

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

**APP NO. PP/11/03991/Q13
PLANNING APPLICATIONS COMMITTEE 06/03/2012
AGENDA ITEM NO. S22**

SITE ADDRESS

Basement Flat 20 Redburn Street LONDON SW3 4BX	<u>APPLICATION DATED</u>	30/11/2011
	<u>APPLICATION COMPLETE</u>	06/12/2011
	<u>APPLICATION REVISED</u>	18/01/2012 08/02/2012

APPLICANT/AGENT ADDRESS

**Mr N Newland
peek architecture + design
Realise Studios
12-13 Poland Street
LONDON
W1F 8QB**

<u>LISTED BUILDING</u>	N/A	<u>CONS. AREA</u>	Royal Hospital	<u>WARD</u>	Royal Hospital
<u>CAPS</u>	Yes	<u>ENGLISH HERITAGE</u>	N/A	<u>ART '4'</u>	No

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
25	3	0	0	0

Applicant **High Lanes Partnership Ltd**

PROPOSAL: **Erection of a rear infill extension with glazed roof to lower ground floor garden flat. including the raising of the side boundary wall with no. 22**

**RBK&C Drawing No(s):PP/11/03991 and PP/11/03991/A
PP/11/03991/B**

Applicant's Drawing No(s): EX01, EX02, EX03, PL01 rev B and PL02 rev A, PL03 rev A and site location plan

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 , EX01, EX02, EX03, PL01 rev B and PL02 rev A, PL03 rev A and site location plan (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 shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing. (C071)**
Reason - To ensure a satisfactory standard of external appearance. (R071)

INFORMATIVES

- 1 I10 Attention to Conditions
- 2 I11 Care - Conservation Area
- 3 I21 Building Regs. - Separate Approval
- 4 I30 Demolition (Environmental Prot. Act)
- 5 I67A Construction Management
- 6 I68 TFL - Olympic Route Network

1.0 THE SITE

- 1.1 20 Redburn Street is a terraced property on the North side of the street. Flat A is a separate flat within the basement of the property.
- 1.2 The property is within the Royal Hospital Conservation Area.

2.0 PROPOSAL

- 2.1 Planning permission is sought for the erection of a rear extension at lower ground floor level within the existing lightwell and to raise the side boundary wall with no.22
- 2.2 The application has been amended to reduce the length of the extension and to change the slope from angled towards the side boundary to a slope away from the main building towards the rear and the side wall also to slope down away from the main rear wall.

3.0 RELEVANT HISTORY

- 3.1 Planning permission was granted on 5th November 1987 under reference TP/87/1715 for the conversion of the ground floor into one self contained flat and the first and second floor into a maisonette and retention of a separate flat in the basement and alterations to the rear elevation.
- 3.2 Planning permission was granted on 27th November 1987 under reference TP/87/2017 for the retention of a rear extension at basement level. This is the single storey extension at the rear of the closet wing.
- 3.3 Planning permission was granted on 2nd April 2003 under reference PP/03/0457 for the erection of a rear extension at second floor level.
- 3.4 Planning permission was granted on 20th May 2003 under reference PP/03/0842 for the erection of a conservatory at rear basement level. This has not been implemented.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations are the position and size of the rear extension, its impact on the appearance and architectural integrity of the property and upon the character and appearance of the conservation area together with the impact of the proposal including the raised side wall on levels of amenity enjoyed by the neighbouring occupiers with regard to sense of enclosure, loss of light and privacy.

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. 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 and relevant saved policies from the Unitary Development Plan. The relevant policies in this case are:

- CL1 (context and character)
- CL2 (new buildings and extensions to existing buildings)
- CL3 (conservation areas and historic spaces)
- CL5. (amenity)

4.2.1 The London Plan July 2011 also forms part of the Development Plan for the Borough but contains no policies relevant to the current proposal.

4.2.2 The relevant policy in the Conservation and Development chapter of the Unitary Development Plan as amended 28th September 2007 is CD47 which relates to rear extensions.

4.2.3 Supplementary Planning Guidance contained in the Royal Hospital Conservation Area Proposals Statement was also taken into account.

4.3 The property has an existing rear closet wing extension which rises to second floor level. There is an existing single storey extension at lower ground floor level extending beyond this into the rear yard. There is a lightwell between the closet wing extension and the boundary with no. 22 Redburn Street which is at present a trellis on top of a wall with an overall height of 1.6 m.

4.4 The proposed extension would be set within the lightwell between nos. 20 and 22 and would extend 3.5 m from the main rear wall. This would be inside the line of the closet wing extension. An extension in this position would be subservient to the main building and would not be higher or deeper than any other extensions on other properties since it would be in a lower ground floor lightwell. As such, the extension would comply with policy CD47. The extension has been redesigned so that the highest part of the roof would be set above the existing brick arch of the basement window of the main building in the lightwell and would slope down towards the rear of the building. It is considered that an extension of this design in this location would preserve the appearance and architectural integrity of the building and would comply with policies CL1 and CL2. Further, it is considered that the proposal would preserve the character and appearance of the conservation area in compliance with policy CL3.

- 4.5 With regard to amenity, the existing height of the side boundary wall with no. 22 to the east is 1.6 m along the area where the extension is proposed. It is proposed to raise the wall to 2.8 m immediately against the main rear wall of the house sloping down to 2.4 m at a distance of 3.5 m from the rear wall. The roof of the extension would slope down from 2.65 m to 2.4 m inside the line of the wall. The room in the rear part of no.22 is a bedroom and has a side window and french doors facing the garden so that the side window is not the only source of light in the room and the window in the lightwell is a shower room. It is considered that whilst there would be a slight increase in sense of enclosure and limited loss of light to the neighbouring property, this would not be to a degree which would result in a significant loss of amenity to the neighbouring occupiers and there would be no loss of privacy as a result of the proposal. As such, the proposal would comply with policy CL5.

5.0 PUBLIC CONSULTATION

- 5.1 Occupiers of 25 neighbouring properties in 11, 13, 15 and 17 Redesdale Street and in 16, 18, 20, 22, 24, 29, 31, 33, 35 and 37 Redburn Street have been notified of the proposal. Since the property is in a conservation area, the proposal was advertised on site and in the local paper on 4th January. Three objections have been received, two from freeholders of no. 20 and one from an occupier of no. 22.

- 5.2 **The certificate B was not served on the correct people and the site notice was not displayed for a sufficient period.**

The requirement to serve Certificate B is on other owners of the same building and not neighbouring buildings. The certificates were correctly served in this case on the other owners of the building and neighbours notified. The site notice has been displayed for a period in excess of 21 days as required.

- 5.3 **The scheme does not show the position of the neighbouring property on the drawing.**

Revised drawings now clarify the impact on the side boundary and show the line of the closet wing extension above. The impact of the proposal on the neighbouring occupiers has been assessed on site and the scheme has been amended reducing the impact on the neighbour as the length of boundary to be raised has been reduced and the wall will be sloped to reduce its impact and the scheme is considered to be acceptable.

- 5.4 **The height and extent of the extension is unacceptable and its roof would result in light disturbance to the neighbours.**

The extent of the extension has been reduced so that it is only

in the lightwell and does not extend to the end of the single storey rear extension as originally proposed. This means that it would not result in a significant amount of garden area. The roof is intended to be glazed but this is common in lightwell extensions and is considered to be acceptable in this case as it has a limited extent and the room above is a bedroom which would not tend to be used as much during the day. With regard to height, the scheme has been amended so that the wall on the boundary would slope down away from the rear wall and reduces in height as it slopes away from the building. The side window in the bedroom in no. 22 is a secondary window in a bedroom.

5.5 The scheme would be unacceptable in terms of its impact on the character and appearance of the conservation area.

The scheme as amended is for an infill extension in the form of a glazed roofed extension in a lightwell at lower ground floor level. It is considered that this type of extension is common in the area and would preserve the character and appearance of the conservation area.

6.0 CONCLUSION

6.1 The extension would be at basement level in a lightwell recessed behind the line of the closet wing and would comply with policy CD47. It would preserve the appearance and architectural integrity of the building and would preserve the character and appearance of the conservation area and would comply with policies CL1, CL2 and CL3. The proposal would not result in any significant loss of amenity to the neighbouring occupiers with regard to sense of enclosure, loss of light or overlooking and would comply with policy CL5.

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/11/03991 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: ALS
Report Approved By: EL/DT
Date Report Approved: 22/02/2012

PSC03/12/ALS.REP

24/02/2012 10:06:46

/PP/11/03991: 6

Erection of a rear infill extension with glazed roof to lower ground floor garden flat. including the raising of the side boundary wall with no. 22

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

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

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

CD47	Resist Proposals for Extensions
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Weight was also given to relevant local Supplementary Planning Guidance/Documents and Statements, including: Royal Hospital adopted 4 April 1984. These documents were prepared in line with Government guidance and 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 extension would be at basement level in a lightwell recessed behind the line of the closet wing and would comply with policy CD47. It would preserve the appearance and architectural integrity of the building and would preserve the character and appearance of the conservation area and would comply with policies CL1, CL2 and CL3. The proposal would not result in any significant loss of amenity to the neighbouring occupiers with regard to sense of enclosure, loss of light or overlooking and would comply with policy CL5.

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