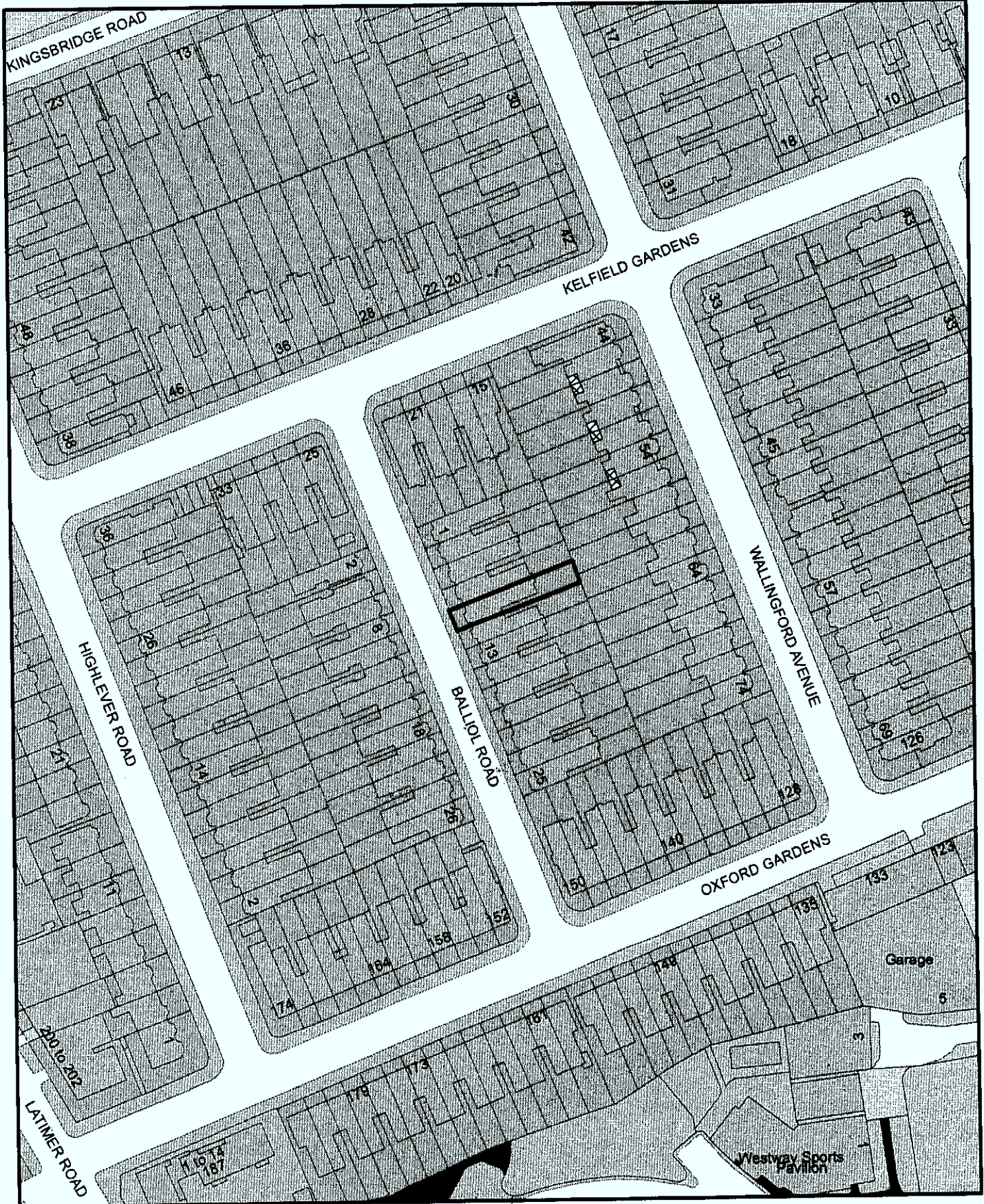


# 9 BALLIOL ROAD, W10






1:1,250

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(100021668) (2009)



### Listed Buildings

-  Grade II
-  Grade II\*
-  Grade I

Property and Land Applications Team  
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**ROYAL BOROUGH OF KENSINGTON AND CHELSEA  
REPORT BY EXECUTIVE DIRECTOR,  
PLANNING AND BOROUGH DEVELOPMENT**

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**APP NO. PP/11/00672/Q13  
PLANNING APPLICATIONS COMMITTEE 10/05/2011  
AGENDA ITEM NO. N47**

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**SITE ADDRESS**

**9 Balliol Road  
LONDON  
W10 6LX**

**APPLICATION DATED 07/03/2011**

**APPLICATION COMPLETE 08/03/2011**

**APPLICATION REVISED 15/04/2011**

**APPLICANT/AGENT ADDRESS**

**Mr S Hodgen  
hanson + confederates  
Studio 7C Wellington Rd  
LONDON NW10 5LJ**

**LISTED BUILDING No**

**CONS. AREA**

**Oxford Gardens WARD Notting Barns**

**CAPS Yes**

**ENGLISH HERITAGE**

**N/A**

**ART '4' No**

**CONSULTED 10    OBJECTIONS 5    SUPPORT 0    PETITION 0    COMMENTS 0**

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**Applicant Ms Fattori**

**PROPOSAL: Erection of single storey, glazed infill extension, and alterations to the door to the rear outrigger.**

**RBK&C Drawing No(s): PP/11/00672 and PP/11/00672/B**

**Applicant's Drawing No(s): 419 P/100 REV B, P/200 REV B, S/100, S/200**

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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 the submitted plans, 419 P/100 REV B, P/200 REV B, S/100, S/200 (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
2. I10
3. I11
4. I68

## **1.0 SITE**

- 1.1 This property is a ground floor flat, situated on the eastern side of Balliol Road. The property is not Listed but is within the Oxford Gardens Conservation Area.

## **2.0 PROPOSAL**

- 2.1 It is proposed to construct a single storey glazed infill extension and alter the fenestration to the rear outrigger. Following officer advice, this proposal has been amended since it was first submitted to reduce the depth of the extension.

## **3.0 RELEVANT SITE HISTORY**

- 3.1 There is no planning history recorded on the Council's Planning records.

## **4.0 PLANNING CONSIDERATIONS**

- 4.1 The main planning considerations to be taken into account in determining this application are the impact of the proposal on the character and appearance of the building, the terrace and the Conservation Area. Consideration will also be given to the impact that the proposal will have on the amenity of neighbouring properties.
- 4.2 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 Consolidated with Alterations since 2004, plus relevant 'saved' policies from the UDP.
- The relevant policies of the Core Strategy and "saved" policies of the Unitary Development Plan (2002) are set out in the Reasons for Grant sheet accompanying this planning permission.
- 4.3 Weight has been given to Supplementary Planning Guidance, the Oxford Gardens Conservation Area Proposals Statement.
- 4.4 Planning permission is sought for a glazed infill rear extension at ground floor level. Planning permission is also sought for alterations to the door leading to the garden from the rear outrigger. 'Saved' Policy CD47 as contained within the Unitary Development Plan resists proposals for extensions if [inter alia] (a) the extension would extend rearward beyond the existing general

rear building line of any neighbouring extensions; (d) the extension would not be visually subordinate to the parent building; (f) the extension would spoil or disrupt the even rhythm of rear additions. Full width extensions will not usually be allowed. CL2 of the Core Strategy is also relevant for this proposal. It reiterates the aims of CD47 by requiring extensions to respect those aspects of character and integrity of the original building and group of buildings that contribute to local distinctiveness such as height, width, depth, building line, footprint, position, symmetry, rhythm, materials, detailed design, important gaps and a sense of garden openness.

- 4.5 A site visit has been carried out and advice subsequently given to the architect, who has amended the proposal accordingly. The rear building line of this particular terrace is relatively undisturbed save for an inappropriate addition at the neighbouring number 11, for which there is no planning history. The remainder of the properties have maintained the traditional solid-void, outrigger-lightwell pattern so characteristic of these terraced properties. The proposed extension would be contained within the existing lightwell, incorporating a modest internal courtyard. The extension would be slightly recessed from the main rear outrigger, thus maintaining subservience, and as it is proposed to be mainly glazed, it would allow the original footprint of the host building to be seen and retain the solid-void pattern. It is also proposed to change the doors in the rear outrigger, but within the existing opening. This is not considered to be harmful to the appearance of the property. It is considered that the proposal complies with the criteria as set out within 'saved' Unitary Development Plan policy CD47 and Core Strategy policy CL1, CL2 and CL3 and would as a result not cause harm to the appearance of the host property or to the neighbouring terrace, preserving the character and appearance of the Conservation Area.
- 4.6 In terms of the impact upon the neighbouring amenity in terms of light, the relevant test has been carried out on the most affected window at ground floor level in the rear elevation of number 11. The 25 degree test was applied and the proposed extension does not breach this standard. The extension would also not result in a material increase in a sense of enclosure that could be considered harmful for occupiers of neighbouring residential properties. Therefore it is not considered that the proposal is unacceptable under CL5.
- 4.7 In light of the above, given the design, size and location of the proposed alterations they are considered to not result in harm to the character and appearance of the building, the terrace or the Oxford Gardens Conservation Area. Therefore, the proposal is considered to comply with UDP Policies CD47 and Core Strategy Policies CL1, CL2 and CL3 and CL5.

## **5.0 PUBLIC CONSULTATION**

5.1 5 neighbouring properties have been consulted and to date, 5 objections have been received. The objections and officer responses are as follows:

5.2 **The size and bulk of the extension is not in keeping with the terrace and surrounding Conservation Area.**

The proposal has been greatly reduced since originally submitted and is now composed of a mostly glazed infill, recessed from the rear outrigger. It is considered that the impact of the extension would not be of such a scale as to warrant a refusal of the planning application on design grounds.

5.3 **The impact on the amenity of neighbouring occupants.**

The original proposal would have extended significantly beyond the rear outrigger and is likely to have had a more significant impact upon the occupants of neighbouring properties in terms of loss of light and sense of enclosure. The proposal has since been amended and the relevant tests carried out, and it is not considered that the loss of light to the neighbouring window, or sense of enclosure would be of such a degree to justify a refusal of planning permission on these grounds.

## **6.0 RECOMMENDATION**

6.1 Grant planning permission.

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

### **List of Background Papers:**

**The contents of file PP/11/00672 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: GK  
Report Approved By: ER/DT  
Date Report Approved: 21/04/2011**

**PSC05/11/GK.REP**

26/04/2011 10:50:32

**Erection of single storey, glazed infill extension, and alterations to the door to the rear outrigger.**

**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:

- CD47 (to resist extensions in eleven specified situations)
- CL01 (Context and Character)
- CL02 (New Buildings, Extensions & Modifications to Existing Build
- CL03 (Historic Environment)
- CL05 (Amenity)

The London Plan was taken into consideration. No policies were considered of particular relevance to this application.

Weight was also given to relevant local Supplementary Planning Guidance and Statements, including the **Oxford Gardens** Conservation Area Proposals Statement. This document was prepared in line with Government guidance and adopted following public consultation.

The material circumstances of the case, including site history, location, and impact on amenities were considered.

In addition, consideration was given to the results of public consultation.

It was concluded that there was no impact upon the amenities of adjoining occupiers, or upon the character or appearance of the area, that would justify a refusal in this case.

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