



Phillips Planning Services Ltd.
Town Planning and Development Consultants

9 ALBION CLOSE

LONDON

**PLANNING, DESIGN & ACCESS
STATEMENT**

**PROPOSED MANSARD ROOF EXTENSION AND
ENCLOSED TERRACE**

JULY 2021

1.0 INTRODUCTION

- 1.1 The following statement has been prepared in support of a planning application which seeks consent for the construction of a mansard roof extension with enclosed terrace at No. 9 Albion Close.
- 1.2 Planning permission has already been granted for this same proposal on four previous occasions. The first in 2009 under reference 08/04663/FUL, then in May 2012 granted under reference 12/02338/FULL. A new consent was then granted in May 2015 under reference 15/03208/FULL with a slight alteration to the rooflight and this was again consented in July 2018 under reference 18/03487/FULL.
- 1.3 This application again seeks consent for this development (to the scheme consented in 2015 and 2018)
- 1.4 The purpose of this statement is to describe the application proposals and is set out as follows:

1.0 Introduction

2.0 Site Description

3.0 Planning History

4.0 Planning Policy

5.0 Planning Analysis

6.0 Conclusions

2.0 SITE DESCRIPTION

- 2.1. The dwelling which is the subject of the application is a pleasant Mews style property located on the east side of Albion Close, a small private residential enclave located between Albion Street and Hyde Park Street, just to the north of Hyde Park.



Figure 1 - View of the frontage of 9 Albion Close

- 2.2. To the east, the application site is bounded by the rear of Nos. 9, 10 and 11 Albion Street, to the north by 7 Connaught Close, to the west by 8 Albion Close and to the south by 10 Albion Close. Connaught Close comprises Mews Houses in a similar layout to those in Albion Close.



Figure 1 - View showing the relationship between 9 and 10 Albion Close and 7 Connaught Close

2.3. An analysis of the Albion Close dwellings suggests that most, if not all, were originally traditional two storey scale. However, as a result of various mansard and other roof additions, the application site is now the only property in Albion Close which does not have a full height second floor.



Figure 3 - View of No's 8, 9 and 10



Figure 4 - View of No's 10, 11 and 12

2.4. The application property does, however, currently benefit from a loft space at second floor level in the form of a pitched roof. This is used for storage purposes but is not large enough to stand in or be utilised as habitable floorspace.



Figure 5 - View of existing roof looking north to party wall with 7 Connaught Close

2.5. The application site is therefore quite conspicuously the only property without a full second floor mansard with dormers.

- 2.6. All of the properties from 9 to 12 Albion Close and 7 Connaught Close have the same relationship to the east with the rear of the dwellings on Albion Street.



Figure 6 - View from 10 Albion Street looking west at the existing roof of the application site

- 2.7. As shown in the above photograph the residents of Albion Street look out onto the roofline of the houses in Albion Close. At present the application site is the only property where there is not a full mansard. However, there is a pitch with dormer style windows and roof lights as shown.
- 2.8. Albion Close stands within the Bayswater Conservation Area (BCA). The Conservation Audit for the BCA was produced in 2000 and has been adopted as Supplementary Planning Guidance which was amended in 2010. There is no specific relevant reference to the appeal property or Albion Close within the document that is of relevance to this application other than the general requirement to preserve or enhance the character and appearance of the area.

3.0 PLANNING HISTORY

3.1. As noted in Section 2.0, the majority of the properties in Albion Close, and also No. 7 Connaught Close have the same relationship to Albion Street as the application site and benefit from roof extensions which are very similar, if not exactly the same as that proposed by this application.

3.2. It appears that most of the roof additions were permitted some time ago and therefore the Council's records are either not readily available or no records exist. However, the neighbouring properties to the application site, No. 7 Connaught Close and 10 Albion Close, gained planning permission for their extensions in 2005 and 1986 respectively.

7 Connaught Close:

3.3. This application reference 04/09329/FULL for the erection of a mansard roof extension to rear pitched section of main roof was approved on the 1st of February 2005. No 7 Connaught adjoins the northern gable of the application site and its back faces number 12 Albion Street in the same way as the application site faces No's 9, 10 and 11 Albion Street. No. 7 benefited from a small existing loft roof as at the application site. However, in order to make this into a more useable, habitable room the roof was raised and a mansard formed. The plan extracts on the following page show the eastern (rear) elevation views as originally existing and then as permitted by the Council and subsequently built.

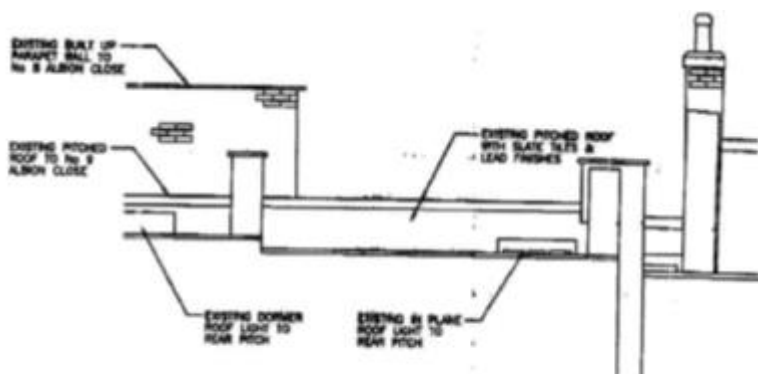


Figure 7 - Extract from Council records showing original roof at No. 7 Connaught Close

(04/09329/FULL)

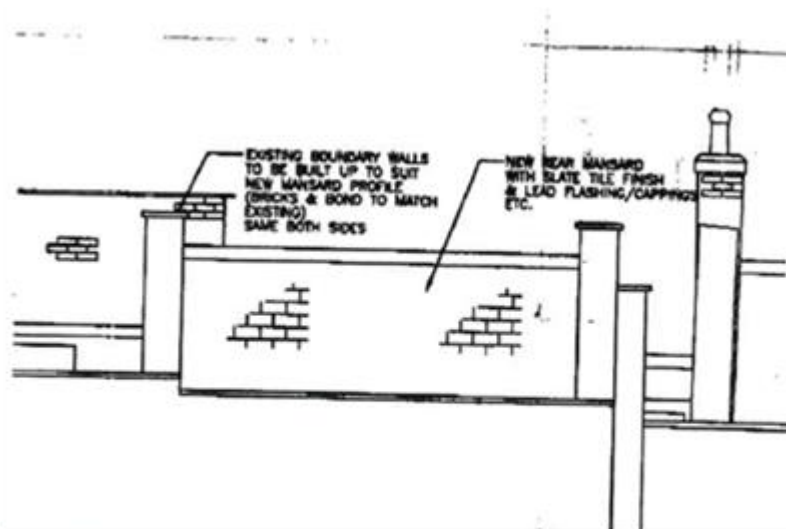


Figure 8 - Extract from Council records showing permitted roof at No. 7 Connaught Close
(04/09329/FULL)

3.4. The mansard extension resulted in the original roof line being raised by an additional 700mm and the creation of a more upright flat mansard as shown.

No. 10 Albion Close

3.5. No. 10 directly adjoins the southern gable of the application site and its rear faces out toward No's 8 and 9 Albion Street in the same way as the application site faces 9, 10 and 11.

3.6. On 29 September 1986 the Council granted planning permission reference 86/03348/FULL for works to provide an additional floor at roof level. Then on 27 October 1986 application 86/01604/FULL was granted again for an additional storey.

3.7. It has not been possible to gain copies of the plans to establish which of the two approvals were actually constructed.

3.8. However, it is clear that one of the two proposals has been constructed on site and now provides a full mansard extension at second floor level in a similar fashion to others in the close.



Figure 9 - No. 10 Albion Close with its mansard and front dormers is shown on the left of the photograph

- 3.9. Again in permitting this extension the Council created the same front and rear relationship with the adjacent properties that is proposed by this application. Clearly the Council considered the possible impacts on neighbours and resolved that there would not be any material harm created.

The Application Site – 9 Albion Close

- 3.10. Prior to the submission of this application there have been the following relevant applications:

05/06614/FULL Roof extension to existing mews house; new bedroom, bathroom and roof terrace

Refused 28/10/2005

07/10280/FULL Erection of a mansard roof extension with enclosed roof terrace at second floor level

Withdrawn 07/02/2008

08/04663/FULL Mansard roof extension with enclosed terrace to provide additional floorspace to single family dwellinghouse

Approved 23/04/2009

12/02338/FULL	Extension of time for the commencement of development granted planning terrace to provide additional floorspace to single family dwellinghouse Approved 01/05/2012
15/03208/FULL	Mansard roof extension and enclosed terrace to provide additional floorspace to single family dwellinghouse Approved 26/05/2015
18/03487/FULL	Erection of mansard roof extension with an enclosed terrace. Approved 17/07/2018

- 3.11. The 2005 proposal was refused permission due to concerns that the roof terrace would create overlooking problems for the residents of Albion Close. Further, that the then proposed structure could result in an increased feeling of enclosure for the residents of 9 – 11 Albion Close and that the general design would fail to preserve or enhance the Conservation Area.
- 3.12. The second application withdrawn in early 2008 sought to remove the previous concerns by seeking to provide an enclosed terrace so that there could be no overlooking, it also sought to improve on the previous design and minimise the potential impacts on the Albion Close residents. However, Officers remained concerned about the impacts on Albion Close and also raised design issues with the type / style of the frontage dormers proposed.
- 3.13. The application was withdrawn to enable further amendments to be made prior to the later 2008 submission. Further to these amendments, the Council decided that the mansard roof extension at 9 Albion Close was acceptable in 2009. The 2009 permission was extended in 2012 for another three years. Permission for an identical scheme was then granted in May 2015.
- 3.14. This was then granted again in 2018.

3.15. The now submitted scheme, proposes the same development as consented in 2015 and 2018.

4.0 PLANNING POLICY

- 4.1. As has been set out, no. 9 Albion Close is located within the Bayswater Conservation Area.
- 4.2. The following national and local planning policies are considered relevant to this proposal and application site:

NATIONAL PLANNING POLICY

- 4.3. The National Planning Policy Framework sets out government's planning policies for England and how these are expected to be applied. As set out in paragraph 2, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan and is a material consideration in planning decisions.
- 4.4. Section 16 of the Framework relates to development involving 'heritage assets' such as conservation areas.
- 4.5. It identifies that it is necessary to identify the significance of a heritage asset, to consider if the development would result in harm to that significance and if so, to balance the harm against any public benefits of the development.
- 4.6. Section 12, meanwhile relates to 'design', and highlights that developments should be carefully designed to respond to the character, appearance and form of its vicinity and respecting and maintaining suitable levels of amenity.

LOCAL PLANNING POLICY

- 4.7. The new Westminster City Plan was adopted in April 2021 and sets out the council's policies on the matters of planning and development.

- 4.8. In regards to development in conservation areas, policy 39 is relevant. It states at sub-sections k) and l) that:

CONSERVATION AREAS

K. Development will preserve or enhance the character and appearance of Westminster's conservation areas. Features that contribute positively to the significance of conservation areas and their settings will be conserved and opportunities taken to enhance conservation areas and their settings, wherever possible.

L. There will be a presumption that unlisted buildings that make a positive contribution to a conservation area will be conserved, unless it has been demonstrated that the relevant tests in national policy have been met. Buildings which make a negative or neutral contribution may be replaced or refurbished where this will result in a high quality building which will improve their appearance in the context of the conservation area and their environmental performance

- 4.9. Meanwhile policies, 40 and 38 relate to 'townscape and architecture' and 'general design principles'.

- 4.10. In discussing 'townscape' policy 40 contains specific policies on making 'alterations and extensions' (subsection D) and 'roof extensions' (subsection E) to properties.

- 4.11. These state the following:

ALTERATIONS AND EXTENSIONS

D. Alterations and extensions will respect the character of the existing and adjoining buildings, avoid adverse visual and amenity impacts and will not obscure important architectural features or disrupt any uniformity, patterns, rhythms or groupings of buildings and spaces that contribute positively to Westminster's distinctive townscape.

ROOF EXTENSIONS

E. Roof extensions will be supported in principle where they do not impact adversely on heritage assets and should:

1. *where part of a terrace or group already characterised by roof additions or alterations, be of appropriate design which follows an established form and would help to unify the architectural character of the existing terrace or a group;*
2. *where part of a terrace with an existing roof line unimpaired by roof extensions, take a coordinated approach, adding roof extensions of consistent and appropriate design to each property across the terrace;*
3. *in other locations, be of appropriate design sympathetic to the architectural character of the existing building.*

4.12. Policy 38, meanwhile re-iterates that development should respond to the character and appearance of its vicinity and highlights:

"RESPONDING TO WESTMINSTER'S CONTEXT

B. All development will positively contribute to Westminster's townscape and streetscape, having regard to:

1. *the character and appearance of the existing area, adjacent buildings and heritage assets, the spaces around and between them and the pattern and grain of existing streets, squares, mews and passageways;*
 2. *materials, building lines, scale, orientation, access, definition, surface treatment, height and massing;*
- ..."*

4.13. Finally, policy 7 is also noted as of relevance, as it highlights that development is required to protect amenity and in particular ensure that there are no 'unacceptable impacts', in terms of daylight and sunlight, sense of enclosure, overshadowing, privacy and overlooking.

5.0 PLANNING ANALYSIS

- 5.1. The same scheme was approved by the Council in 2009 (08/04663/FULL) while an extension of time for the commencement of the development was granted in 2012 (12/02338/FULL). The scheme (with a minor alteration to the rooflight) was approved in 2015 (15/03208/FULL) and this was consented again in 2018 (18/03487/FULL).
- 5.2. This application proposes the same scheme as consented in 2015 and 2018.
- 5.3. Since the approval in 2018, a new version of the National Planning Policy Framework has been published (February 2019) and a new version of City Plan adopted (April 2021).
- 5.4. Although new documents have been published/adopted, it is considered the policies remain materially the same, and therefore the considerations conclusions of the 2018 officer assessment remain valid.
- 5.5. The key matters addressed in assessing the previous application are set out below and it is reiterated why it is considered the proposal complies with relevant policies on these matters,

Land Use

- 5.6. The 2018 officer assessment stated that the council supports the increase in residential floorspace. This general principle remains unchanged and policies support the extension of buildings subject to compliance on other matters include design and amenity, Further to which, the development has been previously consented in 2009, 2012, 2015 and 2018.

Townscape and Design

- 5.7. In regards to matters of 'townscape and design', officers concluded that the lack of a mansard on no.9 coupled with the prevailing character of the Close having mansard extensions and its careful design meant that it would be considered to

be of an appropriate design and appearance, and would therefore also preserve the character and appearance of the Bayswater Conservation Area.

- 5.8. It is considered that the same conclusions can be reached, and that this would comply with the requirements of now relevant policy.
- 5.9. In particular, it is highlighted that policy 40 sub section E) states that roof extensions will be supported

“where part of a terrace or group already characterised by roof additions or alterations, be of appropriate design which follows an established form and would help to unify the architectural character of the existing terrace or a group”

- 5.10. The proposal would clearly comply with this requirement as it is currently the only property in the Close without a roof extension, which has been appropriately designed to respond to the character and appearance of the street and conservation area.

Residential Amenity

- 5.11. In assessing the 2018 consent, officers concluded that the proposal would not give rise to any detrimental impact to neighbouring amenity. This continues to be required by new City Plan Policy 7.
- 5.12. The officer assessment specifically reviewed the issues of ‘privacy and noise’ and ‘sunlight and daylight/sense of enclosure’, and found that the development was appropriate in all regards.
- 5.13. The acceptability of the proposals in regards to these issues is re-iterated below:

Privacy and Noise

- 5.14. The development proposes a fully enclosed roof terrace which would be screened from view by the mansard structure and the gable of No. 8 Albion

Close which stands a right angle to the application site as shown on the proposed roof plan.

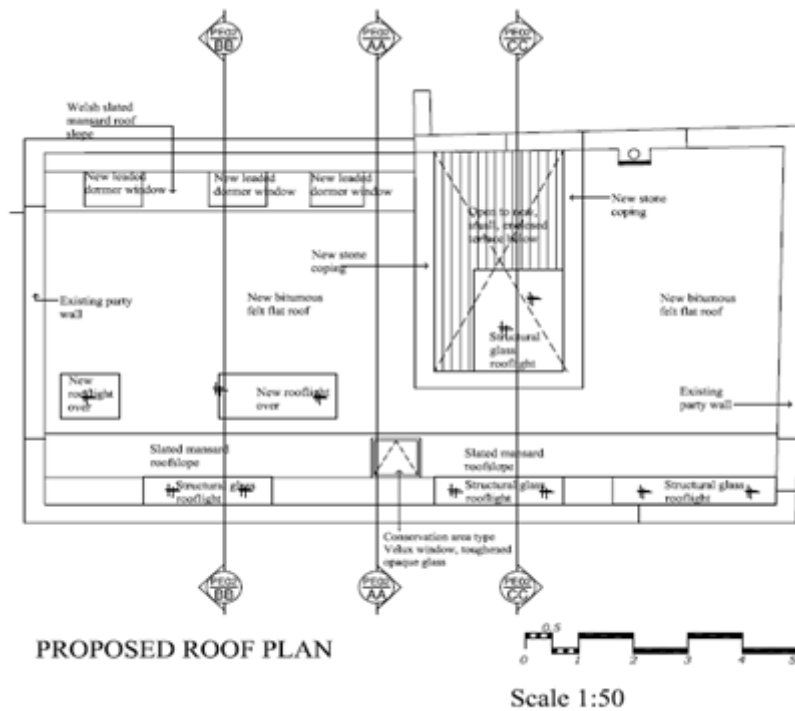


Figure 10 - Proposed Roof Plan showing enclosed terrace area

5.15. Therefore, as a matter of fact there would be no overlooking from the terrace to any windows or private garden areas of the surrounding properties. Similarly, given the proximity of the proposed second floor frontage dormers and distances involved there would be no overlooking issues between the site and the existing houses in Albion Close. Moreover, only one velux rooflight is proposed to the rear, which would be fitted with obscure glazing to prevent any overlooking of the Albion Street facades.

Sunlight and Daylight and Sense of Enclosure

5.16. The application is east-west oriented so that the gables face north-south. The proposed mansard sits between existing mansards to the north and south and large party walls. The mansard would be 900mm higher than the highest point of the existing roof.



Figure 11 - View looking south along the ridge of the application site towards 10 Albion Close

- 5.17. The proposed 900mm height increase would have no material impact on the natural light enjoyed by the residents in Albion Street given the distances involved and the minor height increase compared to the existing.
- 5.18. In terms of sunlight, the sun would move from behind Albion Street in the morning and around to the west of the application site in the later afternoon and evening.
- 5.19. A large section of the mansard proposed would stand behind the eastern gable of No. 8 Albion Close and could not therefore have any impact. It is possible that if the sun is aligned directly to the west of the application site and has not dropped below the ridge line of No. 7 Albion Street then the additional 900mm could reduce the amount of direct sunlight to the rear of No. 9 Albion Street very minimally and for a few minutes in the summer. We submit that even this is very unlikely and certainly not so material as to justify the refusal of planning permission.

5.20. In respect of creating a sense of enclosure, the rear facades of all of the Albion Street properties face out onto the rear facades of the Albion Close and Connaught Close properties. This is a historic and accepted relationship. At present the residents of 9-11 Albion Street look out onto the rear of the



Figure 12 - View from 10 Albion Street looking west at the existing roof of the application site

application site and see the pitched roof as shown below:

5.21. The elevation below shows the proposed mansard with the outline of the existing roof dashed and the gable of 8 Albion Close shown so that a clear comparison can be made in terms of the additional building proposed. It is submitted that the shaded area represents the only 'sky space' that will be obscured by the proposed mansard.

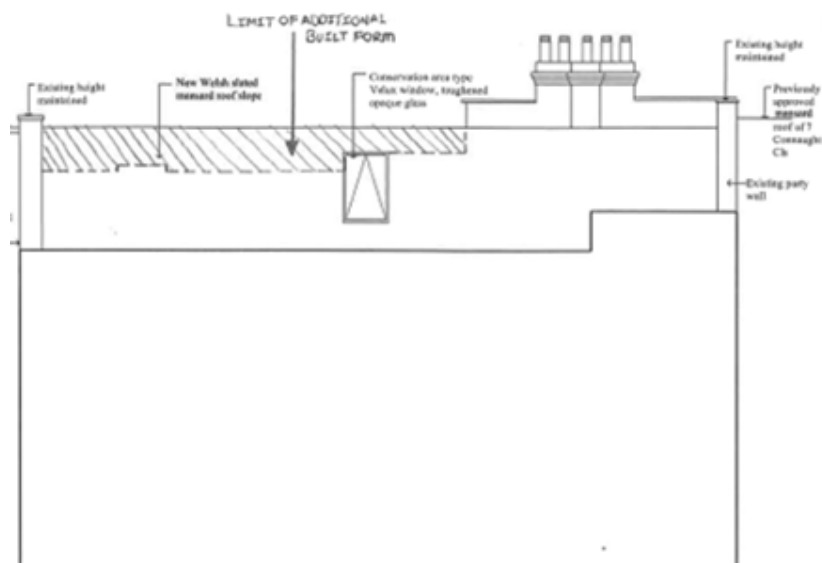


Figure 13 - Proposed rear elevation with existing roof line dotted

5.22. It is respectfully submitted that whilst the additional height and steeper roof slope will be apparent to the adjacent residents the actual impact in terms of enclosure and loss of visible sky line would be negligible at most.

6.0 CONCLUSIONS

- 6.1. This application seeks planning permission to extend an existing pitched roof to create a flat topped mansard with enclosed roof terrace at 9 Albion Close. The application is in effect simply a renewal of the previous scheme, granted originally in 2009 and renewed in 2012, and the newly consented in 2015 and 2018 (with a very minor amendment to the rooflight). (Reference numbers 08/04663/FULL / 12/02338/FULL / 15/03208/FULL / 18/03487/FULL).
- 6.2. Since the latest consent was granted in 2018, a new NPPF and City Plan has been adopted. It is considered that there have been no relevant changes to these planning policy documents which effect the assessment and merits of the site and the application proposals. Neither have there been any other changes to the circumstances of the site to warrant a different assessment,
- 6.3. It is therefore considered that the proposal complies with all relevant planning policy, and the council's support for the development is respectfully requested.



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