

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

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**APP NO. PP/11/03036/Q13**

**PLANNING APPLICATIONS COMMITTEE 06/03/2012**

**AGENDA ITEM NO. N19**

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**SITE ADDRESS**

**Apartment 27  
1 Wycombe Square  
LONDON  
W8 7JF**

**APPLICATION      02/09/2011  
DATED**

**APPLICATION      19/09/2011  
COMPLETE**

**APPLICATION      03/02/2012  
REVISED**

**APPLICANT/AGENT ADDRESS**

**Mr N Farquhar  
Janine Stone  
Unit 4 Oakfield Trading Estate  
Oakfield Road  
ALTRINCHAM  
Cheshire  
WA15 8EJ**

**LISTED      N/A  
BUILDING**

**CONS.      Kensington  
AREA**

**WARD      Campden**

**CAPS      Yes**

**ENGLISH      N/A  
HERITAGE**

**ART '4'      No**

<b><u>CONSULTED</u></b>	<b><u>OBJECTIONS</u></b>	<b><u>SUPPORT</u></b>	<b><u>PETITION</u></b>	<b><u>COMMENTS</u></b>
26	14	0	0	0

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**Applicant      Janine Stone**

**PROPOSAL:      Enlargement of existing main roof level conservatory**

**RBK&C Drawing No(s): PP/11/03036 and PP/11/03036/A**

**Applicant's Drawing No(s): 1472-0001A, 1472-0002A, 1472-0003A,  
1472-0005B, 1472-0006A, 1472-0007A, 1472-0008A, 1472-0009A  
and 1472-0017**

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**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 , 1472-0001A, 1472-0002A, 1472-0003A, 1472-0005B, 1472-0006A, 1472-0007A, 1472-0008A, 1472-0009A and 1472-0017. (C068)**  
*Reason* - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)

## **INFORMATIVES**

- 1 I09 Variations due to Building Regs.
- 2 I10 Attention to Conditions
- 3 I11 Care - Conservation Area
- 4 I67A Construction Management
- 5 I68 TFL - Olympic Route Network

## **1.0 SITE**

- 1.1 The property is a six storey (plus roof level conservatory addition) building situated on the West side of Campden Hill Road, close to the junction with Aubrey Walk. The application property is divided into self-contained flats.
- 1.2 The property is not listed, but is located within the Kensington Conservation Area.

## **2.0 PROPOSAL**

- 2.1 Planning permission is sought for the following:
- The erection of a metal framed glazed conservatory, measuring approximately 2.2m in height, 10.3m in width and 8.5m in depth, located at main roof level for the provision of additional residential accommodation to the top floor flat.
- 2.2 Amended plans have been submitted following Officer advice and these now reflect appropriate alterations to the character and appearance of the building, including a reduction in size of the proposed conservatory and its detailed design.

## **3.0 RELEVANT SITE HISTORY**

- 3.1 Planning permission and conservation area consent were refused in 1999 (TP/99/0733) for the redevelopment of the existing site to provide nineteen houses and forty eight apartments plus twelve tennis courts (six in lower level and six open courts), a practice court, basement car parking, new access points for pedestrians and vehicles and landscaping alterations. This permission was granted on appeal and subsequently implemented.
- 3.2 Planning permission was granted in 2001 (PP/01/00416 & PP/01/00417) for the alterations to design of proposed residential block of flats, involving the addition of a glazed room adjoining the lift over-run and use of the flat roof as a terrace, (amendment to planning permission dated 14/10/99 TP/99/0733). This permission was implemented.

## **4.0 PLANNING CONSIDERATIONS**

- 4.1 The main issues for consideration are the impact of the proposal upon the character or appearance of the building and the surrounding conservation area and the impact that the proposal may have upon the amenity of the occupiers of the neighbouring properties.
- 4.2 The relevant policies against which to assess this proposal are contained within the Core Strategy of the Local Development Framework, as well as certain policies 'saved' from the Unitary

Development Plan 2002 (as amended 28<sup>th</sup> September 2007).

The relevant Core Strategy policies are:

CL1 (Context and Character)

CL2 (New Buildings, Extensions and Modifications to Existing Buildings)

CL3 (Historic Environment)

CL5 (Amenity)

CL6 (Small-scale Alterations and Additions)

CE6 (Noise and Vibration)

The relevant 'saved' policies to this application are as follows;

CD44 & CD45 (roof level alterations)

CD46 (roof terraces)

CD48 (conservatories)

CD63 (views around the Borough)

- 4.3 Also for consideration is 'The London Plan' 2011. In this particular instance, there are no specific Policies relevant to this application contained within this plan.
- 4.4 The Kensington Conservation Area Proposal Statement (CAPS) has also been given weight.
- 4.5 The Core Strategy of the Local Development Framework for the Royal Borough was adopted on December 8<sup>th</sup> 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 2011, plus relevant 'saved' policies from the UDP.

### **Surrounding Townscape**

- 4.6 Forming part of the West side of Campden Hill Road, Wycombe Square is one of a number of taller residential blocks, characterised by centrally located enclosures/housing at main roof level. Where the surrounding high rise buildings of Kensington Heights exhibit roof housing for the operation of the residential block, namely over-run/plant housing, the application property features both lift over-run/plant housing and a glazed conservatory structure for additional residential accommodation.
- 4.7 The glazed conservatory structure, located at main roof level for additional residential accommodation was granted planning permission in 2001 (PP/01/00416 & PP/01/00417). The Officer's report stated:

*"The proposed room would be located to the south side of the lift over-run enclosure, which is in the centre of the roof of the*

*building. It is considered that located in this position that it would not be seen from the neighbouring street level. It would be constructed in structural clear glass. The approved development will be a new building and the proposed additional room will be a lightweight structure which, it is considered, will be in keeping with the main building."*

Given the location and detailed design of the current proposal, it is considered the officer's conclusion of the 2001 permission should be given weight in this instance.

- 4.8 In consideration of 'saved' UDP Policies CD44, CD45 and CD63, in particular criteria d, e and g, the main roof level extension, by virtue of its size, position, materials and detailed design would not result in a building which is higher than surrounding neighbours (d); nor would it add significantly to the bulk or unbalance the architectural composition of the parent building. Whilst it is acknowledged the proposed extension would be subject to surrounding public long views and upper floor level private viewpoints, it is considered the proposal, by virtue of its size and position would have no greater intrusive impact upon or impede such public and private viewpoints than the existing building's arrangement.
- 4.9 In consideration of 'saved' UDP Policy CD48, whilst the proposal is contrary to criteria (a), being located at roof level, given that a glazed structure already exists here at main roof level and this proposal seeks its enlargement rather than an entirely new glass structure on the roof, it is not considered this would justify a reason for refusal on this issue alone.
- 4.10 With regard to its design, it is considered the detailing and materials proposed would appropriate in style and appearance, particularly given the contemporary design and appearance of the parent building.
- 4.11 The property has no 'roofline designation' within the Kensington conservation area proposal statement (CAPS).
- 4.12 In consideration of the CS Policies CL1, CL2, CL3 and CL6, 'saved' UDP Policies CD44, CD45 and CD63, it is considered the enlarged main roof level structure, by virtue of its size, position, materials and detailed design would preserve the character and appearance of the building and this part of the surrounding conservation area.

### **Amenity**

- 4.13 With regard to amenity, by virtue of its location at main roof level and position set approximately 3m behind the surrounding parapet wall, it is considered the proposal would not result in a significant loss of sunlight or daylight nor would it present any increased sense of enclosure to the adjoining and surrounding properties, in particular those on Campden Hill Road and Aubrey Walk.

4.14 With regard to the use of the main roof as a terrace,

The comments of the Officer's report on this issue in the 2001(PP/01/00416 & PP/01/00417) were:

*"The proposed building [Wycombe Square] has been approved with a number of terraces at each level, and Kensington Heights, immediately to the south, has terraces at each level including overlooking this site. Melbourne House on the other side of Campden Hill Road also has terraces facing the proposed building [Wycombe Square]. The proposed building [Wycombe Square] already has balustrades approved at roof level for safety reasons, terraces are a feature of the proposed approved building [Wycombe Square], and it is not considered that any additional nuisance from the proposed terrace would be of such a scale to substantiate a refusal on this ground."*

4.15 Whilst it is acknowledged that the size of the existing roof terrace, which could accommodate a number of people, could cause noise nuisance to neighbours, especially during periods of fine weather when the terrace is most likely to be used and when neighbours would be most likely to want their windows open, its use has been established forming part of a previous consent. Within this context, it is considered the use of the main roof as a terrace and the associated conservatory, would not result an unacceptable material increase in overlooking, associated noise and disturbance to the adverse harm of the neighbouring properties to substantiate a refusal on this ground alone. The proposal is, therefore, considered to comply with the Council's CS Policies CL5, CE6 and 'saved' UDP Policies CD46.

## **5.0 PUBLIC CONSULTATION**

5.1 Neighbouring occupiers were notified of this proposal and a site notice was displayed outside the building. Letters of objection have been received. The representations object on the grounds that the proposed development would result in:

### **Harm to the character and appearance of the building, terrace and surrounding conservation area**

5.2 This particular issue has been addressed in Section 4.0 of this report.

### **Loss of privacy attributed to the use of the conservatory and associated roof terrace**

5.3 This particular issue has been addressed in Section 4.0 of this report.

## **Loss of sunlight daylight to adjoining properties**

- 5.4 This particular issue has been addressed in Section 4.0 of this report.

## **The proposed development will result in noise and disturbance**

- 5.5 This particular issue has been addressed in Section 4.0 of this report.

## **6.0 CONCLUSION**

- 6.1 The proposed erection of a glazed conservatory located at main roof, by reason of its location and position would preserve the character and appearance of the conservation area. It is also concluded that the structure would not impact harmfully upon levels of amenity enjoyed by residents of neighbouring property. Therefore, it is concluded that the development would be 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/11/03036 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: LP  
Report Approved By: DT  
Date Report Approved: 22/02/2012**

**PSC03/12/LP.REP**

23/02/2012 11:18:16

## **Enlargement of existing main roof level conservatory**

### **SUMMARY OF REASONS FOR DECISION**

You are advised that this application was determined by the Local Planning Authority with regard to 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**

CD44	Resist Additional Storeys and Roof Level Alterations
CD45	Permit Additional Storeys and Roof Level Alterations
CD63	Conservation Area Views
CD46	Roof Terraces
CD48	Resist Proposals for Conservatories

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 proposed erection of a glazed conservatory located at main roof, by reason of its location and position would preserve the character and appearance of the conservation area. It is also concluded that the structure would not impact harmfully upon levels of amenity enjoyed by residents of neighbouring property. Therefore, it is concluded that the development would be in accordance with the relevant policies of the development plan.

The full report is available for public inspection at the Planning Information Office, Ground Floor, Town Hall, Hornton Street, London, W8 7NX.