

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 4 April 2017	Classification For General Release	
Report of Director of Planning		Ward(s) involved Lancaster Gate	
Subject of Report	15E Cleveland Square, London, W2 6DG		
Proposal	Erection of a mansard roof extension and internal alterations at fourth floor level.		
Agent	FORMstudio		
On behalf of	Mr & Mrs Arden		
Registered Number	17/00153/FULL and 17/00154/LBC	Date amended/ completed	10 January 2017
Date Application Received	6 January 2017		
Historic Building Grade	II		
Conservation Area	Bayswater		

1. RECOMMENDATION

1. Grant conditional permission and conditional listed building consent.
2. Agree reasons for granting conditional listed building consent as set out in Informative 1 of the draft decision letter.

2. SUMMARY

Planning permission and listed building consent is sought for the erection of a mansard roof extension to enlarge the existing flat at fourth floor level. Listed building consent is also sought for internal alterations at fourth floor level. Objections have been received regarding the height of the mansard, its detailed design and the loss of light to neighbouring buildings.

The key issues in this case are:

- The impact of the proposal on the special interest of the listed building and on the character and appearance of this part of the Bayswater Conservation Area.
- The impact of the proposals on the amenity of neighbouring residents.

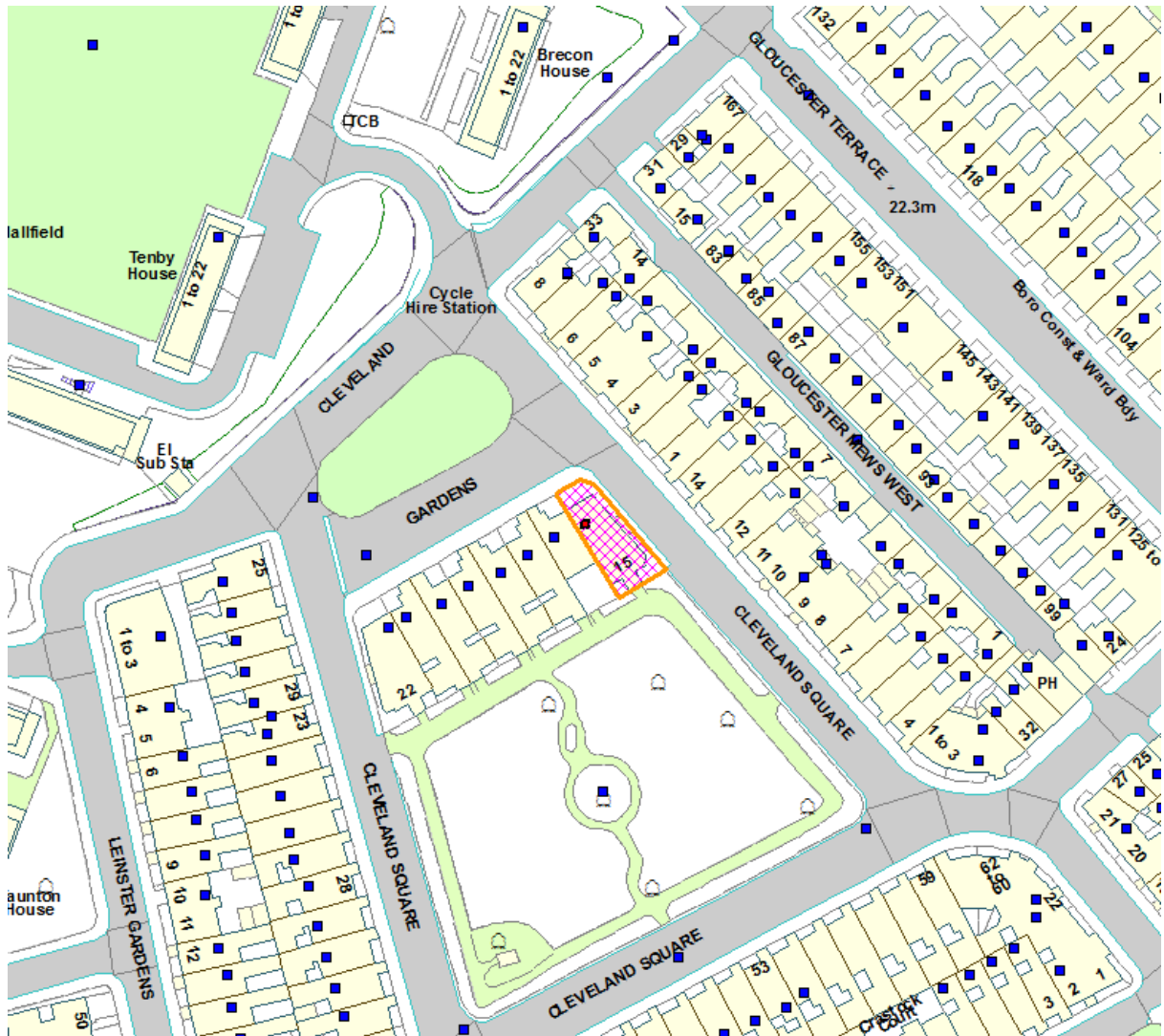
The proposed development is considered to comply with the relevant policies in relation to design, amenity and land use in the Unitary Development Plan adopted in January 2007 (the UDP) and

Item No.

3

Westminster's City Plan adopted in November 2016 (the City Plan). It is therefore recommended that conditional planning permission and listed building consent are granted.

3. LOCATION PLAN



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4. PHOTOGRAPHS



View of the terrace from the north in Cleveland Gardens (No.15 at left end of terrace).



View of the terrace from the south in Cleveland Square (No.15 at right end of terrace).

5. CONSULTATIONS

SOUTH EAST BAYSWATER RESIDENTS ASSOCIATION

No objection following amendments, as now same height as neighbouring mansards in same terrace and traditionally detailed.

ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 71.

Total No. of replies: 5.

No. of objections: 5.

Five letters/ emails from four respondents raising objection on all or some of the following grounds:

Design

- Negative impact on the appearance of the building.
- Only building within the terrace which does not have a mansard and that should be retained.
- Would harm the historic integrity of neighbouring Cleveland Square and Cleveland Gardens.
- Proposal would result in the loss of the historic roof structure.
- Should match the height of the mansard at No.12.
- Detailed design should match the neighbouring mansard at No.16 and not the 'large and out of character extension' at No.22.

Amenity

- Loss of daylight and sunlight to neighbouring windows and roof terraces.
- Impact on air flow.
- Impact on private views to the communal gardens.

Other

- Extension may have an impact on the value of neighbouring properties.

PRESS ADVERTISEMENT/ SITE NOTICE

Yes.

6. BACKGROUND INFORMATION

6.1 The Application Site

The application site is a Grade II listed end of terrace building, located on the north side of Cleveland Square, within the Bayswater Conservation Area. The building dates from circa 1851 and comprises five storeys, plus a basement floor. The building has historically been subdivided into flats and this application relates to the flat occupying the existing top floor at fourth floor level. This flat is currently the only property to have access to the roof, which is partly in use as a terrace.

6.2 Recent Relevant History

14 January 1999 – Planning permission and listed building consent were granted for the erection of a mansard roof extension to provide additional residential accommodation for Flat E (98/07014/FULL and 98/07015/LBC). This scheme was not implemented and the permission and consent lapsed.

28 August 2003 – Planning permission and listed building consent were granted for renewal of the permission and consent dated 14 January 1999 for a mansard roof extension to provide additional floorspace for the existing flat (03/04592/FULL and 03/05468/LBC). Again, this scheme was not implemented and the permission and consent lapsed.

4 January 2005 – Planning permission and listed building consent for the erection of mansard roof extension to create a new 1 x 1 bed flat and provide additional bedroom to Flat E were granted (03/05030/FULL and 03/05031/LBC). Again this scheme was not implemented and the permission and consent lapsed.

7. THE PROPOSAL

Planning permission and listed building consent are sought for the erection of a mansard roof extension to provide additional accommodation for the existing flat at fourth floor level (Flat E). Listed building consent is also sought for internal works to the existing fourth floor level.

During the course of the application the proposed roof extension has been amended following concerns raised regarding the height of the mansard and the detailed design of the southern elevation. The height of the mansard has been reduced and the large expanse of glazing omitted; the south elevation now comprises a predominantly solid elevation with punched dormer openings.

8. DETAILED CONSIDERATIONS

8.1 Land Use

In land use terms the creation of additional residential floorspace to enlarge the existing fourth floor flat would accord with policy H3 in the UDP and policy S14 in the City Plan.

8.2 Townscape and Design

At present the application site is the only building within the terrace which has not been extended at roof level. The two end of terrace buildings are set further forward on the south side of the terrace and the mansard on the opposing end of terrace building occupies the full footprint of the roof of the building. The roof of the application site is currently part used as a terrace, partly occupied by the lift over run and has a section of a modified roof structure.

The mansard roof extension proposed would occupy the full width of the building, apart from going around the existing lift overrun, and would sit within the bottle balustrade. It

would not span the full depth of the building, as it will be contained within the party wall upstand allowing for part of the roof terrace to the southern side of the roof to remain. The proposed mansard is to be clad in lead and will have two dormer doors on the south elevation and two dormer windows on the north elevation.

Roof level alterations are assessed under Policy DES 6 in the UDP, which seeks to ensure the highest standards of design in roof level alterations and extensions. The policy specifically states that permission will be granted for new roof structures where the proposed development is in sympathy with the buildings architectural character, where the form and detailing reflects the form, detailing and use of materials found on the existing building, where the proposed accords with precedents and where the design of the extension avoids infringement on neighbouring amenity. Also of relevance are UDP policies DES 9 (Conservation Areas) and DES 10 (Listed Buildings).

An objection to the scheme has been received on the grounds that the proposed mansard roof extension would be contrary to Policy DES 6, as this is the only building within the terrace which does not have a roof extension, contrary to DES 9 as it is in an area where roof extensions are unacceptable and contrary DES 10 as the historic roof structure should be preserved in situ.

Policy DES 6 states that roof level extensions which accord similar extensions within the same group of the buildings are likely to be acceptable. Whilst this is the only remaining building in the terrace without a mansard, the precedent has been accepted in this location on three previous occasions and the mansard will create a uniform roofscape, completing the appearance of the terrace.

With regard to the reference by an objector that this is not a location where roof extensions will be acceptable, it is believed this reference has been taken from the Bayswater Conservation Area Audit (2000), which identifies this terrace as one where roof extensions are unlikely to be acceptable. Reference is also made by objectors to the proposed roof extension at Nos.1-3 Cleveland Gardens and 8-14 Cleveland Square (along the terrace opposite to the north east side of Cleveland Square) which was dismissed at appeal in 2014 (see copy of appeal decision letter in the background papers). However, the content of the conservation area audit is guidance and each case must be considered on its own merits. In the case of the site at Nos. 1-3 Cleveland Gardens and 8-14 Cleveland Square, this site comprised a run of buildings within a terrace that is largely devoid of existing roof extensions. This is very different to the circumstances in the case of the application terrace.

The application site no longer retains the complete historic roof structure, with part of the roof having been adapted and altered as part of the 20th Century subdivision of the building in to flats. Therefore the objection in terms of Policy DES 10 cannot be sustained as the proposal would not result in the loss of a historic roof form or significant original historic fabric.

Objection has also been raised on the grounds that the proposal is contrary to Policy DES 12 as the proposal will not preserve the historical integrity of the Cleveland Square and Cleveland Gardens. This policy seeks to preserve or enhance the integrity of open spaces and their settings and therefore is not applicable to roof level extensions. In the context of

the planning history and current planning policy, the principle of a mansard extension is considered to be acceptable.

Objections were received from the South East Bayswater Residents Association and one neighbour on the grounds relating to the height and detailed design of the proposed roof extension. However, the amendments made during the course of the application are considered to have addressed these initially raised concerns. The scale, form and detailed design of the mansard roof extension is considered to be in accordance with Policy DES 6 in the UDP as it is in keeping with traditionally detailed roof extensions to neighbouring properties in the same terrace and does not detract from the character and appearance of the heritage asset or the conservation area.

The applicant proposes the cladding of the elevations of the proposed roof extension in natural slate, which would be an acceptable cladding material, consistent with the facing material to other roof extensions in this terrace. A condition is recommended to secure a sample of slate. The proposed dormer windows will be clad in lead, with timber framed windows and doors. A further condition is recommended to secure details of the fenestration to ensure it is appropriately detailed.

Due to the depth of the bottle balustrade there is no requirement for additional balustrading for the terrace and as the roof is currently functioning as a terrace with no adverse impact on the appearance of the building from the street, there is no objection in design terms to the retention of a section of terrace to the southern elevation. A condition is nevertheless recommended restricting the proliferation of items on the terrace.

Internally the principle alteration involves the insertion of an additional staircase and the consequent relocation of internal partitions. The existing fourth floor plan form implies that the building has historically been altered at this level and limited features of historic and architectural interest remain. In this context, the principle of the proposed alterations at fourth floor level are acceptable, subject to an investigative works condition which should provide details of fabric in the proposed staircase location to ensure nothing of interest is uncovered and lost.

In summary in design and listed building terms, the proposed mansard roof extension and associated works are considered to have a limited impact on the special interest of the listed building and will preserve the character and appearance of the Bayswater Conservation Area. The works are considered to be in accordance with relevant design policies in the UDP and City Plan.

8.3 Residential Amenity

Objections to the application have been received from occupiers within properties at first floor level within No.14 Cleveland Square, opposite the side elevation of the application property, on the grounds that the proposed mansard would impact on the amount of daylight and sunlight received in rooms facing Cleveland Square and the front balcony. However, given that the roof extension would be set back behind the roof edge parapet and limited to a single storey, it would not result in a material loss of daylight or sunlight to these neighbouring windows and balcony, which would continue to retain a predominantly unobstructed outlook.

Given its roof level location and as it would be set back behind the existing roof edge parapet, the proposed roof extension would not cause a material loss of light, increased sense of enclosure or increase in overlooking to neighbouring residents in other neighbouring properties, including within the same terrace. The proposal therefore accords with Policy ENV13 in the UDP and S29 in the City Plan.

8.4 Transportation/Parking

Not relevant.

8.5 Economic Considerations

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

8.6 Access

Not relevant.

8.7 Other UDP/ Westminster Policy Considerations

None relevant.

8.8 London Plan

This application raises no strategic issues.

8.9 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.

8.10 Planning Obligations

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

8.11 Environmental Impact Assessment

Not relevant.

8.12 Other Issues

One respondent raises concerns that the mansard extension will impact on his view of the communal garden and therefore will affect the value of their property. However, planning permission cannot reasonably be withheld on the basis that it may obstruct an existing private view. Similarly, the impact of development on the value of neighbouring properties is not a material planning consideration and therefore not a ground on which planning permission could be withheld.

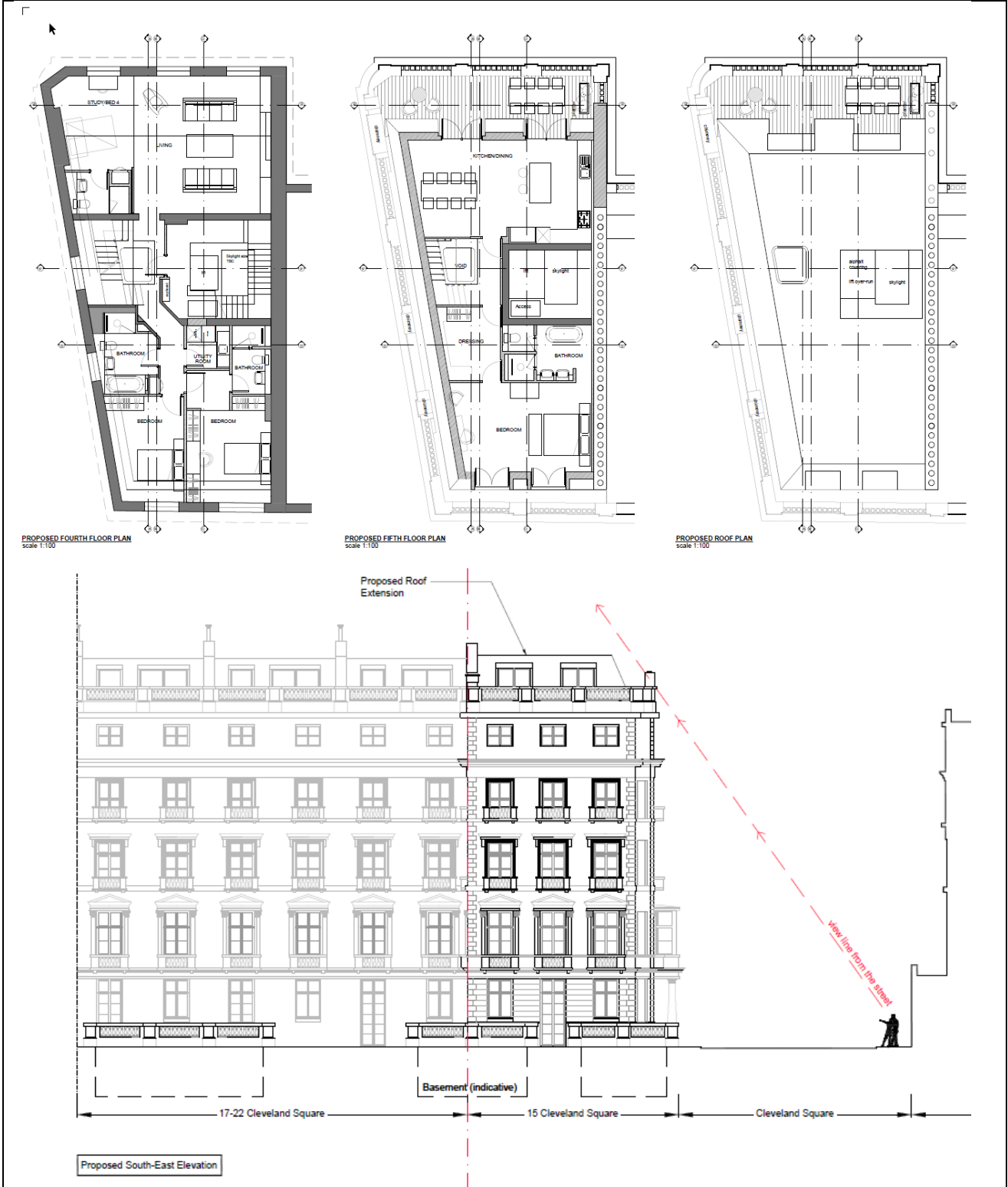
9. BACKGROUND PAPERS

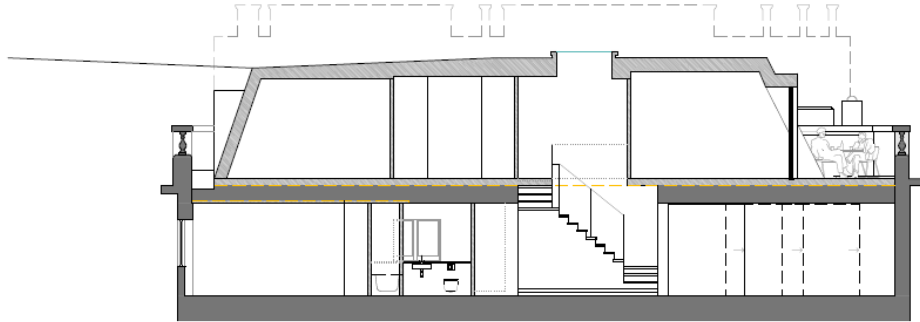
1. Application form.
2. Emails from the South East Bayswater Residents Association dated 19 February 2017 and 22 March 2017.
3. Email from the occupier of Flat 9, 14 Cleveland Square dated 4 February 2017.
4. Email from the occupier of Flat 11, 7 Cleveland Gardens dated 6 February 2017.
5. Emails from the occupier of Flat 5, 14 Cleveland Square dated 7 February 2017 and 26 February 2017.
6. Email from occupier of Flat 4, 14 Cleveland Square dated 23 February 2017.

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

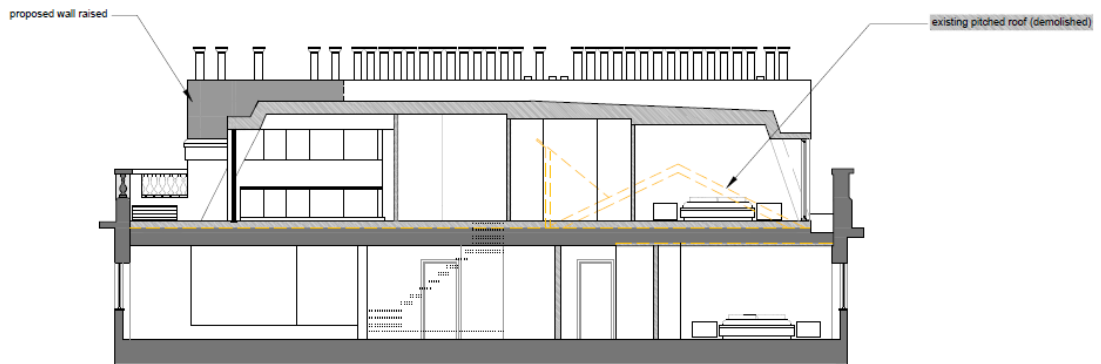
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT ogibson@westminster.gov.uk

10. KEY DRAWINGS

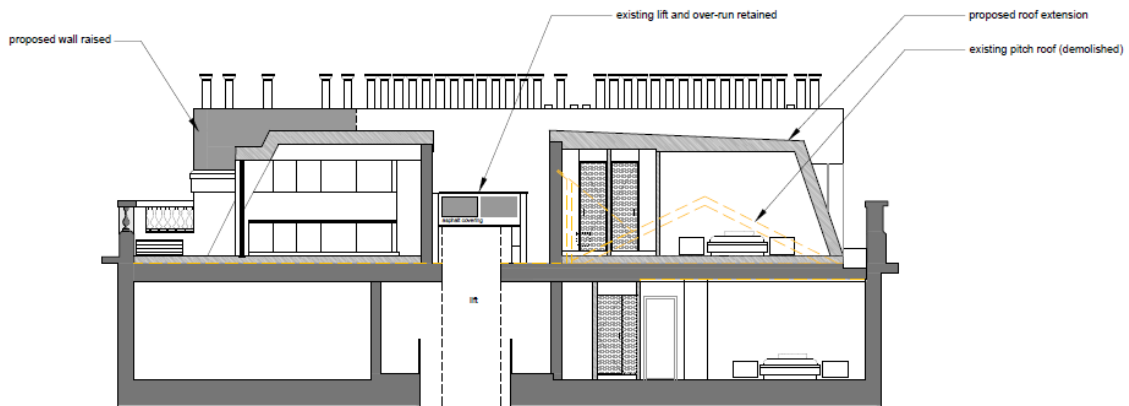




PROPOSED SECTION A-A ROOF LEVEL
scale 1:100



PROPOSED SECTION B-B ROOF LEVEL
scale 1:100



PROPOSED SECTION C-C ROOF LEVEL
scale 1:100

DRAFT DECISION LETTER

Address: 15E Cleveland Square, London, W2 6DG

Proposal: Erection of a mansard roof extension and internal alterations at fourth floor level.

Reference: 17/00153/FULL

Plan Nos: 873.001; 873.002; 873.003; 873.007; 873.008; 873.009; 873.010 Rev A; 873.011 Rev C; 873.012 Rev C; 873.016 Rev C; 873.017 Rev B; 873.018 Rev A; 873.019 Rev A.

Case Officer: Rebecca Mason

Direct Tel. No. 020 7641 7540

Recommended Condition(s) and Reason(s)

- 1 The development hereby permitted shall be carried out in accordance with the drawings and other documents listed on this decision letter, and any drawings approved subsequently by the City Council as local planning authority pursuant to any conditions on this decision letter.

Reason:

For the avoidance of doubt and in the interests of proper planning.

- 2 Except for piling, excavation and demolition work, you must carry out any building work which can be heard at the boundary of the site only:

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

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

- o between 08.00 and 18.00 Monday to Friday; and
- o not at all on Saturdays, Sundays, bank holidays and public holidays.

Noisy work must not take place outside these hours unless otherwise agreed through a Control of Pollution Act 1974 section 61 prior consent in special circumstances (for example, to meet police traffic restrictions, in an emergency or in the interests of public safety). (C11AB)

Reason:

To protect the environment of neighbouring occupiers. This is as set out in S29 and S32 of Westminster's City Plan (November 2016) and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

- 3 All new work to the outside of the building must match existing original work in terms of the choice of

materials, method of construction and finished appearance. This applies unless differences are shown on the drawings we have approved or are required by conditions to this permission. (C26AA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 4 You must clad the elevations of the mansard roof extension hereby approved in natural slate. Before you begin work on this part of the development you must apply to us for approval of a sample of the natural slate you will use and you must not install the slate until we have approved the sample that you send us. Thereafter you must clad the roof extension using the natural slate that we approve.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 5 You must not put structures such as canopies, fences, loggias, trellises or satellite or radio antennae on the roof terrace. (C26NA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 6 You must not put any machinery or associated equipment, ducts, tanks, satellite or radio aerials on the roof, except those shown on the approved drawings. (C26PA)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 7 You must apply to us for approval of further details of the following parts of the development:

- detailed drawings, including sections at a scale of 1:20 or 1:10 of the new windows and doors.

You must not start any work on these parts of the development until we have approved what you have sent

us. You must then carry out the work according to these approved details. (C26DB)

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 8 The dormers shall be clad in rolled leadwork and shall be permanently retained in this material.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

- 9 The windows and doors hereby approved in the roof extension shall be formed in painted timber and retained in that material and finish.

Reason:

To protect the special architectural or historic interest of this listed building and to make sure the development contributes to the character and appearance of the Bayswater Conservation Area. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1, DES 10 (A) and paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R26FD)

Informative(s):

- 1 In dealing with this application the City Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies in Westminster's City Plan (November 2016), Unitary Development Plan, Supplementary Planning documents, planning briefs and other informal written guidance, as well as offering a full pre application advice service, in order to ensure that applicant has been given every opportunity to submit an application which is likely to be considered favourably. In addition, where appropriate, further guidance was offered to the applicant at the validation stage.

Please note: the full text for informatives can be found in the Council's Conditions, Reasons & Policies handbook, copies of which can be found in the Committee Room whilst the meeting is in progress, and on the Council's website.

Item No.

3

DRAFT DECISION LETTER

Address: 15E Cleveland Square, London, W2 6DG

Proposal: Erection of a mansard roof extension and internal alterations at fourth floor level.

Reference: 17/00154/LBC

Plan Nos: 873.001; 873.002; 873.003; 873.007; 873.008; 873.009; 873.010 Rev A; 873.011 Rev C; 873.012 Rev C; 873.016 Rev C; 873.017 Rev B; 873.018 Rev A; 873.019 Rev A.

Case Officer: Rebecca Mason

Direct Tel. No. 020 7641 7540

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 All new work and improvements inside and outside the building must match existing original adjacent work in terms of the choice of materials, method of construction and finished appearance. This applies unless differences are shown on the approved drawings or are required in conditions to this permission. (C27AA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 3 You must not disturb existing ornamental features including chimney pieces, plasterwork, architraves, panelling, doors and staircase balustrades. You must leave them in their present position unless changes are shown on the approved drawings or are required by conditions to this permission. You must protect those features properly during work on site. (C27KA)

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 4 You must clad the elevations of the mansard roof extension hereby approved in natural slate. Before you begin work on this part of the development you must apply to us for approval of a sample of the natural slate you will use and you must not install the slate until we have approved the sample that you send us. Thereafter you must clad the roof extension using the natural slate that we approve.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 5 You must apply to us for approval of further details of the following parts of the development:

- (a) detailed drawings, including sections at a scale of 1:20 or 1:10 of the new windows and doors.
(b) details of investigative works to the area when the additional staircase is proposed.

You must not start any work on these parts of the development until we have approved what you have sent us. You must then carry out the work according to these approved details

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 6 The dormers shall be clad in rolled leadwork and shall be permanently retained in this material.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

- 7 The windows and doors hereby approved in the roof extension shall be formed in painted timber and retained in that material and finish.

Reason:

To protect the special architectural or historic interest of this building and to make sure the development contributes to the character and appearance 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 paras 10.108 to 10.146 of our Unitary Development Plan that we adopted in January 2007. (R27AC)

Informative(s):

- 1 SUMMARY OF REASONS FOR GRANTING CONDITIONAL LISTED BUILDING CONSENT - In reaching the decision to grant listed building consent with conditions, the City Council has had regard to the relevant policies in the National Planning Policy Framework March 2012, the London Plan March 2016, Westminster's City Plan (November 2016), and the City of Westminster Unitary Development Plan adopted January 2007, as well as relevant supplementary planning guidance, representations received and all other material considerations., , The City Council decided that the proposed works would not harm the character of this building of special architectural or historic interest., , In reaching this decision the following were of particular relevance:, S25 and S28 of Westminster's City Plan: Strategic Policies and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and paragraph 2.4 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings.

- 2 You will need to contact us again if you want to carry out work on the listed building which is not referred to in your plans. This includes:
 - * any extra work which is necessary after further assessments of the building's condition;
 - * stripping out or structural investigations; and
 - * any work needed to meet the building regulations or other forms of statutory control.

Please quote any 'TP' and 'RN' reference numbers shown on this consent when you send us further documents.

It is a criminal offence to carry out work on a listed building without our consent. Please remind your client, consultants, contractors and subcontractors of the terms and conditions of this consent. (159AA)

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.