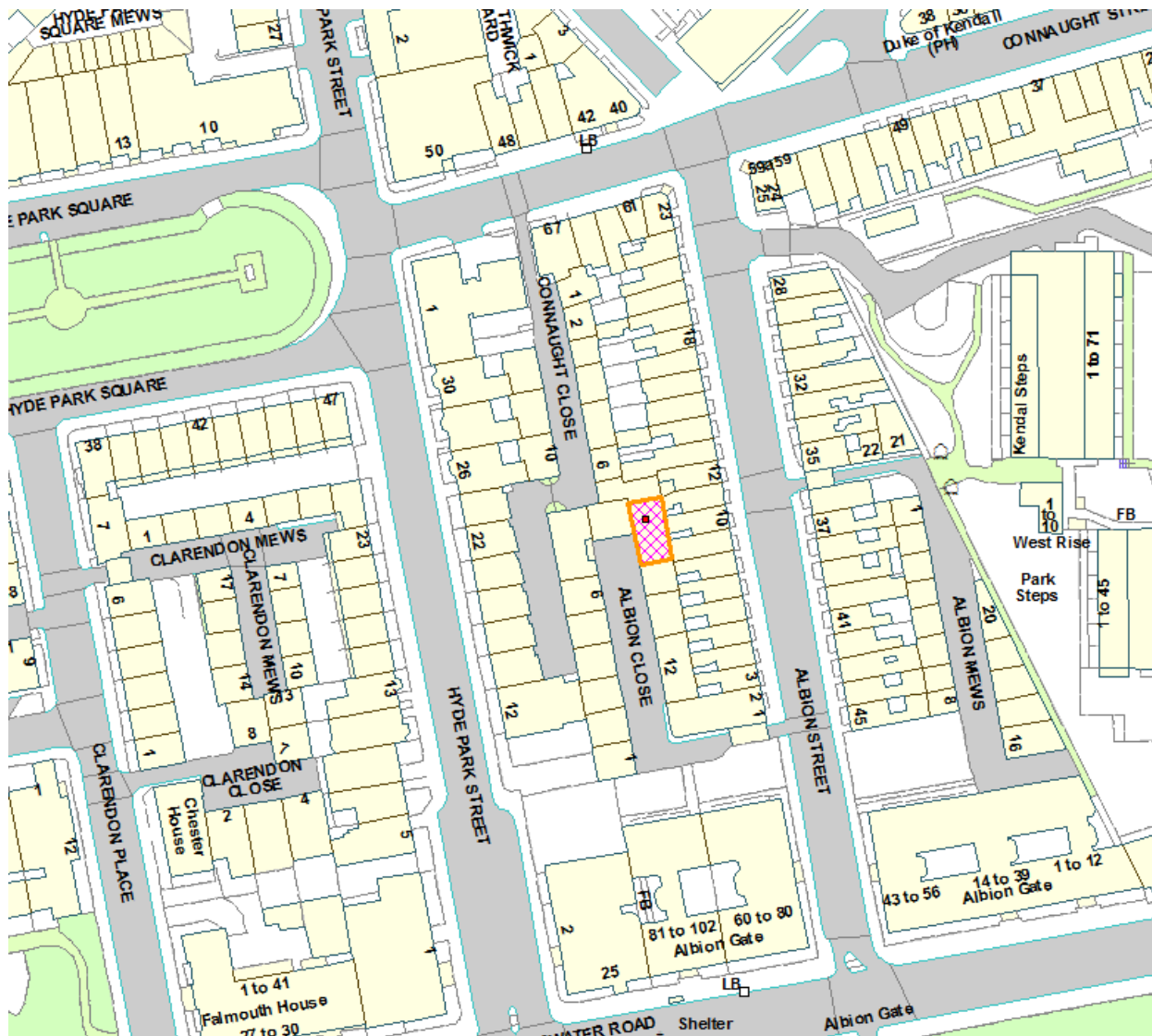
Objections have been received from neighbouring occupiers on design, amenity and construction impact grounds.

The key points of consideration are:

- The impact on the appearance of the mews building, the setting of the adjoining listed buildings and the character and appearance of the Bayswater Conservation Area.
- The impact of the proposals on the amenities of the adjoining residents.

Subject to the conditions as set out on the draft decision letter, it is considered that the proposed alterations are acceptable in design, conservation and amenity terms and in accordance with policies in the City Councils adopted Unitary Development Plan and City Plan. The application is therefore recommended for approval.

3. LOCATION PLAN



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4. PHOTOGRAPHS

Application site (9 Albion Close)



Existing roof profile of the application site



Roof of 9 Albion Close from 9 Albion Street



5. CONSULTATIONS

HYDE PARK ESTATE ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 10

Total No. of replies: 3 objections raising some or all of the following issues:

Design:

* The proposals will change the character of the mews and its roof scape and the surrounding conservation area.

Amenity:

*Loss of light to neighbouring properties in Albion Street.

*Increase in noise disturbance due to the terrace.

*Loss of privacy to adjoining occupiers as a result of the terrace and the roof extension.

Other:

*No construction management plan has been submitted, the works could block the street and emergency access.

*Noise from construction works.

*Should not be approved just because it is a renewal.

PRESS ADVERTISEMENT / SITE NOTICE:

Yes

6. BACKGROUND INFORMATION

6.1 The Application Site

No. 9 Albion Close is a two storey single family dwelling mews house within the Bayswater Conservation Area. It backs onto the Grade II listed houses in Albion Street. The roof currently has a large central lantern style rooflight and two smaller projecting windows and a rooflight, which face towards the rear of Albion Street.

6.2 Recent Relevant History

15/03208/FULL

Mansard roof extension and enclosed terrace to provide additional floorspace to single family dwellinghouse.

Application Permitted

26 May 2015

12/02338/FULL

Extension of time for the commencement of development granted planning permission on 23 April 2009 (extant permission 08/04663) for mansard roof extension with enclosed terrace to provide additional floorspace to single family dwellinghouse.

Application Permitted

1 May 2012

08/04663/FULL

Mansard roof extension with enclosed terrace to provide additional floorspace to single family dwellinghouse.

Application Permitted

23 April 2009

07/10280/FULL

Erection of a mansard roof extension with enclosed roof terrace at second floor level.

Application Withdrawn

7 February 2008

05/06614/FULL

Roof extension to existing mews house; new bedroom, bathroom and roof terrace.

Application Refused

28 October 2005

7. THE PROPOSAL

Planning permission is sought for the erection of a mansard roof extension with three dormer windows to the front elevation facing onto Albion Close, a rooflight to the rear roof pitch and rooflights within the rear roof gutter. The proposals also include an enclosed roof terrace at the north western side of the roof adjacent to the blank flank wall of No8 Albion Close. The proposed roof extension will be approximately 0.9m higher than the existing roof, and is identical to permissions granted in 2009, 2012 and 2015.

8. DETAILED CONSIDERATIONS

8.1 Land Use

The proposals will result in an increase in residential floorspace which is considered acceptable in land use terms and is compliant with Policy H3 of the UDP and Policy S14 of the City Plan, both of which seek to increase residential floorspace within Westminster.

8.2 Townscape and Design

Objections have been received that the proposed alterations would have a negative impact on the conservation area and the mews itself. The relevant design policies are DES 1, DES 6, DES 9 and DES 10 of Westminster's Unitary Development Plan and S25 and S28 of Westminster's City Plan (adopted after the previous permissions).

No. 9 Albion Close is currently the only property within the mews that has not been extended to some extent at roof level, with mansard roof extensions being the prevailing character at second floor level around the Close. It is therefore considered that the principle of a mansard roof extension would be difficult to resist. In addition the principle of such an extension has previously been accepted in the applications granted in 2009, 2012 and 2015.

Policy S25 of the City Plan seeks to ensure that buildings are upgraded sensitively, so that they do not detract from the qualities of the environment. Policy S28 seeks to ensure that developments incorporate exemplary standards of sustainable and inclusive urban design and architecture. It is considered that the proposals will help to unify the mews, through

the provision of a mansard, which will sit comfortably within the environment, with traditionally detailed dormer windows and slate clad pitched roof. Policy DES 6 of the UDP builds on this and states that where the proposed design accords with similar extensions within the same group of buildings, permission may be granted.

It is therefore considered that the proposals comply with the relevant policies and will preserve and enhance the character and appearance of this part of the Bayswater Conservation Area. Given the above, it is not considered that the objections received from neighbouring occupiers on the grounds of the impact on the character of the mews and surrounding conservation area can be sustained.

The application site lies adjacent to the grade II listed terrace 1-23 Albion Street. Due to its traditional appearance, the proposals are considered to have a less than substantial impact on the setting of the adjacent listed buildings, and therefore complies with policy and supplementary guidance.

8.3 Residential Amenity

The relevant policies are ENV 13 of Westminster's Unitary Development Plan and S29 of Westminster's City Plan.

Objections have been received from neighbouring occupiers on the grounds that the proposed extension will result in a loss of light and the enclosed terrace will result in noise disturbance and a loss of privacy.

Privacy and Noise

The proposals include the provision of an enclosed terrace, which is set within the mansard extension. This is located on the west side of the roof, set back behind the building line of No 8, which faces south onto the Albion Close. Due to its location, it will only be viewed by occupiers of the upper floors of Albion Street. As the terrace is cut into the roof, these residents will only have very limited views of the terrace, due to the oblique angles. Similarly users of the terrace would have very limited, if any, views back to these windows. It is therefore not considered that the terrace would have any significant impact in terms of privacy. In terms of noise the proposed terrace is set down within the roof and is therefore screened on all sides. It is also located on the far side of the roof of the mews (from the Albion Street properties) and is separated by the existing rear gardens. Given its small size, screening and location set away from windows within Albion Close, it is not considered that the terrace will have a significant impact in relation to noise disturbance. In addition the benefits of providing some outdoor amenity space for the single family dwelling are welcomed.

A roof light is also proposed in the rear pitch or the mansard, the submitted drawings show this window to be obscure glazed and a condition is recommended to ensure that the obscure glazing is maintained and a restrictor fitted to limit opening, this is considered to prevent any overlooking as a result of the roof light.

Sunlight and Daylight/Sense of Enclosure

The proposed mansard roof, by virtue of its increased height of 0.9m and increased bulk would reduce the amount of sunlight reaching the rear ground floor windows of the houses 9, 10 and 11 Albion Street. However, whilst there may be some loss, it is not considered

that it is at such a level to be harmful to the amenity of the occupiers of these properties, given the proposed pitched nature of the roof and as rooms will still receive an adequate level of light and are dual aspect, it is not considered that permission could be withheld on these grounds.

It is recognised that due to the proximity of these houses, the proposal will result in some increased sense of enclosure. The outlook from these house has been affected by other mansard roof extension, and it is accepted that views from the ground and first floor windows and roof terraces will be more enclosed as a result of the extension. It is considered however that the loss of amenity, on balance, is acceptable.

Furthermore, the City Council has previously accepted this loss of amenity in 2009, 2012 and 2015, and it is not considered that there have been any material change in planning circumstance to warrant refusal of permission.

The proposals are considered to comply with policies ENV 13 of Westminster's Unitary Development Plan and S29 of Westminster's City Plan.

8.4 Transportation/Parking

No change is proposed to the existing parking arrangements.

8.5 Economic Considerations

No economic considerations are applicable for a development of this size

8.6 Access

No change is proposed to the existing access arrangements.

8.7 London Plan

This application raises no strategic issues.

8.8 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.

8.9 Planning Obligations

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

8.10 Environmental Impact Assessment

The proposal is of an insufficient scale to require an environmental impact assessment.

8.11 Other Issues

Construction impact

Objection has been received stating that the applicant has not submitted a Construction Management Plan which would be necessary as the parking space in front the site and the adjoining property is within the ownership of the occupiers of the adjoining property. It is also noted that Albion Close is a private, gated road with restricted access.

In this instance, the proposed works are considered to be relatively minor in nature and therefore it would not be reasonable to require the submission of construction management plan, the proposals also do not qualify under the Code of Construction Practice. The applicant is advised via informative to become part of the considerate constructors scheme. Any issues in relation to access to the mews during construction area a private matter between the applicant and the relevant freeholder.

Westminster City Plan (November 2016)

Since the permission granted in 2008, 2012 and 2015 the City Council has adopted the revisions to the Westminster City Plan (November 2016). The application has been assessed against the current policies, and is considered to be acceptable.

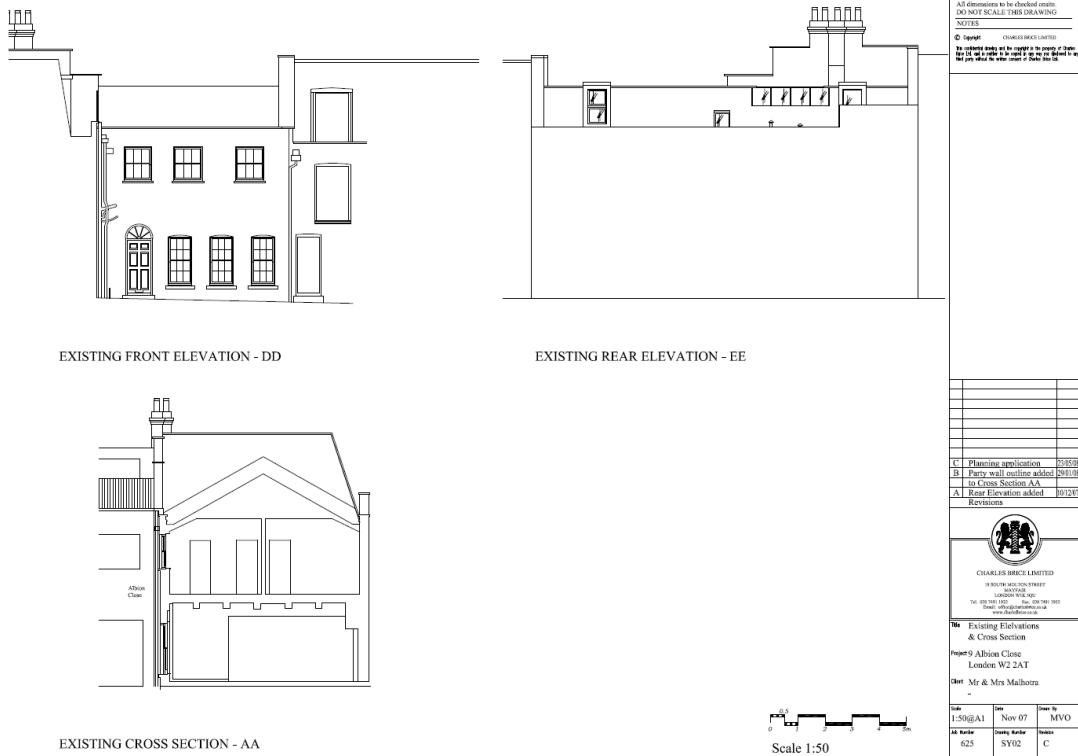
It is therefore recommended that permission is granted, subject to the conditions set out in the draft decision notice.

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

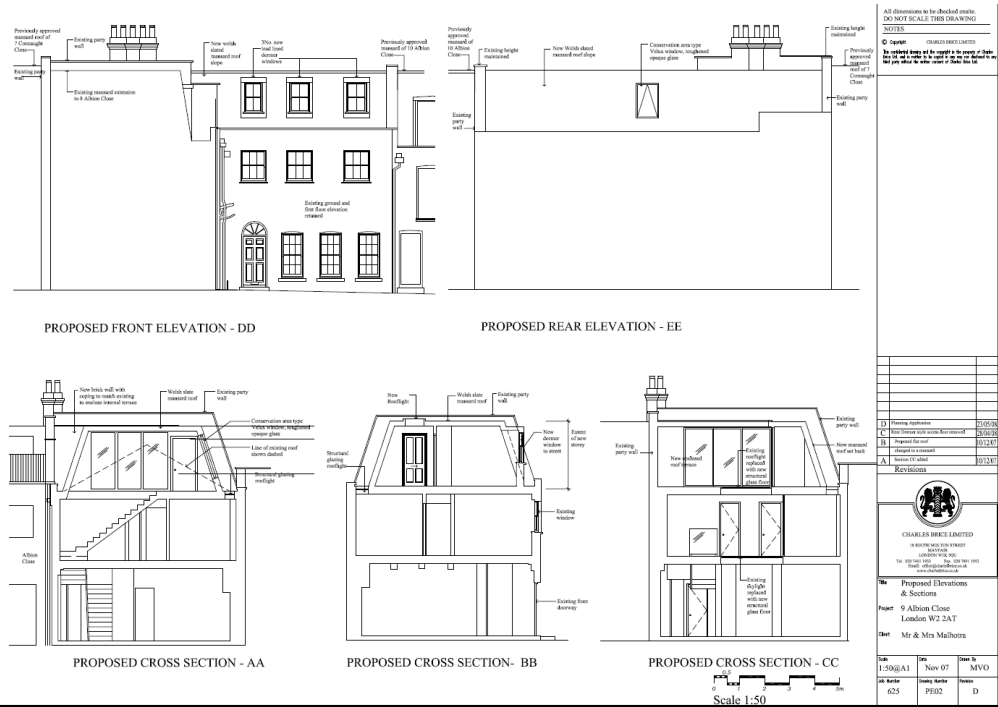
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: RUPERT HANDLEY BY EMAIL AT rhandley@westminster.gov.uk.

9. KEY DRAWINGS

EXISTING ELEVATIONS AND SECTION



PROPOSED ELEVATIONS AND SECTION



EXISTING GROUND FLOOR PLAN

EXISTING FIRST FLOOR PLAN

EXISTING ROOF PLAN

PROPOSED GROUND FLOOR PLAN

PROPOSED FIRST FLOOR PLAN

PROPOSED SECOND FLOOR PLAN

PROPOSED ROOF PLAN

DRAFT DECISION LETTER

Address: 9 Albion Close, London, W2 2AT,

Proposal: Erection of mansard roof extension with an enclosed terrace.

Plan Nos: SY01; SY02 rev C; PE01 rev D; PE02 rev D; PE.03; Planning Design & Access Statement.

Case Officer: Victoria Coelho

Direct Tel. No. 020 7641 6204

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 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 The rooflight window on the rear elevation of the mansard roof must be obscurely-glazed and remain as such. The rooflight shall be fitted with a restrictor to limit the extent to which the rooflight shall open. Detail of this restrictor shall be submitted to and approved by the City Council as local planning authority before works start on this relevant part of the development. The restrictor shall be installed and retained in accordance with the approved details.

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)

- 5 You must not attach flues, ducts, soil stacks, soil vent pipes, or any other pipework other than rainwater pipes to the outside of the building unless they are shown on the approved drawings. (C26KA)

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)

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.
- 2 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.

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

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.