

ROYAL BOROUGH OF KENSINGTON AND CHELSEA
REPORT BY EXECUTIVE DIRECTOR,
PLANNING AND BOROUGH DEVELOPMENT

APP NO. PP/13/00506/Q21
PLANNING APPLICATIONS COMMITTEE 16/04/2013
AGENDA ITEM NO. S25

SITE ADDRESS

Vintners Row	<u>APPLICATION</u>	01/02/2013
2 Lamont Road Passage	<u>DATED</u>	
LONDON	<u>APPLICATION</u>	01/02/2013
SW10 0HN	<u>COMPLETE</u>	
	<u>APPLICATION</u>	19/03/2013
	<u>REVISED</u>	

APPLICANT/AGENT ADDRESS

Ms M Rademacker
Mena Interiors
134 World's End Studios
Lots Road
LONDON
SW10 0RY

<u>LISTED</u>	N/A	<u>CONS.</u>	Sloane/Stanley	WARD	Stanley
<u>BUILDING</u>		<u>AREA</u>			

<u>CAPS</u>	Yes	<u>ENGLISH</u>	N/A	ART '4'	No
		<u>HERITAGE</u>			

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
11	3	0	0	0

Applicant Mr Glasmacher

PROPOSAL: Insertion of a window to rear elevation.

RBK&C Drawing No(s):PP/13/00506 and PP/13/00506/A

Applicant's Drawing No(s): E1, E2 Rev. 1, E3 Rev. 1, E4, P1 Rev. 1, P1 Existing Rev. 1, P2 Rev. 1, P3 Rev. 1

RECOMMENDED DECISION: Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (C001)**
Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)
2. **The development hereby permitted shall not be carried out except in complete accordance with the details shown on submitted plans, E1, E2 Rev. 1, E3 Rev. 1, E4, P1 Rev. 1, P1 Existing Rev. 1, P2 Rev. 1, P3 Rev. 1 (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
3. **All work and work of making good to the exterior shall be finished to match the existing original work to the building(s) in respect of materials, colour, texture, and profile and, in the case of brickwork, facebond and pointing, and shall be so maintained. (C071)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
4. **The window hereby permitted shall constructed using only obscured glazing, fixed shut and so maintained. (C093)**
Reason - To safeguard the amenity of neighbouring property, and in particular to prevent overlooking. (R091)
5. **Notwithstanding the details shown on the approved plans, the new window shall be timber framed, with a brick arch over and so maintained. (C075)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)

INFORMATIVES

- 1 I10 Attention to Conditions
- 2 I11 Care - Conservation Area
- 3 IDN2 GTD/No pre-app/Amendmts to comply Est. G
- 4 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)
- 5 I.67A

1.0 SITE

1.1 The application site comprises of a three storey mid terrace property with roof terrace located on Lamont Road Passage. The building lies within the Sloane/Stanley Conservation Area and is in use as a single dwelling. There are no Article 4 directions relating to the property.

2.0 RELEVANT PLANNING HISTORY

2.1 Planning permission and conservation area consent was granted in 1996 for the demolition of the existing building on the site and the erection of a terrace comprising five residential units (TP/96/0388). Further to this, planning permission was granted in June 1997 for a similar proposal with amended floor plans and roof level detailing.

3.0 PROPOSAL

3.1 Planning permission is sought for the insertion of a window to the rear elevation of the building. The window would serve the staircase and would provide light to this area only. The plans submitted with the application show that the opening would be a timber framed sash window with obscure glazing.

3.2 The plans have been amended during the course of the application to remove proposals for the infilling of an existing roof terrace.

4.0 CONSIDERATIONS

4.1 The main considerations in this case relate to:

- the impact on the character and appearance of the building, terrace and wider Sloane/Stanley Conservation Area; and
- the impact on the living conditions of the nearby properties.

4.2 The Core Strategy of the Local Development Framework for the Royal Borough was adopted on December 8th 2010, and contains planning policies which have succeeded the majority of those in the Unitary Development Plan (UDP). For the purposes of S.38(6) of the Planning and Compulsory Purchase Act 2004, the 'Development Plan' now comprises the Core Strategy, the London Plan (July 2011), plus relevant 'saved' policies from the UDP. A list of the relevant policies is attached. The contents of the Government's National Planning Policy Framework have also been taken into account. The Sloane/Stanley Conservation Area Proposals Statement has also been taken into consideration.

Impact on character and appearance

4.3 The proposal seeks to insert an additional window between ground and first floor level to the rear elevation of the building. Due to the design of this terrace of properties, the bottom of the window would be located approximately 700mm from ground level. There are two existing windows to the rear elevation of the property, one smaller window serving the ground floor and one at first floor level. The proposed opening would be of a similar design to the existing openings with materials also to match the existing, and would be located between ground and first floor levels.

4.4 The proposed opening would not be visible from the streetscene; however, saved UDP policy CD63 requires the Council to consider the effect of proposals on views generally within, into, and out of conservation areas. The same protection to views is stated in the Core Strategy and paragraph 34.3.10 states that 'the quality and character of an area is not only provided by the individual buildings but it is also gained from views into and out of the area'. The

accompany text to saved UDP policy CD63 (paragraph 4.5.9), states that the residents' appreciation and enjoyment of the special character and appearance of conservation areas derives from both public viewpoints and views from within their dwellings. In applying these policies, the Council will consider not only the street scene, but views from other buildings and gardens, as these are also important to residents' amenities. The proposed window would be visible from properties in the rear; however, the proposal would preserve the character and appearance of the existing building and terrace, and would not cause harm to views enjoyed within the Conservation Area from the residential properties to the rear or reduce the appreciation of the traditional pattern of development which contributes positively to the enjoyment of the character of the area, in accordance with policies Core Strategy policies CL1, CL2 and CL3 and saved UDP policy CD63. The window will be conditioned to be timber framed.

Amenity

- 4.5 Policy CL5 of the Core Strategy requires development to achieve high standards of amenity, with particular regard to provision of sunlight and daylight to buildings and amenity spaces, privacy, sense of enclosure and traffic, noise, odour and parking, and vibration. The application has been amended to remove proposals for the infilling of an existing roof terrace and relates only to the insertion of an opening to the rear elevation between ground and first floor level. The plans submitted with the application show that this opening would serve the staircase only and would be obscure glazed. Subject to condition requiring the window to be obscure glazed and fixed shut, the additional opening would not have a detrimental impact on the living conditions of neighbouring properties in terms of overlooking or loss of privacy.

5.0 PUBLIC CONSULTATION

- 5.1 The following properties were notified of the proposals:

394A, 396 King's Road
1, 3, 4, 5, King's House Studios Lamont Road Passage
College, Park Walk
Park Walk Primary School

In addition to this, a site notice was erected outside the property and a press notice issued. To date, three letters of objection has been received, summarised as:

- 5.2 **The new window will cause overlooking and would set an unwelcome precedent for more openings in this elevation, resulting in a loss of privacy.**

This matter has been addressed in section 4.5 above. Each application is considered on its merits at the time of submission, in accordance with the relevant development plan policies.

- 5.3 **Access would be required to build the proposal. This would be trespassing on neighbouring property.**

This is a private matter and is not a material planning consideration.

- 5.4 **Query as to whether the original permission for the development required the existing windows to be limited in number and obscure glazed.**

Conditions attached to the development do not require the openings to the rear elevation to be obscure glazed. In any event the current proposal seeks to provide an obscure glazed window and this is the subject of a proposed condition

5.5 **The velux window would cause overlooking to King's House Studios.**
This part of the proposal has been removed from the application.

5.6 **Air conditioning units and a boiler exhaust outlet have been installed to the property without planning permission.**
This is a separate matter which has been raised with the Council's Planning Enforcement Team.

6.0 **CONCLUSION**

6.1 The proposal would preserve the character and appearance of the existing building, the terrace and the wider conservation area and would not harm the amenities of neighbouring properties, in accordance with the relevant policies of the development plan.

7.0 **RECOMMENDATION**

7.1 **Grant planning permission**

**JONATHAN BORE
EXECUTIVE DIRECTOR, PLANNING AND BOROUGH DEVELOPMENT**

List of Background Papers:

The contents of file PP/13/00506 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Insertion of a window to rear elevation.

SUMMARY OF REASONS FOR DECISION

You are advised that this application was determined by the Local Planning Authority with regard to the National Planning Policy Framework (NPPF), Development Plan policies, including relevant policies contained within the Core Strategy of the Local Development Framework, the London Plan, as well as policies 'saved' from the Unitary Development Plan, and was considered to be in compliance with the relevant policies. In particular, the following policies were considered:

Core Strategy adopted 8 December 2010

CL1	Context and Character
CL2	New Buildings, Extensions and Modifications
CL3	Heritage Assets - Conservation Areas and Historic Spaces
CL5	Amenity
CL6	Small-scale Alterations and Additions

'Saved policies of the Unitary Development Plan adopted 25 May 2002

CD63	Conservation Area Views
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Weight was also given to relevant local Supplementary Planning Guidance/Documents and Statements, including: Sloane/Stamley adopted 11 November 1985 (16). These documents were adopted following public consultation. The material circumstances of the case, including site history, location, and impact on amenity were considered. In addition, consideration was given to the results of public consultation.

The proposal would preserve the character and appearance of the existing building, the terrace and the wider conservation area and would not harm the amenities of neighbouring properties, in accordance with the relevant policies of the development plan.

The full report is available for public inspection on the Council's website at <http://www.rbkc.gov.uk/PP/13/00506>. If you do not have access to the internet you can view the application electronically on the ground floor of the Town Hall, Hornton Street, London, W8 7NX.