

CITY OF WESTMINSTER			
PLANNING APPLICATIONS COMMITTEE	Date 26 May 2015	Classification For General Release	
Report of Director of Planning		Wards involved Hyde Park	
Subject of Report	9 Albion Close, London, W2 2AT		
Proposal	Mansard roof extension and enclosed terrace to provide additional floorspace to single family dwellinghouse.		
Agent	Phillips Planning Services Limited		
On behalf of	Mr & Mrs Malhotra		
Registered Number	15/03208/FULL		
Date of Application	13.04.2015	Date amended/ completed	13.04.2015
Category of Application	Other		
Historic Building Grade	Unlisted but the houses at the rear are Grade II listed		
Conservation Area	Bayswater		

1. RECOMMENDATION

Grant conditional permission.

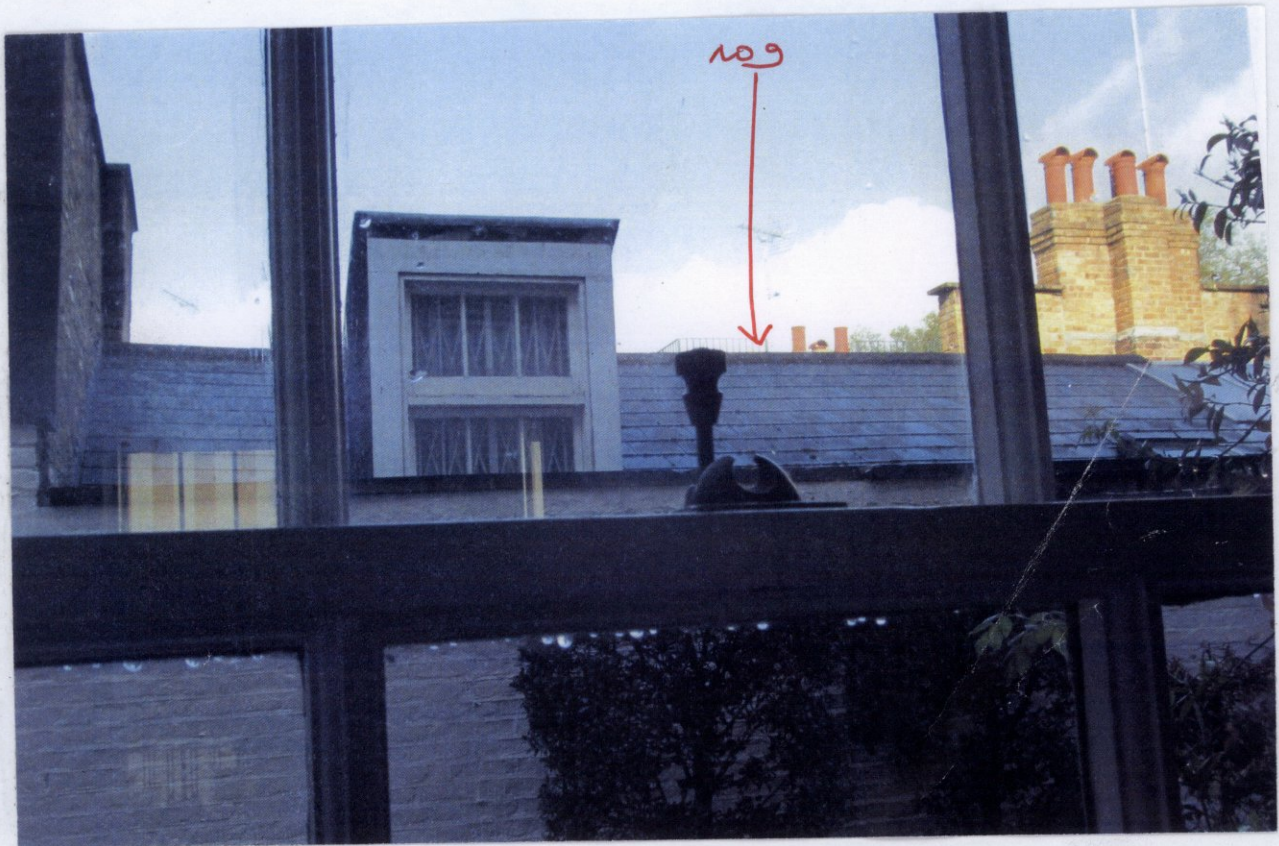
2. SUMMARY

This application is for a mansard roof extension and an enclosed terrace which is identical to the 2012 approval (which was an extension of time to an earlier 2009 approval) which expired on 1 May 2015. Objections have been received from the neighbours at the rear in Albion Street on loss of light, increased sense of enclosure grounds, overlooking, noise generated from use of the roof terrace and the use of the extended building and increased security risk.

The main issues are:

- The impact on the appearance of this mews house, the setting of adjoining listed buildings and the appearance and character of this part of the Bayswater Conservation Area.
- The impact of the proposal on the amenities of adjoining residents in Albion Close and Albion Street.





Front elevation (top) and rear elevation taken from 9 Albion Street (bottom)

9 ALBION CLOSE, W2

3. CONSULTATIONS

HYDE PARK ESTATE ASSOCIATION

Any response to be reported verbally.

ADJOINING OWNERS/OCCUPIERS AND OTHER REPRESENTATIONS

No. Consulted: 9; Total No. of Replies: 3.

Three objections from Nos. 8 and 10 Albion Street.

Amenity

- Previously objected to a similar application which was withdrawn. Raising the height of the property has a significant impact on light to the back of the house at No. 8.
- Loss of light to basement, ground, first and second floors at No. 10 as a result of increasing the height of the roof as No. 9 Albion Close is only 4m away.
- Overlooking into rear of No. 8 from the proposed terrace.
- The rear rooflight will directly overlook No. 10 and result in increased noise and disturbance.
- Increased noise from the adjacent building.
- Proposed roof terrace will create a noise impact.
- Impact of construction on residents.

Other

- Increased security risk.

ADVERTISEMENT/SITE NOTICE: Yes

4. BACKGROUND INFORMATION

4.1 The Application Site

No. 9 Albion Close is a two storey mews house within the Bayswater Conservation Area. It backs onto the Grade II listed houses in Albion Street.

4.2 Planning History

1 May 2012: Permission granted for an 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. This permission which was valid for three years has now expired.

23 April 2009: Permission granted for a mansard roof extension with enclosed terrace to provide additional floorspace to single family dwellinghouse.

There was an earlier proposal for a mansard which was refused in October 2005. This scheme was for a design which incorporated a sheer box like structure on the northern part of the roof that incorporated a roof terrace situated above the main mews elevation of the building and a tall timber slatted fence facing the properties on Albion Street. It was refused on the basis of an unacceptable loss of privacy for the people in the neighbouring Albion Close properties and an unacceptable sense of enclosure and a diminution of daylight and sunlight for Nos. 9, 10 and 11 Albion Street by reason of its bulk, height and close proximity to those properties.

Another planning application was submitted for a mansard roof extension in November 2007. The application was later withdrawn.

5. THE PROPOSAL

This planning application is for a mansard roof extension with three dormers to the front elevation. The new roof extension will be 750mm higher than the existing roof, and is identical to the recently expired 2012 permission. At the rear, a single rooflight is proposed. A roof terrace is also proposed but this is enclosed.

6. DETAILED CONSIDERATIONS

6.1 Land Use

There are no objections to this proposal in land use terms.

6.2 Townscape and Design

The City Council has already accepted the principle of adding a mansard roof extension to this house in 2009 and 2012. The design is acceptable and it is not considered that the proposal will harm the setting of the adjoining listed houses and will preserve the appearance and character of this part of the Bayswater Conservation Area. The proposal complies with Policies S25 and S28 in the City Plan and DES6 and DES9 in the UDP.

6.3 Residential Amenity (Loss of Sunlight /Enclosure and Overlooking)

The neighbours at the rear in Albion Street have objected to the proposal on grounds of loss of light, outlook and loss of privacy. Nos. 8, 9 and 11 have been inspected internally to assess the proposed impact. The owners of Nos. 8,9, 10 and 11 all object on grounds of loss of sunlight, increased sense of enclosure and overlooking.

The proposal will result in a loss of sunlight and increased sense of enclosure to the occupiers of Nos. 9, 10 and 11 Albion Street and to a lesser extent to No. 8. In respect of loss of sunlight, the proposed increase in the height of the new roof by 750mm will result in some loss of afternoon sun to rear windows and roof terraces, but not to such a material extent to warrant refusal of permission.

It is recognised that due to the proximity of these houses the proposal will result in an increased sense of enclosure. The outlook from these houses has been affected by other mansard roof extensions, and it is accepted that views from the ground and first floor windows and roof terraces will be more enclosed as a result of this roof extension. It is considered that this loss of amenity is considered on balance acceptable. The City Council has previously accepted this loss of amenity in 2009 and 2012, and it is not considered that there have been any material change in planning circumstances to warrant refusal of permission.

The rooflight in the rear slope will be obscure glass in order to mitigate possible loss of privacy and it is considered that a restrictor be fitted to limit its extent of opening. The roof terrace will be enclosed and there will be no overlooking into the houses in Albion Street, or to the other side of the mews, therefore the objections received cannot be supported.

The proposal therefore complies with Policies S29 and S31 in the City Plan and ENV13 in the UDP.

6.4 Transport /Highways

Not relevant in the determination of this householder planning application.

6.5 Equalities and Diversities

Not relevant in the determination of this householder planning application.

6.6 Economic Considerations

Not relevant in the determination of this householder planning application.

6.7 Other Westminster Policy Considerations

A condition to control hours of building work is recommended.

6.8 London Plan

Not relevant in the determination of this householder planning application.

6.9 Central Government Guidance/NPPF

Central Government's National Planning Policy Framework (NPPF) came into effect on 27 March 2012. It sets out the Government's planning policies and how they are expected to be applied. The NPPF has replaced almost all of the Government's existing published planning policy statements/guidance as well as the circulars on planning obligations and strategic planning in London. It is a material consideration in determining planning applications.

Until 27 March 2013, the City Council was able to give full weight to relevant policies in the Core Strategy and London Plan even if there is a limited degree of conflict with the framework. The City Council is now required to give due weight to the relevant policies in existing plans 'according to their degree of consistency with the NPPF. Westminster's City Plan: Strategic Policies was adopted by Full Council on 13 November 2013 and is fully compliant with the NPPF. For the UDP, due weight should be given to relevant policies according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

The UDP policies referred to in the consideration of this application are considered to be consistent with the NPPF unless stated otherwise.

6.10 Planning Obligations

Not relevant in the determination of this householder planning application.

6.11 Environmental Assessment including Sustainability and Biodiversity Issues

Not relevant in the determination of this householder planning application.

6.12 Conclusion

Despite the objections received, the application is being recommended for conditional approval

BACKGROUND PAPERS

1. Application form.
2. Copy of 2012 planning permission for a roof extension.

3. Email from No. 8 Albion Street London W2 dated 28 April 2015.
4. Emails from No. 10 Albion Street London W2 dated 5 May 2015 and 8 May 2015.
5. Email from No. 9 Albion Street dated 12 May 2015.

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS PLEASE CONTACT NATHAN BARRETT ON 020 7641 5943 OR BY E-MAIL – nbarrett@westminster.gov.uk

DRAFT DECISION LETTER

Address: 9 Albion Close, London, W2 2AT

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

Plan Nos: Covering letter dated 13th April 2015 , Planning Design and Access Statement , 625-PE01 Revision D, 625-PE02 Revision D, 625-SY 01 ,625-SY 02 Revision C,

Case Officer: Amanda Coulson

Direct Tel. No. 020 7641 2875

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 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: Strategic Policies adopted November 2013 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)

- 3 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: Strategic Policies adopted November 2013 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 obscurely glazed. The rooflight shall also 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 in accordance with the approved details and shall not be removed unless agreed by the City Council.

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: Strategic Policies adopted November 2013 and ENV 6 and ENV 13 of our Unitary Development Plan that we adopted in January 2007. (R21BC)

- 5 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.

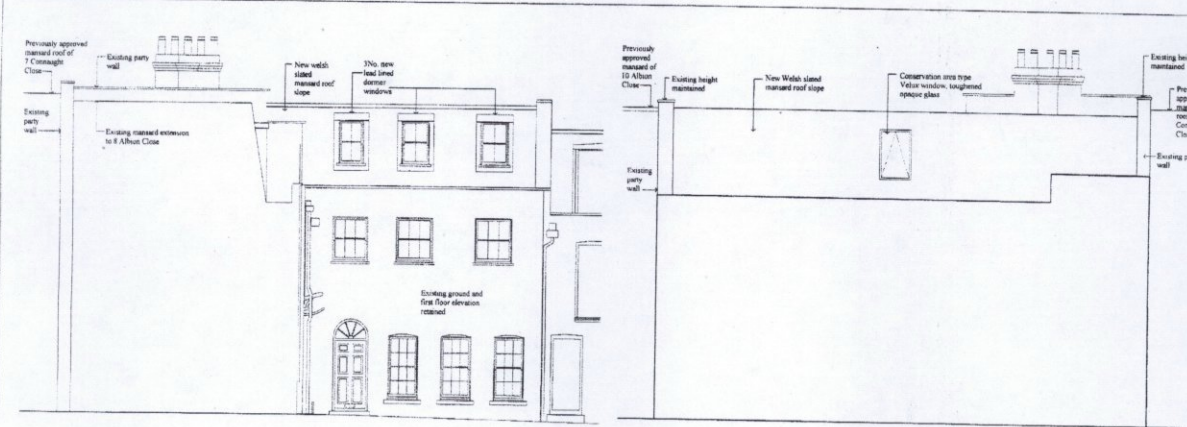
Noisy work must not take place outside these hours. (C11AA)

Reason:

To protect the environment of neighbouring residents. This is as set out in S29 and S32 of Westminster's City Plan: Strategic Policies adopted November 2013 and ENV 6 of our Unitary Development Plan that we adopted in January 2007. (R11AC)

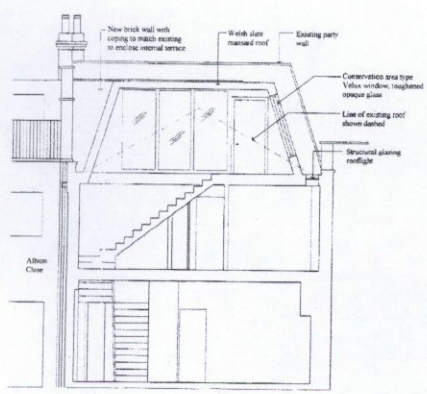
Informative(s):

- 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: Strategic Policies adopted November 2013, 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 will need to re-apply for planning permission if another authority or council department asks you to make changes that will affect the outside appearance of the building or the purpose it is used for. (I23AA)
- 3 Under the Highways Act 1980 you must get a licence from us before you put skips or scaffolding on the road or pavement. It is an offence to break the conditions of that licence. You may also have to send us a programme of work so that we can tell your neighbours the likely timing of building activities. For more advice, please phone our Highways Licensing Team on 020 7641 2560. (I35AA)
- 4 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.

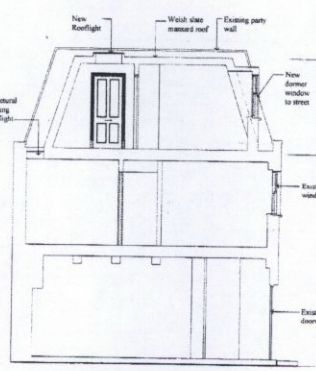


PROPOSED FRONT ELEVATION - DD

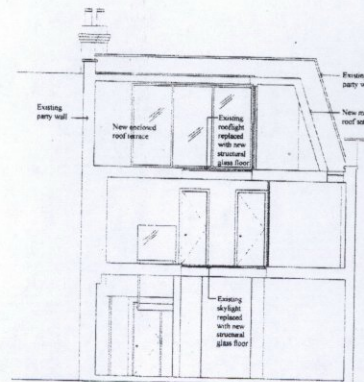
PROPOSED REAR ELEVATION - EE



PROPOSED CROSS SECTION - AA



PROPOSED CROSS SECTION - BB



PROPOSED CROSS SECTION - CC

All dimensions to be checked onsite
DO NOT SCALE THIS DRAWING

NOTES

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E	Plan/DOA/Ref/Date to address issues adjusted	23/10/08
D	Planning Application	23/05/08
C	Final Contract to be issued after approval	28/04/08
B	Proposed Contract	10/12/07
A	Section CC added	10/12/07

Revisions

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www.charlesbrace.co.uk

Title: Proposed Elevations & Sections
Project: 9 Albion Close London W2 2AT
Client: Mr & Mrs Malhotra

Date:	1:50@A1	Date:	Nov 07	Drawn by:	MVO
Job Number:	625	Client Number:	PE02	Revised:	E