

Design and Access Statement with Planning Statement

Flat 6
1 Hyde Park Square, Westminster,
London, W2 2JZ

Date of Report Sep 2020

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Flat 6

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London, W2 2JZ

Prepared on behalf of Mrs Noor Al Jandal

Sep 2020

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1 Introduction

1.1 This Statement has been prepared on behalf of Mrs Noor Al Jandal (leaseholder) to accompany an application for planning permission for external alterations of Flat 6, 1 Hyde Park Square, Westminster, London W2 2JZ.

1.2 The application is for the:

Installation of glazed metal Crittall windows to replace worn Crittall windows to all outside windows and balcony doors of Flat 6.

It affects 3 sections, the fenestration of which overlooks Connaught Street, Connaught Close, close to its junction with Hyde Park Square. The proposal will not alter the external appearance of the building, replacing the metal Crittall windows with new matching metal Crittall glazed windows. The glazed unit openings will remain the same.

1.3 This Statement has been prepared with regard to the planning history of the site and to relevant Development Plan Policies.

1.4 Details of the applicant, site description and context are set out in Sections 2 and 3 of this Statement. Planning history is considered in Section 4 and the relevant policy context is described in Section 5. The Statement is concluded in Section 6.

2 The Applicant

2.1 The Applicant, Mrs Noor Al Jandal, is the Leaseholder of Flat 6, 1 Hyde Park Square, Westminster, London W2 2JZ.

2.2 The Freeholder of 1 Hyde Park Square, Westminster, London W2 2JZ is The Church Commissioners' for England. Their managing agent for this site is Knight Frank LLP, 55 Baker Street, London, W1U 8AN.

3 Site Description and Context

3.1 No. 1 Hyde Park Square is located on the south east corner of Hyde Park Square. It consists of a ground and eight storey building facing Hyde Park Street (which runs south from the Square to Bayswater Road). There is a four storey building to the rear which returns onto Connaught Street. The entrance to the building is provided on the Connaught Street façade as illustrated below.

3.2



Fig 1: One Hyde Park Square – Entrance from Connaught Street

3.3 The application deals with the windows on first floor. Flat 6 is set back between the projecting front main wing, which means that it is not generally easily visible in views up and down Connaught Street or from Hyde Park Square, as seen on Figure 1 above. One window is just above the central façade within the recess, two glazing sets face Connaught Street and one faces Connaught Close.

3.4 The windows can be identified on the existing elevation drawing in Figure 2 below. There are five windows to the flat on 3 elevations. The proposal includes replacing patio doors to the balcony. The balcony is partially hidden by a rail and floor box. The proposed windows reflect the same pattern of glazing bars and glazing.



3.5



Fig 2: Existing North/East/West Elevations

3.6 The planning application proposes to replace these windows with matching metal Crittall windows of the same size and pattern of glazing bars, replacing the glass with matching clear glass, or opaque glass to bathroom and lower green infills as indicated on the drawings. This will ensure that the fenestration is regular on the North, East & West elevations.

3.7 Figure 3 below is a photograph showing the existing windows. Appearance between existing windows and the proposed windows is not noticeable nor will reflection from the glazing be any dissimilar.



Fig 3: Existing windows from Connaught Street

3.8 The effect of the application proposal will be to make uniform the external appearance of the building. The glazed windows will provide improved sound proofing, better heat insulation than the existing windows, which are draughty, particularly in winter. Some existing windows fail to close fully resulting in pollution dust settling within the flat.

3.9 The use of matching Crittall metal framed windows will be consistent with the rest of the building and the fenestration will be made uniform. That said the affected windows are not subject to distance views in the Conservation Area.

Conservation Area

3.10 The application site is located within the Bayswater Conservation Area, which is illustrated in Figure 5 below.

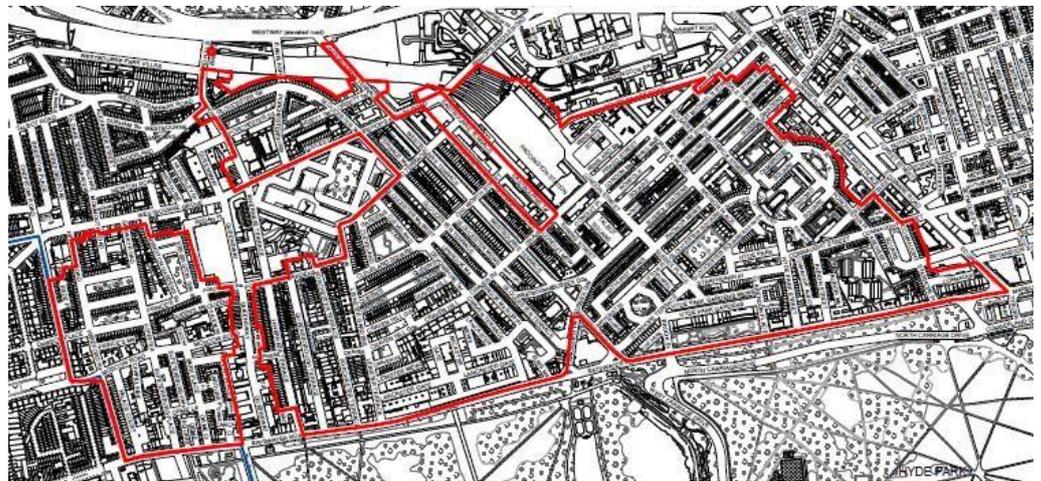


Fig 5: The Bayswater Conservation Area

3.11 Figure 6 below shows the Council's Listed Building map. This shows that 1 Hyde Park Square is in an area where the neighbouring buildings are generally not listed buildings. The proposed development will not adversely affect the setting of listed buildings.

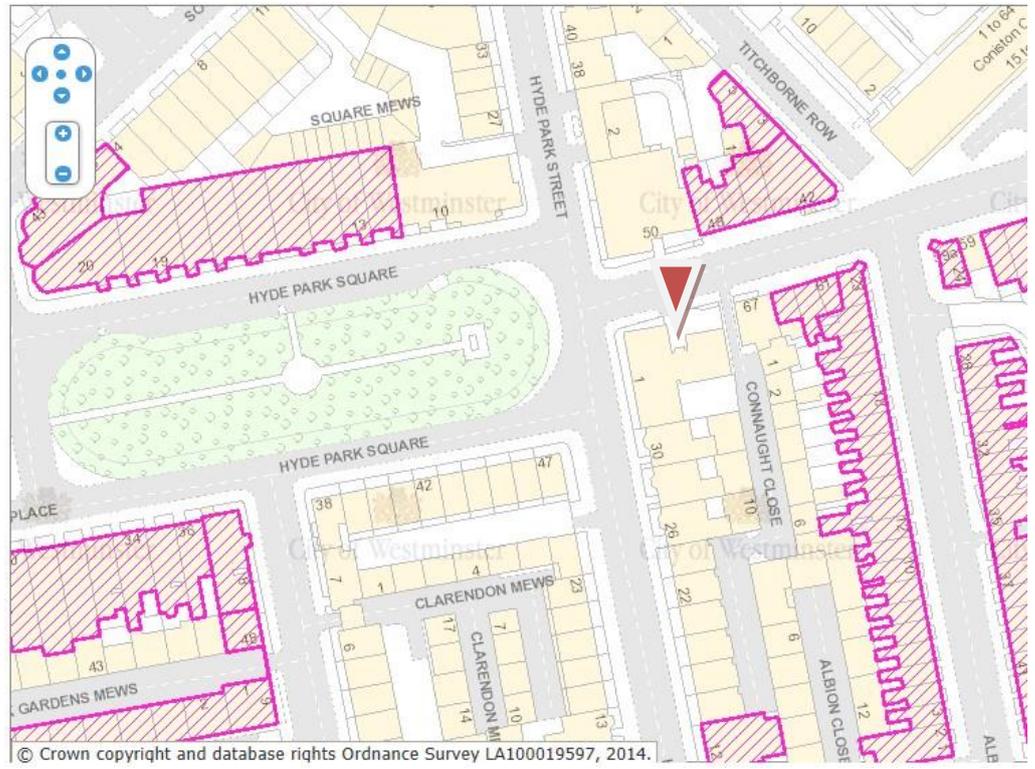


Fig 6: Listed Buildings in the vicinity of 1 Hyde Park Square

3.12 The immediate area and setting of 1 Hyde Park Square is largely post World War Two development. The proposal uses materials which are appropriate to the building and reflect the original materials used. It will deal with relatively minor incongruities in the window details of the upper floors and will consequently improve the character and appearance of the Conservation Area.

4 Planning History

- 4.1 A summary of the planning history relating to 1 Hyde Park Square taken from the Council's online records is included in Appendix 2. The history is relatively limited and not particularly relevant to the current application.

- 4.2 In March 1999 an application for a glazed extension to the roof terrace flat was refused. Subsequent applications in October 2001 (addition of rooftop extension existing penthouse roof terrace) and March 2005 (erection of a rooftop extension on existing roof terrace) were approved, so the roof terrace and extensions are lawful.

- 4.3 In January 2013 express consent for an illuminated box sign was refused and the sign subsequently removed. The enforcement case has been closed. There is a further enforcement case in respect of unlawful subletting which closed in 2008.

- 4.4 The Planning history indicates no outstanding matters but has no significance for the current proposal.

- 4.5 The use of the building is clearly as a block of flats within Class C3 (dwelling houses) in the Town and Country Planning (Use Classes Order) 1986, as amended.

5 Policy Context

- 5.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that, where determinations are made under the Planning Acts, determination should be made in accordance with the development plan unless material considerations indicate otherwise.

- 5.2 The Statutory Development Plan for Westminster City Council comprises the Westminster City Plan: Strategic Policies adopted in November 2013, with detailed policies 'saved' in the Unitary Development Plan (UDP), adopted January 2007. These documents together with the London Plan, the Mayor's Spatial Strategy constitute the Development plan.

**Westminster
City Plan:
Strategic
Policies**

- 5.3 The principal strategic policy relating to development on the Conservation is policy 25: Heritage, which states:-

POLICY S25 HERITAGE

Recognising Westminster’s wider historic environment, its extensive heritage assets will be conserved, including its listed buildings, conservation areas, Westminster’s World Heritage Site, its historic parks including five Royal Parks, squares, gardens and other open spaces, their settings, and its archaeological heritage. Historic and other important buildings should be upgraded sensitively, to improve their environmental performance and make them easily accessible.

- 5.4 The guiding principle of the proposed development follows this advice and seeks to upgrade the building in a sensitive way, retaining the concept of metal framed windows which were used in the original building, replacing uncoordinated piecemeal alterations. The Conservation Area will be conserved, and its character and appearance improved.
- 5.5 The glazed windows will provide a less draughty fenestration to the building improving its thermal efficiency and, consequently environmental performance in accordance with Policy S25.

**Saved UDP
Policies**

- 5.6 Policy DES 9: Conservation Areas is the detailed UDP policy giving advice on Conservation Areas. It is replicated in full in Appendix 3. The relevant elements of the policy are set out below.

5.7 In respect of Policy DES 9: Conservation Areas, the application is not an applications for outline planning permission and does not involve demolition in conservation areas. The most relevant part of the policy is Section (C) which relates to applications to alter unlisted buildings. It states:

(C) Planning application for alteration or extension of unlisted buildings Planning permission will be granted for proposals which

- 1) Serve to reinstate missing traditional features, such as doors, windows, shopfronts, front porches and other decorative features**
- 2) Use traditional and, where appropriate, reclaimed or recycled building materials**
- 3) Use prevalent facing, roofing and paving materials, having regard to the content of relevant conservation area audits or other adopted supplementary guidance**
- 4) In locally appropriate situations, use modern or other atypical facing materials or detailing or innovative forms of building design and construction**

5.8 The application preserves an original feature by reinstating Crittall windows at the first floor [C1]; and uses a metal frame which is the original material for this building [C2]; these are the prevalent materials used for windows in this building [C3] and this is an appropriate material given the form of the existing building [C4]. The proposal fully accords with the relevant part of DES 9.

5.9 Part (F) of DES 9 deals with the setting of conservation areas. The development will not have a visibly adverse effect upon the Conservation area's recognised special character or appearance, and therefore complies with this element of policy.

5.10 The proposal is fully Policy compliant.

6 Conclusion

6.1 The application is for the “Installation of glazed metal Crittall windows to replace worn Crittall windows/patio doors to Flat 6 on the first floor.” It is submitted by the leaseholder owner of Flat 6 and forms part of the proposed improvements to the flat and external appearance of the common building.

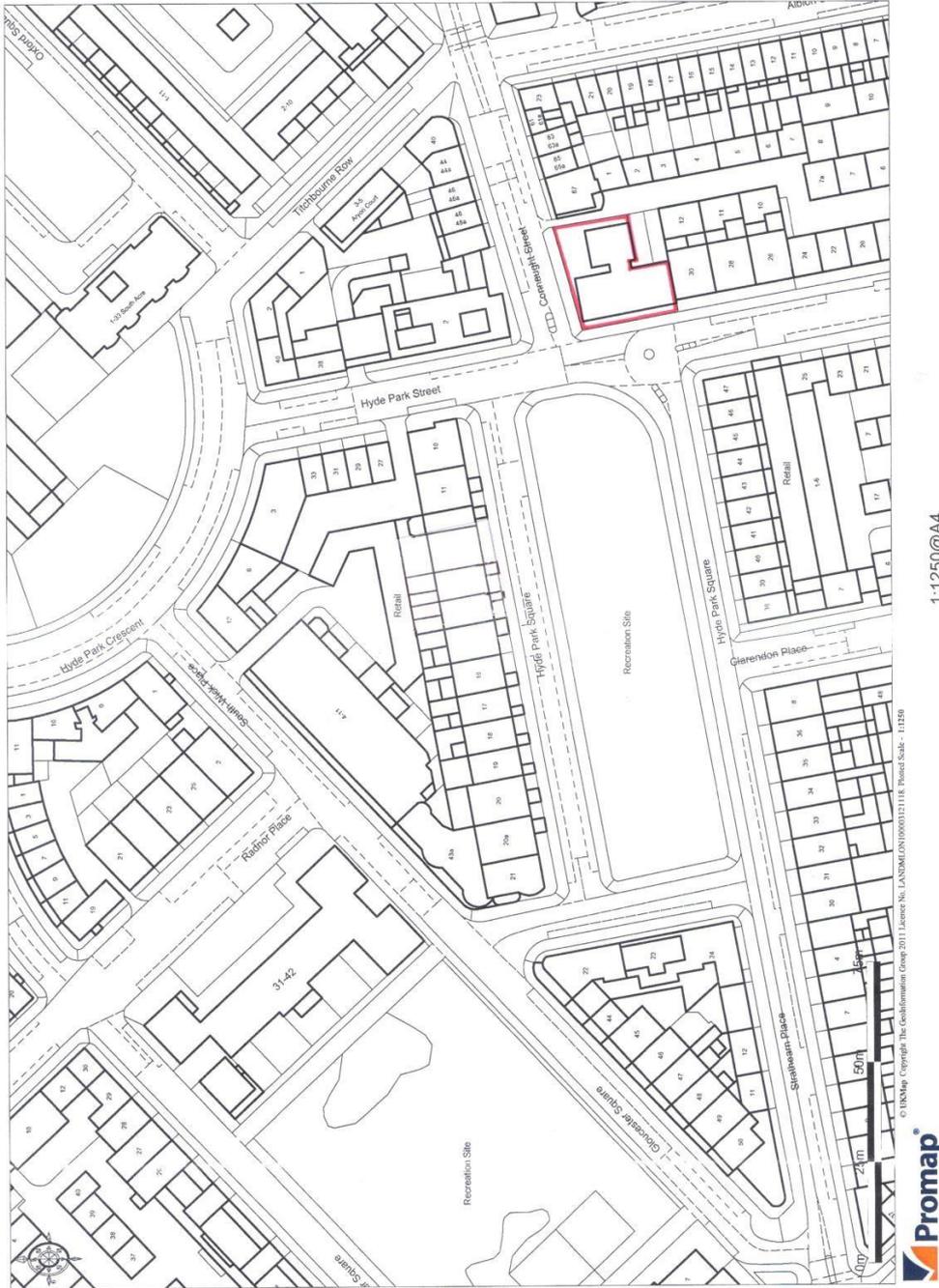
6.2 The proposal will not alter the external appearance of the building, replacing the worn windows with matching metal Crittall glazed windows using new technology glazing resulting in less heat loss and less draughts. The window openings and glazing bars will remain the same as the existing. Full details of the replacement windows as provided by the manufacturer have been attached to this planning application.

6.3 The building has been assessed against policy and is considered to be fully compliant. It will improve the character and appearance of the Conservation Area.

6.4 The Council is requested to grant planning permission.

Appendix 1 - Site Plan

Knight Frank 1: Site Plan for 1 Hyde Park Square, W2 2JZ



1:1250@A4

Appendix 2 - Planning History

1 1 Hyde Park Square London W2 2JZ

Reference	12/11608/ADV
Alternative Reference	CA/12434 : PP-02304370
Application Received	Wed 21 Nov 2012
Address	1 Hyde Park Square London W2 2JZ
Proposal	Display of one box sign with internally illuminated letters, located 4.0m above the ground, measuring 0.50m x 2.4 m on the flank elevation fronting Connaught Street.
Status	Application Refused
Appeal Status	Not Available
Appeal Decision	Not Available
Application Type	Advert Application (ADV)
Decision	Application Refused
Actual Decision Level	Delegated Decision
Expected Decision Level	Not Available
Case Officer	Stuart Croll
Parish	HYDE PARK ESTATE ASSOCIATION
Ward	Hyde Park
District Reference	Not Available
Applicant Name	Ms Laura Whyte
Agent Name	Mr Martin Fellows
Agent Company Name	Knight Frank LLP
Agent Address	55 Baker Street London W1U 8AN
Environmental Assessment Requested	No
Application Received Date	Wed 21 Nov 2012
Application Validated Date	Wed 21 Nov 2012
Actual Committee Date	Not Available
Last Advertised In Press Date	Not Available
Latest Advertisement Expiry Date	Not Available
Last Site Notice Posted Date	Not Available
Latest Site Notice Expiry Date	Not Available
Decision Made Date	Mon 07 Jan 2013
Decision Issued Date	Mon 07 Jan 2013
Target Date	Wed 16 Jan 2013

2 Flat 31 1 Hyde Park Square London W2 2JZ

Reference	04/09496/FULL
Alternative Reference	TP/23045
Application Received	Tue 30 Nov 2004
Address	Flat 31 1 Hyde Park Square London W2 2JZ
Proposal	Erection of a roof top extension on existing roof terrace.
Status	Application Permitted
Appeal Status	Not Available
Appeal Decision	Not Available
Application Type	Application for full Planning Permission
Decision	Application Permitted
Actual Decision Level	Delegated Item referred to Members
Expected Decision Level	Not Available
Case Officer	Shui-Fung Siu
Parish	HYDE PARK ESTATE ASSOCIATION
Ward	Hyde Park
District Reference	Not Available
Applicant Name	Iain Fergusson
Agent Name	Iain Fergusson
Agent Company Name	Not Available
Agent Address	Flat 30 1 Hyde Park Square London W2 2JZ
Environmental Assessment Requested	No
Application Received Date	Tue 30 Nov 2004
Application Validated Date	Wed 22 Dec 2004
Actual Committee Date	Thu 31 Mar 2005
Last Advertised In Press Date	Fri 07 Jan 2005
Latest Advertisement Expiry Date	Fri 28 Jan 2005
Last Site Notice Posted Date	Thu 23 Dec 2004
Latest Site Notice Expiry Date	Not Available
Decision Made Date	Thu 31 Mar 2005
Decision Issued Date	Thu 31 Mar 2005
Target Date	Tue 15 Feb 2005

3 Flat 30 1 Hyde Park Square London W2 2JZ

Reference	01/04650/FULL
Alternative Reference	TP/23045
Application Received	Tue 19 Jun 2001
Address	Flat 30 1 Hyde Park Square London W2 2JZ
Proposal	Addition of rooftop extension on existing penthouse roof terrace.
Status	Application Permitted
Appeal Status	Not Available
Appeal Decision	Not Available
Application Type	Application for full Planning Permission
Decision	Application Permitted
Actual Decision Level	Complex Delegated Decision
Expected Decision Level	Not Available
Case Officer	Melanie Broomby
Parish	HYDE PARK ESTATE ASSOCIATION
Ward	Hyde Park
District Reference	Not Available
Applicant Name	Iain Fergusson
Agent Name	Priestman Dye Architects
Agent Company Name	Not Available
Agent Address	20-22 Rosebery Avenue London EC1R 4SX
Environmental Assessment Requested	No
Application Received Date	Tue 19 Jun 2001
Application Validated Date	Thu 23 Aug 2001
Actual Committee Date	Not Available
Last Advertised In Press Date	Fri 31 Aug 2001
Latest Advertisement Expiry Date	Fri 21 Sep 2001
Last Site Notice Posted Date	Thu 23 Aug 2001
Latest Site Notice Expiry Date	Thu 13 Sep 2001
Decision Made Date	Tue 16 Oct 2001
Decision Issued Date	Tue 16 Oct 2001
Target Date	Wed 17 Oct 2001

4 Flats 1 - 33 1 Hyde Park Square London W2 2JZ

Reference	98/09554/FULL
Alternative Reference	23045
Application Received	Wed 25 Nov 1998
Address	Flats 1 - 33 1 Hyde Park Square London W2 2JZ
Proposal	ERECTION OF GLAZED SINGLE STOREY EXTENSION TO ROOF TERRACE FLAT 30.
Status	Application Refused
Appeal Status	Not Available
Appeal Decision	Not Available
Application Type	Application for full Planning Permission
Decision	Application Refused
Actual Decision Level	Delegated North
Expected Decision Level	Not Available
Case Officer	Amanda Coulson
Parish	Not Available
Ward	Hyde Park
District Reference	Not Available
Applicant Name	MR I FERGUSSON FLAT 30
Agent Name	MR G CHRISTIE
Agent Company Name	Not Available
Agent Address	12 DUKES AVENUE LONDON W4 2AE
Environmental Assessment Requested	No
Application Received Date	Wed 25 Nov 1998
Application Validated Date	Mon 25 Jan 1999
Actual Committee Date	Tue 09 Mar 1999
Last Advertised In Press Date	Fri 05 Feb 1999
Latest Advertisement Expiry Date	Not Available
Last Site Notice Posted Date	Not Available
Latest Site Notice Expiry Date	Not Available
Decision Made Date	Tue 09 Mar 1999
Decision Issued Date	Tue 09 Mar 1999
Target Date	Mon 22 Mar 1999

PLANNING ENFORCEMENT ACTIONS

5 Flat 1 1 Hyde Park Square London W2 2JZ

Reference:	07/36375/B
Alternative Reference:	Not Available
Address:	Flat 1 1 Hyde Park Square London W2 2JZ
Status:	Case Closed
Type:	Use as Short Term Lets
Decision:	Not Available
Decision Reason:	Not Available
Close Reason:	No Breach
Parish:	HYDE PARK ESTATE ASSOCIATION
Ward:	Hyde Park
Case Officer:	PET Short Term Let Team
How Complaint Received:	Not Available
Nature of Complaint:	STL
Received Date	Thu 26 Apr 2007
Respond Target Date	Not Available
Resolution Target Date	Not Available
Consultation Expiry Date	Not Available
Close Date	Tue 11 Mar 2008
Decision Date	Sat 08 Mar 2008

6 1 Hyde Park Square London W2 2JZ

Reference:	12/51574/F
Alternative Reference:	TP/23045
Address:	1 Hyde Park Square London W2 2JZ
Status:	Case Closed
Type:	Signs and Adverts
Decision:	Not Available
Decision Reason:	Not Available
Close Reason:	Ceased as result of action - HB or cons
Parish:	HYDE PARK ESTATE ASSOCIATION
Ward:	Hyde Park
Case Officer:	Karen Ball
How Complaint Received:	Internally Generated
Nature of Complaint:	Large long illuminated green box sign at first floor level
Received Date	Mon 24 Sep 2012
Respond Target Date	Not Available

Resolution Target Date	Not Available
Consultation Expiry Date	Not Available
Close Date	Thu 14 Mar 2013
Decision Date	Fri 08 Mar 2013

Appendix 3 - UDP Policy DES 9

POLICY DES 9: CONSERVATION AREAS

(A) Applications for outline planning permission in conservation areas

In the case of outline planning applications within designated conservation areas it may be necessary to require additional details to be produced in order that the physical impact of the proposed development may be fully assessed.

(B) Planning applications involving demolition in conservation areas

- 1) Buildings identified as of local architectural, historical or topographical interest in adopted conservation area audits will enjoy a general presumption against demolition
- 2) Development proposals within conservation areas, involving the demolition of unlisted buildings, may be permitted
 - a) If the building makes either a negative or insignificant contribution to the character or appearance of the area, and/or
 - b) If the design quality of the proposed development is considered to result in an enhancement of the conservation area's overall character or appearance, having regard to issues of economic viability, including the viability of retaining and repairing the existing building
- 3) In any such case, there should also be firm and appropriately detailed proposals for the future viable redevelopment of the application site that have been approved and their implementation assured by planning condition or agreement.

(C) Planning application for alteration or extension of unlisted buildings Planning permission will be granted for proposals which

- 1) Serve to reinstate missing traditional features, such as doors, windows, shopfronts, front porches and other decorative features
- 2) Use traditional and, where appropriate, reclaimed or recycled building materials

- 3) Use prevalent facing, roofing and paving materials, having regard to the content of relevant conservation area audits or other adopted supplementary guidance
- 4) In locally appropriate situations, use modern or other atypical facing materials or detailing or innovative forms of building design and construction

(D) Conservation area audits

The existence, character and contribution to the local scene of buildings or features of architectural, historical or topographical interest, recognised as such in supplementary planning guidance, such as conservation area audits, will be of relevance to the application of policies DES 4 to DES 7, and DES 10.

(E) Changes of use within conservation areas

Permission will only be granted for development, involving a material change of use, which would serve either to preserve or enhance the character and appearance of the conservation area, bearing in mind the detailed viability of the development.

(F) Setting of conservation areas

Development will not be permitted which, although not wholly or partly located within a designated conservation area, might nevertheless have a visibly adverse effect upon the area's recognised special character or appearance, including intrusiveness with respect to any recognised and recorded familiar local views into, out of, within or across the area.

G) Restrictions on permitted development in conservation areas

1) In order to give additional protection to the character and appearance of conservation areas, directions may be made under article 4(2) of the Town and Country Planning (General Permitted Development) Order 1995. Types of generally permitted development to which such directions may apply will include:

- a) painting, cladding or rendering of building facades
- b) insertion or replacement of doors and windows
- c) removal or replacement of boundary walls and fences
- d) alteration of roof profiles and replacement of roofing materials.

2) Such added powers of planning control may be applied to designated conservation areas the subject of adopted conservation area audits or to buildings or groups of buildings therein identified as being of architectural, historical or topographical interest.

3) The existence of such directions will be taken into account in the authorisation of development that may itself be made subject to the removal of permitted development rights, in appropriate individual places.