

<b>CITY OF WESTMINSTER</b>			
<b>PLANNING APPLICATIONS SUB COMMITTEE</b>	<b>Date</b> 10 October 2017	<b>Classification</b> For General Release	
<b>Report of</b> Director of Planning		<b>Ward(s) involved</b> Hyde Park	
<b>Subject of Report</b>	<b>Flat 10, 15 Hyde Park Gardens, London, W2 2LU</b>		
<b>Proposal</b>	Removal of part of the south roof slope to form mansard roof slope and enlarged roof terrace, associated alteration to French doors to central dormer and internal alterations.		
<b>Agent</b>	Formwork Architects Ltd		
<b>On behalf of</b>	Mr & Mrs Cox		
<b>Registered Number</b>	17/06890/FULL, and 17/06891/LBC	<b>Date amended/ completed</b>	8 September 2017
<b>Date Application Received</b>	2 August 2017		
<b>Historic Building Grade</b>	II		
<b>Conservation Area</b>	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

Permission is sought for the removal of part of the south roof slope to form a mansard roof slope and an associated enlarged roof terrace, with associated alteration to the French doors to the existing central dormer and associated internal alterations to the top floor.

The key considerations are:

- The impact of the works on the character and appearance of the listed building and Bayswater Conservation area.
- The impact on the amenity of neighbouring residents.

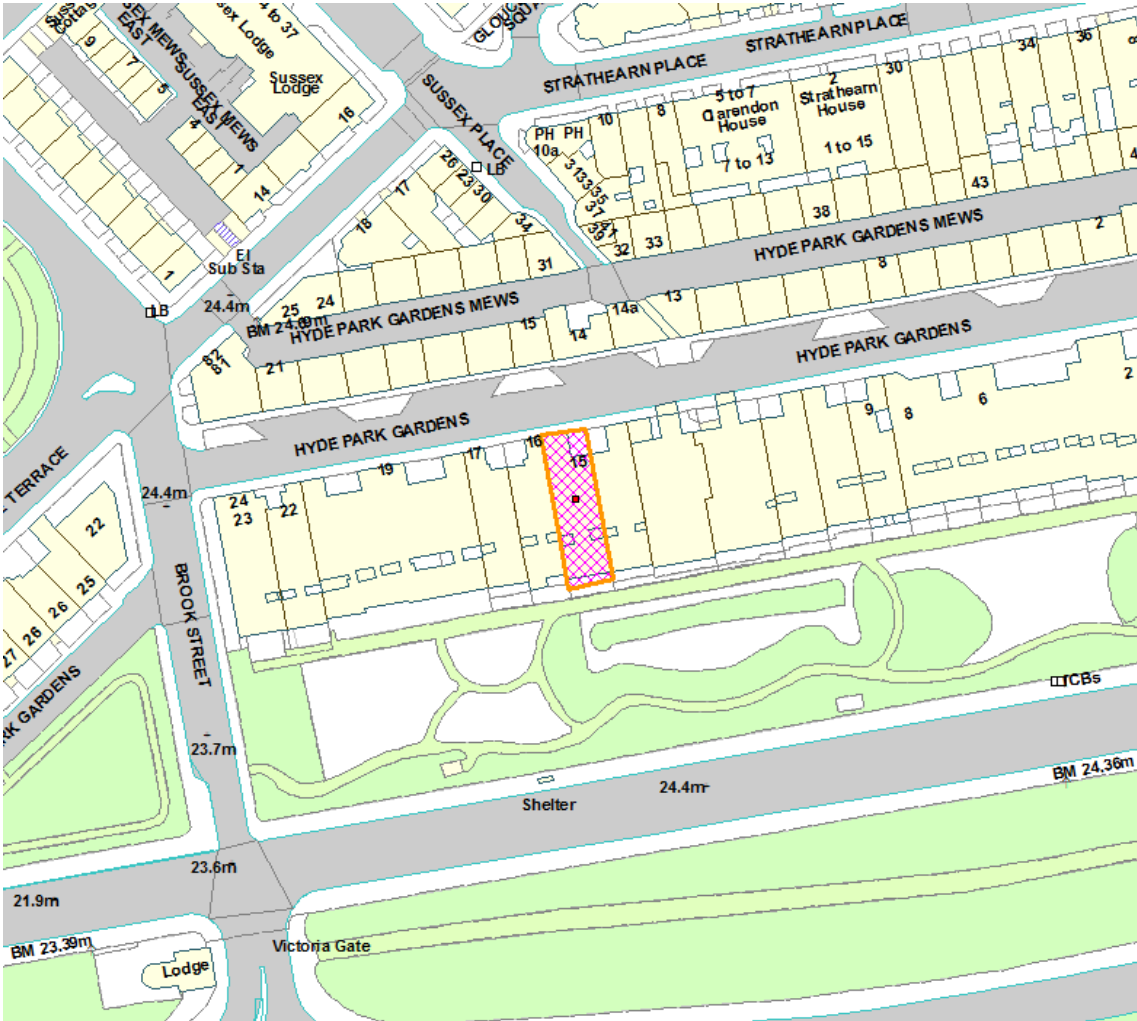
The proposed development would be consistent with relevant design and amenity policies in the Unitary Development Plan (UDP) and Westminster's City Plan (the City Plan) and as such, the

Item No.
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application is recommended for approval subject to the conditions set out in the draft decision letter.
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3. LOCATION PLAN



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4. PHOTOGRAPHS



North elevation (top) and south elevation (bottom).



View of existing roof and dormers (top) and existing front roofslope and railings (bottom).

## 5. CONSULTATIONS

### HYDE PARK ESTATE ASSOCIATION

Any response to be reported verbally

### HISTORIC ENGLAND

Authorised the City Council to determine the application as it sees fit.

### ADJOINING OWNERS/ OCCUPIERS AND OTHER REPRESENTATIONS RECEIVED

No. Consulted: 28.

Total No. of replies: 0.

No. of objections: 0.

No. in support: 0.

### PRESS ADVERTISEMENT/ SITE NOTICE

Yes.

## 6. BACKGROUND INFORMATION

### 6.1 The Application Site

No. 15 Hyde Park Gardens is a Grade 2 listed building located within the Bayswater Conservation Area, and Flat 10 represents the top floor flat within the building. No. 15 forms an integral part of a terrace of properties between nos. 1 and 24 Hyde Park Gardens which have their main entrances on Hyde Park Gardens and their southern frontages facing over a private communal garden towards Hyde Park.

### 6.2 Recent Relevant History

28 April 2011 – Planning permission and listed building consent granted for the removal of part of the south roof slope to form mansard roof slope and enlarged roof terrace and associated alteration to French doors to central dormer (Flat 10).

09 July 2014 – Planning permission and listed building consent granted for the removal of part of the south roof slope to form mansard roof slope and enlarged roof terrace and associated alteration to French doors to central dormer (Flat 10).

Both previous permissions and consents have now lapsed without being implemented.

## 7. THE PROPOSAL

The applications seek permission and consent for the removal of part of the south roof slope to form a mansard roof slope in place of the existing shallower roof slope. This is to allow for the enlargement of the existing roof terrace, with associated alteration to the French doors to the central dormer. Internal alterations are also proposed.

Permission and consent have been approved for these works on two separate previous occasions, as set out in the preceding 'Planning History' section of the report.

## **8. DETAILED CONSIDERATIONS**

### **8.1 Land Use**

The application does not raise land use considerations.

### **8.2 Townscape and Design**

A section of the front of the roof structure is to be removed to facilitate the enlargement of the terrace area to the front of the flat. As with the previously approved applications, the applicant has submitted a historical analysis document which demonstrates that the fabric at roof level is relatively modern, and that the roof of the building was previously in a mansard form, which is the most common form of roof to this terrace.

The creation of a mansard form of roof to the south facing roof slope is more in line with the pattern of roof structures along the terrace, and the detailing and cladding materials are both traditional and in keeping with the character of the building and terrace. As with the previously approved schemes therefore, the alterations proposed are considered acceptable in design terms.

Internally, the flat has been considerably altered, and the relatively minor amendments proposed are not considered contentious.

Given the above, the works are considered in accordance with Policies DES 1, DES 6, DES 9 and DES 10 in the UDP and Policies S25 and S28 in the City Plan.

### **8.3 Residential Amenity**

A terrace already exists to the south side of the flat; albeit one that is smaller than is now proposed. The terrace proposed in the current scheme matches the size of those included in the two previously approved schemes. There would be no overlooking issues of concern for the property to the west given the arrangement of an existing high party wall extending almost to the south elevation and given the smaller dormers in place to that adjoining property. To the east side, the existing party wall will also significantly restrict visibility, and the adjoining property to that side has a large terrace to the south side of its top floor accommodation. Therefore any overlooking between the terraces would be mutual.

As with the previously approved schemes, the terrace proposed is not considered to give rise to any unacceptable amenity or overlooking concerns for the adjoining residential properties. Given this, the enlarged terrace is considered in accordance with Policies ENV 13 in the UDP and S29 in the City Plan.

### **8.4 Transportation/Parking**

Not applicable.

### **8.5 Economic Considerations**

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

#### **8.6 Access**

The access arrangements into the building and the flat remain unaltered by the proposals.

#### **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 and this development does not generate a Mayoral CIL or Westminster CIL payment.

#### **8.11 Environmental Impact Assessment**

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

#### **8.12 Other Issues**

None relevant.

### **9. BACKGROUND PAPERS**

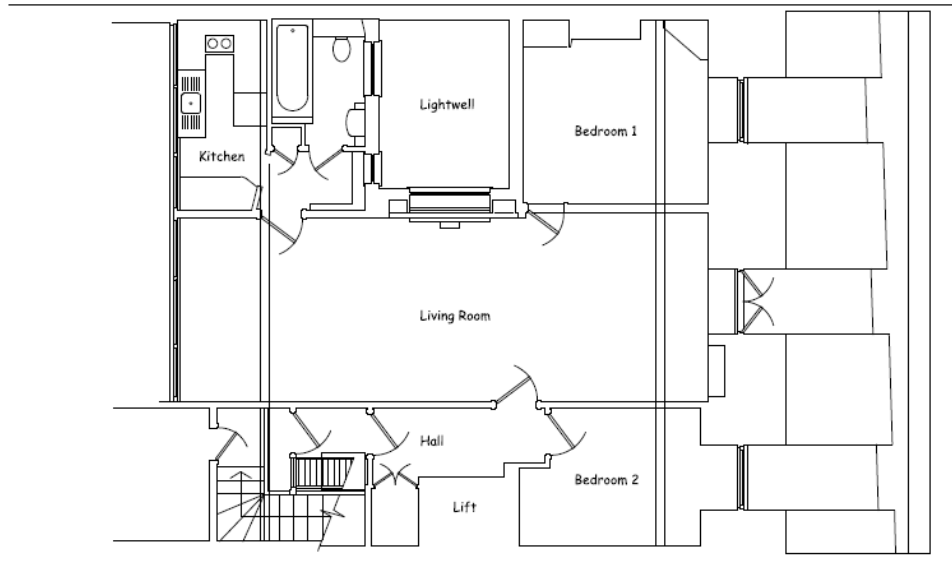
1. Application form.

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

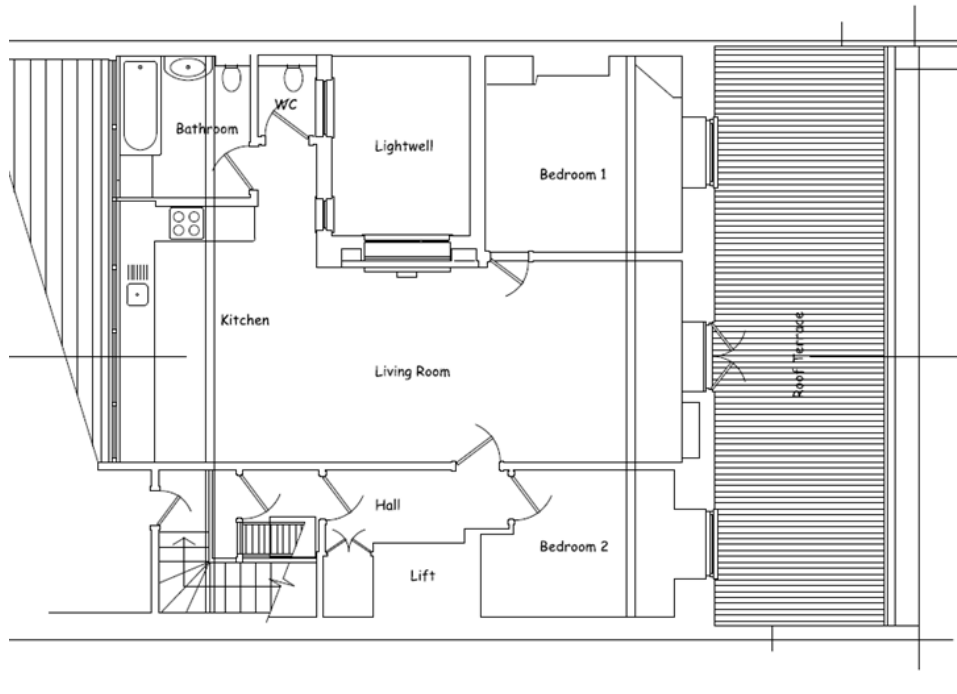
IF YOU HAVE ANY QUERIES ABOUT THIS REPORT PLEASE CONTACT THE PRESENTING OFFICER: OLIVER GIBSON BY EMAIL AT [ogibson@westminster.gov.uk](mailto:ogibson@westminster.gov.uk).



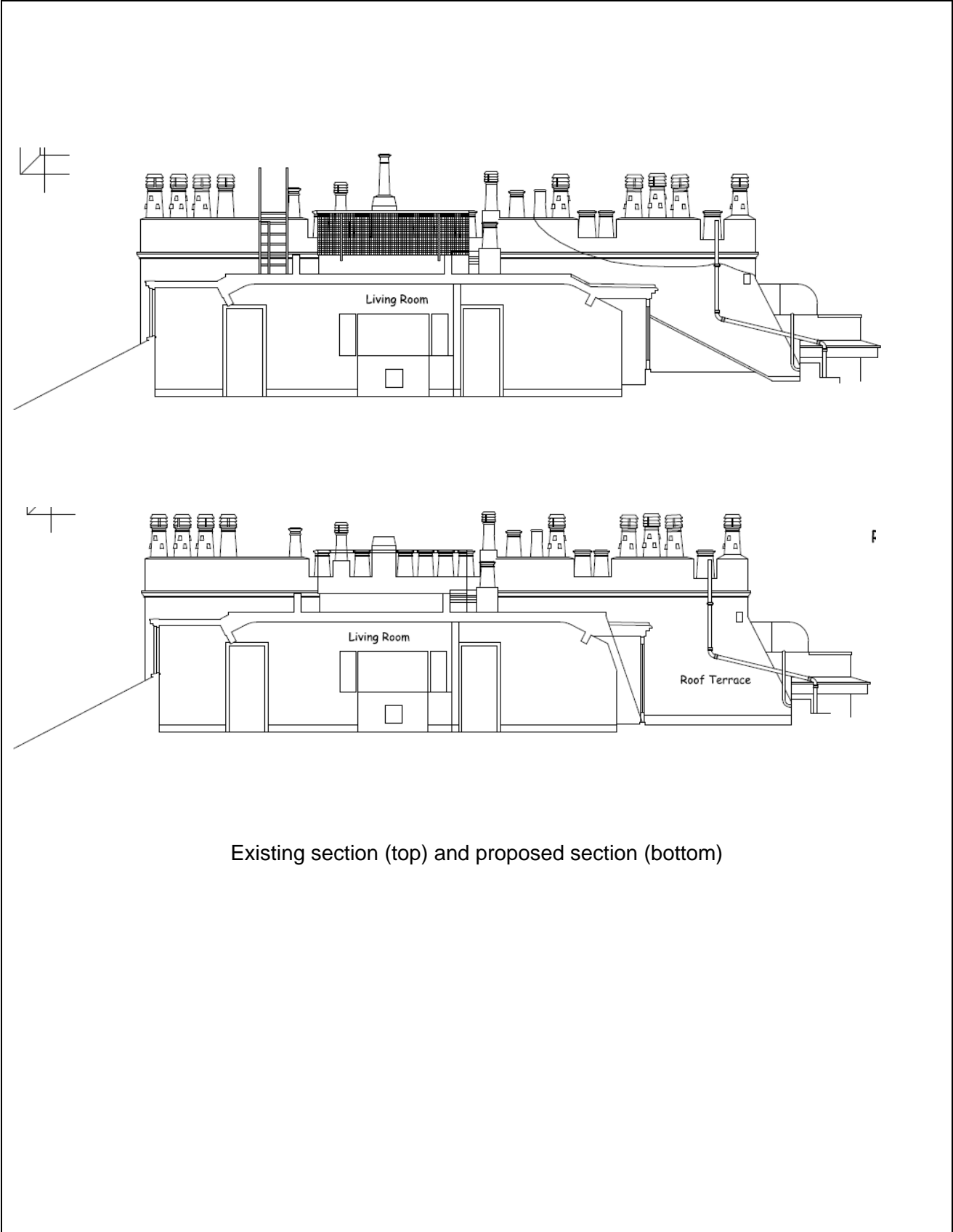
10. KEY DRAWINGS



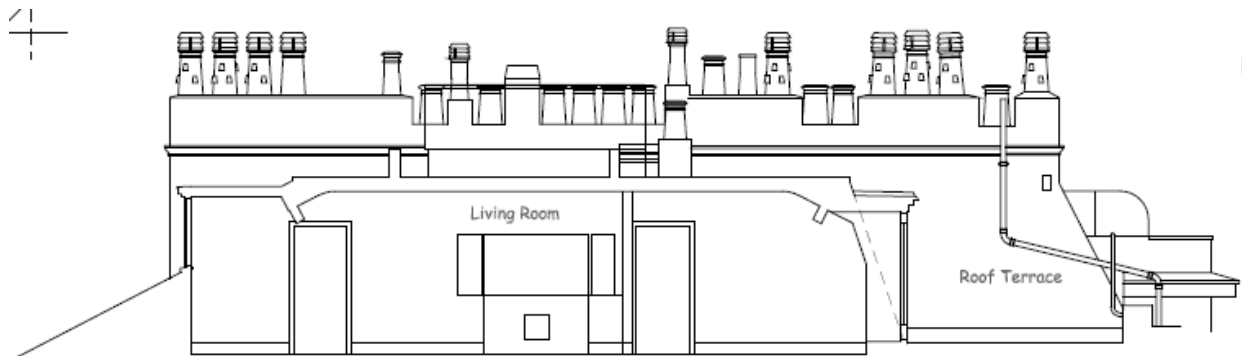
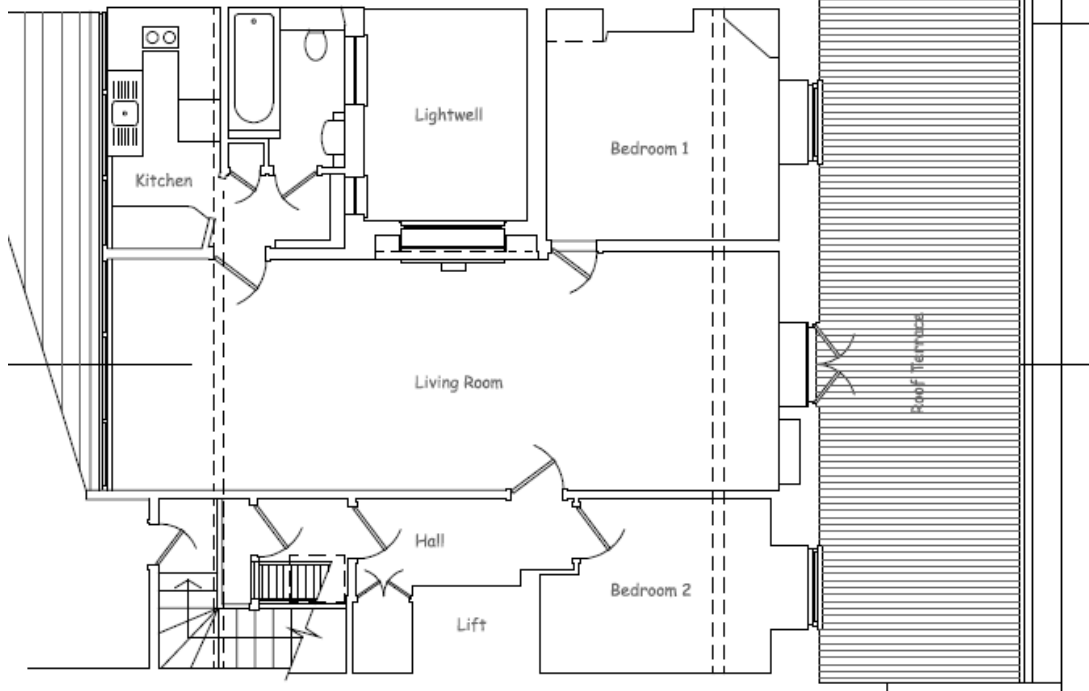
FLOOR PLAN AS EXISTING



Existing floorplan (top) and proposed floorplan (bottom).



Existing section (top) and proposed section (bottom)



Proposed floorplan and section previously approved on 9 July 2014 (14/03937/FULL and 14/04435/LBC).

**DRAFT DECISION LETTER**

**Address:** Flat 10, 15 Hyde Park Gardens, London, W2 2LU

**Proposal:** Removal of part of the south roof slope to form mansard roof slope and enlarged roof terrace, associated alteration to French doors to central dormer and internal alterations.

**Plan Nos:** Site location plan, 492-L-02A, 492-L-01B, 492-L-03B, Design and Access Statement dated 2 August 2017 and Heritage Statement dated July 2017.

**Case Officer:** Alistair Taylor

**Direct Tel. No.** 020 7641 2979

**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 south facing mansard slope shall be clad in slates to its full height to match the colour and texture of the existing slates to the existing south facing pitched roof slope.

**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.

**DRAFT DECISION LETTER**

**Address:** Flat 10, 15 Hyde Park Gardens, London, W2 2LU

**Proposal:** Removal of part of the south roof slope to form mansard roof slope and enlarged roof terrace, associated alteration to French doors to central dormer and internal alterations.

**Plan Nos:** Site location plan, 492-L-02A, 492-L-01B, 492-L-03B, Design and Access Statement dated 02.08.2017, Heritage Statement dated July 2017.

**Case Officer:** Alistair Taylor

**Direct Tel. No.** 020 7641 2979

**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 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 listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

- 3 The south facing mansard slope shall be clad in slates to its full height to match the colour and texture of the existing slates to the existing south facing pitched roof slope.

Reason:

To protect the special architectural or historic interest of this listed building. This is as set out in S25 and S28 of Westminster's City Plan (November 2016) and DES 1 of our Unitary Development Plan that we adopted in January 2007, and sections 5 and 6 of our Supplementary Planning Guidance: Repairs and Alterations to Listed Buildings. (R27BC)

**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 special architectural and historic interest of this listed building.

In reaching this decision the following were of particular relevance:  
S25 and S28 of Westminster's City Plan and DES 10 including paras 10.130 to 10.146 of the Unitary Development Plan, and 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. (I59AA)