

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

PLANNING APPLICATIONS COMMITTEE 11/02/2025

REPORT BY THE DIRECTOR, PLANNING AND PLACE

Application:	PP/24/07124	Agenda Item:	S009	
Address:	1 Moore Street, LONDON, SW3 2QN			
Proposal:	Erection of a single story rear extension at lower-ground garden level, with proposed green roof, as well as new permeable pavers and built-in planters.			
Applicant:	MrSenior			
Agent:	Mr Ambrose Dust architecture			
Properties notified:	Objections:	Support:	Comments:	Petition:
10	4	0	1	0
Conservation area: Chelsea				

1. Summary

- 1.1 The proposed rear extension would preserve the character, appearance and significance of the group of buildings and the Chelsea Conservation Area (the CA) and would ensure that good living conditions continue for neighbouring occupants.
- 1.2 Objections received from interested parties have been taken into consideration and are addressed throughout the report and in Section 8.

It is recommended the Committee grants planning permission with the conditions listed in Section 9 of this report.

2. Reason for committee consideration

- Three or more objections were received during the consultation period and the recommendation is to grant.

3. The site and its surroundings

- 3.1 1 Moore Street an end of terrace, five storey property, constructed in the mid 1800's. The surrounding area is predominately residential, with Moore Street characterised by two uniform terraces extending along the full length of the street.
- 3.2 The application property is a single dwelling house. Over time the property has undergone

significant extension in the form of a two storey side extension and a part one/part two/part three storey rear extensions. Many of the properties along the row have also been extended in various forms.

- 3.3 The property is in the Chelsea CA. The conservation area appraisal notes that the property makes a positive contribution to the historic and architectural character and appearance of the conservation area and is a key reason for the designation.

4. The proposal and any relevant planning history

- 4.1 Planning permission is sought for a single storey rear extension with green roof. Permission is also sought for planters and permeable paving in the rear garden.
- 4.2 The relevant planning history is set out below:

Reference	Description	Decision
PP/00/00728	Erection of third floor extension in the form of a sheer masonry facade on the frontage with mansard roof and single storey rear infill extension.	Granted 12/06/2000
PP/09/00111	Erection of an extension to the front boundary fence to including two opening gates.	Granted 24/02/2009

5. Main policies and strategies relevant to the decision

The development plan

- 5.1 The main planning considerations applying to the site and the associated policies are:

	Local Plan
Conservation areas	CD3, CD4, CD15
General townscape	CD1, CD2, CD10, CD12
Living conditions	CD9, GB10
Flooding and drainage	GB11, GB12
Fire Safety	CD16
Gardens	GB15
Trees	GB16

- 5.2 These policies can be read online at:

- Local Plan:
<https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/local-plan/local-plan>

Other local strategies or publications

- 5.3 The main relevant supplementary planning documents adopted by the Council are:

- Chelsea Conservation Area Appraisal
- Greening
- Trees

- 5.4 These documents can be read online at:

- Conservation Area Appraisals:
<https://www.rbkc.gov.uk/planning-and-building-control/heritage-and-conservation/conservation-areas/conservation-area>
- Other documents:
<https://www.rbkc.gov.uk/planning-and-building-control/planning-policy/supplementary-planning-documents-and-guidance>

6. Evaluation

- 6.1 The property is in a Critical Drainage Area, requiring the submission of a Flood Risk Assessment (FLA). The evaluation within the submitted FRA notes that the location is at low risk from surface flooding and that the new development would not be at risk. Mitigation is put forward to reduce surface water flooding through the installation of a green roof and permeable paving and planters. This would result in a betterment in drainage rates in line with policy GB12 and condition 3 is recommended to ensure this SuDS strategy is carried out in full.
- 6.2 The application includes a planning fire safety strategy showing compliance with fire safety measures as required under Local Plan policy CD16.
- 6.3 The application includes a tree protection report. Arboricultural officers have advised that report demonstrates that no harm would come to neighbouring trees. There are no trees on the site itself.
- 6.4 The decisive issues are:
- Whether the proposal would preserve, or take opportunities to enhance, the character, appearance and significance of the group of buildings and the Chelsea conservation area.
 - Whether the proposal would ensure that good living condition would continue for neighbouring occupants.
 - Whether the reduction of the existing garden space would have a material impact on the conservation area or the amenity of the occupiers of the host building.

Character and appearance.

- 6.5 The proposal would be acceptable. The existing garden is completely enveloped with a high boundary walls. The proposed extension would sit within the confines of the walled garden and would be completely concealed from any public views.
- 6.6 Visually the proposed extension would be a modest addition to the property. Whilst the cumulative development of the site would be significant, the resultant harm of this ground floor extension would be minimal.
- 6.7 The character of the rear façade would remain as existing whilst the flat roof design would ensure that the overall bulk and mass would be similar to that of the existing boundary treatment.
- 6.8 Private views from surrounding properties looking down into the application site would also be maintained. The submission proposes a green roof, which would not only increase biodiversity into the currently hard surfaced site but would also help soften its appearance in this urban setting. Condition 3 is recommended to ensure that the green roof is maintained, which would not only have a beneficial impact on drainage, but ensure that the softening effect of the green roof would be maintained.

Living conditions.

- 6.9 The proposed extension would not exceed the height of the existing boundary treatment. There would be no impact on neighbouring properties with regards to reduced access to light or outlook. The resulting additional room would not be a of a significant size that light spillage would be problematic. The enclosing of a part of the rear garden would reduce the outside space and result in a minor reduction in noise from the amenity area. The proposal would be in accordance with Local Plan Policy CD9.
- 6.10 The enclosing of a part of the rear garden would reduce the outside space and result in a minor reduction in noise from the amenity area. Whilst the extension would allow for users of the proposed dining room to occupy the space at all times of the year, consideration is also given to the fact that the structure of the extension would give a shielding aspect to what is currently an open area with unobstructed views into neighbouring houses. It is considered that the two factors would result in a balance with no increased loss of privacy.

Garden reduction.

- 6.11 The proposal would mean that the footprint of the rear garden would be reduced from approx. 40sqm to approx. 27sqm. Although policy GB15 seeks to protect green spaces, the policy limits this to registered/designated gardens, public open space and private communal gardens. There is no additional policy concerning private gardens other than the broader policies protecting character and appearance within CA (policies CD4 and CD15).
- 6.12 The existing rear garden is paved and surrounding by high garden walls and is not considered to contribute to the verdant attractiveness of the CA. The proposal would still leave a large extent of the garden undeveloped, maintaining the sense of a open space, whilst the green roof would increase the visible greenery of the garden.
- 6.13 Furthermore, it is considered that the remaining garden area would be adequate to provide an outside area of amenity. Policy D6 of the London Plan requires dwellings to provide 5sqm of private outdoor space for a one or two-person property, with an additional 1sqm per additional occupant. The 27sqm proposed would more than satisfy the occupancy of the dwelling.

Issues and balancing

- 6.14 The proposal would preserve the character, appearance and significance of the group of buildings and the Chelsea Conservation Area, ensure that good living conditions continue for neighbouring occupants and would be in line with the Council's requirements regarding flooding and fire safety. The proposal would be in accordance with policies CD1, CD2, CD4, CD9, CD10, CD12, CD15, CD16, GB11, GB12 and GB15 of the Local Plan 2024.
- 6.15 Considerable importance and weight has been attached to and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

7. Community Infrastructure Levy

- 7.1 If permitted and built, the proposal would not require a payment towards funding additional infrastructure under the Borough's Community Infrastructure Levy or a payment towards funding Crossrail under the Mayor of London's Community Infrastructure Levy.

8. Consultations carried out

Comments from interested parties

- 8.1 10 nearby owners/occupiers were notified directly of the application. The application was advertised in the Gazette on 01/11/2024. A statutory notice advertising the application was posted near the site on 01/11/2024.
- 8.2 One letter was received commenting in general on the application. The correspondent asked whether it was possible to see further drawings. The correspondent was contacted with regards to the query.
- 8.3 Four letters were received objecting to the application, summarised as:

	Comment	Response
1	The gardens in the area should be protected, not built over.	The extension would cover less than half of the garden. The resulting space would be in excess of the minimum requirement for outside amenity areas.
2	The house is already one of the largest on the street and further extension seems unnecessary.	The necessity of an extension is not a material planning matter.
3	The users of the new extension would have views into the properties on Cadogan Street that adjoin the host garden.	The location of the proposed extension is currently a garden that has unobstructed views into neighbours' properties. The development would create an amount of shielding through the structure of the extension itself.
4	The extension would result in an increase in light pollution and noise disturbance.	The dining room that is proposed to occupy the extension would not be of a significant size to require lighting that would cause harmful spillage. The extension would also enclose part of the outside space, reducing the potential for noise.
5	The proposed extension would fail to protect or enhance the visuality of the conservation area or neighbourhood.	The terrace of buildings is already significantly built out at the rear. The proposal for a further extension would not be out of context given the established nature of the group.
6	The garden is already limited in size. To build over it would fall foul of the NPPF.	The proposal would comply with the minimum standards within the London Plan for outside spaces.
7	A previous planning officer who gave planning advice was wrong in that they did not consider the balance between the harm to the conservation area and the benefits. There are no public benefits.	The proposal would not be considered to create substantial, or less than substantial, harm to the conservation area and would not require public benefits to balance the harm.
8	The previous planning officer did not make a visit to the property.	A site visit has been undertaken prior to the committee meeting.
9	The extension will curtail daylight/sunlight, particularly in winter.,	The extension would be no higher than the garden walls and cannot block light to neighbours.
10	The proposed trellis would create further loss of light and a sense of enclosure.	The trellis has been removed from the scheme following advice from officers.

11	The proposal would change the symmetry of the terrace.	There is no existing symmetry to the terrace due to the amount of development that has occurred in the past.
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Other consultees and organisations

Consultee	Comment	Where in the report this is considered
Arboricultural Officer	No objection to the proposal.	Para. 6.3

9. Recommended conditions if the application is granted.

1. Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions.

2. Compliance with approved drawings

The development shall not be carried out except in complete accordance with the details shown on submitted plans *Site Location Plan, 360-MOO-PL-010 P2, 360-MOO-PL-011 P2, 360-MOO-PL-020 P2, 360-MOO-PL-021 P2, 360-MOO-PL-022 P2, 360-MOO-PL-023 P2, 360-MOO-PL-030 P2, 360-MOO-PL-031 P2.*

Reason - The details are material to the acceptability of the proposals, and to ensure accordance with the development plan.

3. Sustainable Urban Drainage System (SuDS)

During construction of the development hereby permitted the submitted Sustainable Urban Drainage System (SuDS) shall be fully implemented and maintained thereafter.

Reason – To reduce flood risk and to contribute to sustainability in accordance with policy GB12 of the Local Plan 2024.

4. Code of Construction Practice

No development shall commence until:

A) An Appendix A Checklist and Site Construction Management Plan (SCMP) for the development have both been submitted to, and approved in writing, by the Council's Construction Management Team, and then

B) Copies of the approved Checklist and Plan, and their written approval, have been submitted to the local planning authority to be placed on the property record.

The development shall be carried out in accordance with the Appendix A Checklist and SCMP so approved, or in accordance with a subsequent Checklist or SCMP as may be approved under this condition.

Note - The Council's Construction Management Team work independently of the planning department. For further information regarding the Code and how the required details should be submitted to them, the Council's Construction Management Team can be contacted on email at: dehcmt@rbkc.gov.uk

or tel: 020 7361 3002

Reason - To mitigate the impact of construction work upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy, and to comply with the Transport and Streets SPD and policy GB7 of the Local Plan 2024. It is necessary for the condition to be on the basis that "No development shall commence until" as compliance with the requirements of the condition at a later time would result in unacceptable harm contrary to the policies of the Local Plan 2024.

INFORMATIVES

- 1 Your attention is drawn to the Conditions of this Permission and to the Council's powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. All Conditions must be complied with. If you wish to seek to amend a Condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.
- 2 Condition No. 4 imposes requirements which must be met prior to commencement of the development. Failure to observe these requirements could result in the Council taking enforcement action, or may invalidate the planning permission and render the whole of the development unlawful.
- 3 Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Directorate of Planning and Place, before work commences, if you are thinking of introducing any variations to the approved development.

Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible. Use the following link to see how advice can be obtained: [Planning Advice Service](#)
- 4 This property is within a Conservation Area. All building works should, therefore, be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out, you should seek the advice of the Directorate of Planning and Place.
- 5 Separate approval for the works hereby granted permission/consent may be required by the Building Act 1984 and the Building Regulations 2018 (as amended), and the grant of planning permission does not imply that such approval will be given. The District Surveyor, Town Hall, Hornton Street, W8 7NX should be consulted before works commence.
- 6 You are reminded of your duties under the Party Wall Act 1996. This requires a building owner to notify and obtain formal agreement from adjoining property freeholders and leaseholders and anyone who has had an interest of 12 months or greater, where the building owner intends to carry out work which involves:
 1. Work involving an existing shared wall with another property;
 2. Building on the boundary with another property;
 3. Excavating near a neighbouring building, and that work falls within the scope of the Act

Notice should be served on neighbours at least one month before commencement of building works. Section 12(1) of the Act provides for the developer to provide security for neighbours through insurance or a security bond.

Procedures under this Act are separate from the need for planning permission and for

building regulations approval. Further guidance is available at: [Party Wall Act 1996](#)

- 7 To assist applicants in finding solutions to problems arising in relation to their development proposals the Local Planning Authority has produced planning policies, and provided written guidance, all of which are available on the Council's website. A pre-application advice service is also offered.

The scheme was submitted in accordance with advice provided through pre-application discussions.

- 8 You are advised that it is the duty of the occupier of any domestic property to take all such measures available to him/her as are reasonable in the circumstances to secure that any transfer of household waste produced on the property is only to an authorised person or to a person for authorised transport purposes. This includes waste materials produced as a result of building works. You may check whether your waste carrier is licensed on the DEFRA website. (I61)
- 9 You are reminded that, if not properly managed, construction works can lead to negative impacts on the local environment, reducing residential amenity and the safe function of the highway. The Council can prosecute developers and their contractors if work is not managed properly. For advice on how to manage construction works in the Royal Borough please see the Council's website:
www.rbkc.gov.uk/environmentandtransport/adviceforbuilders.aspx. From this page you will also find guidance on what to include in Construction Traffic Management Plans (where these are required).

- 10 Construction and demolition work is controlled by the Council under sections 60 and 61 of the Control of Pollution Act 1974. The Council has adopted a Code of Construction Practice which sets out best practice standards expected in the borough and applies to new development projects from April 2019. Under the terms of the Code, works heard at the boundary of the site are restricted to:

Monday to Friday 8am – 6pm

Saturday, Sunday and public holidays – none permitted

The code also introduces a further set of restricted hours for high impact activities such as demolition and concrete breaking. Undertaking noisy works outside of the Code hours may be liable for prosecution and a fine of up to £5000 where a notice has been served under the Control of Pollution Act 1974.

If you are required to submit a Code of Construction Checklist and Site Construction Management Plan (SCMP), please contact the Construction Management Team on 020 7361 3002 or by email at dehcmt@rbkc.gov.uk

- 11 Your attention is drawn to Section 61 of the Control of Pollution Act 1974, which allows developers and their building contractors to apply for 'prior consent' for noise generating activities during building works. This proactive approach involves assessment of construction working methods to be used and prediction of likely construction noise levels at sensitive positions, with the aim of managing the generation of construction noise using the 'best practicable means' available. You are advised to engage an acoustic consultant experienced in construction noise and vibration assessment and prediction to complete your S.61 application. Relevant information can be found here [S.61 Control of Pollution Act 1974](#)

Background papers:

Documents associated with the application (except exempt or confidential information) may be viewed at www.rbkc.gov.uk/PP/24/07124. Access to computers is also available in the Customer Service Centre at the Town Hall.

Contact officer:

Mr. B. Brockey

Telephone: 07583-117-632