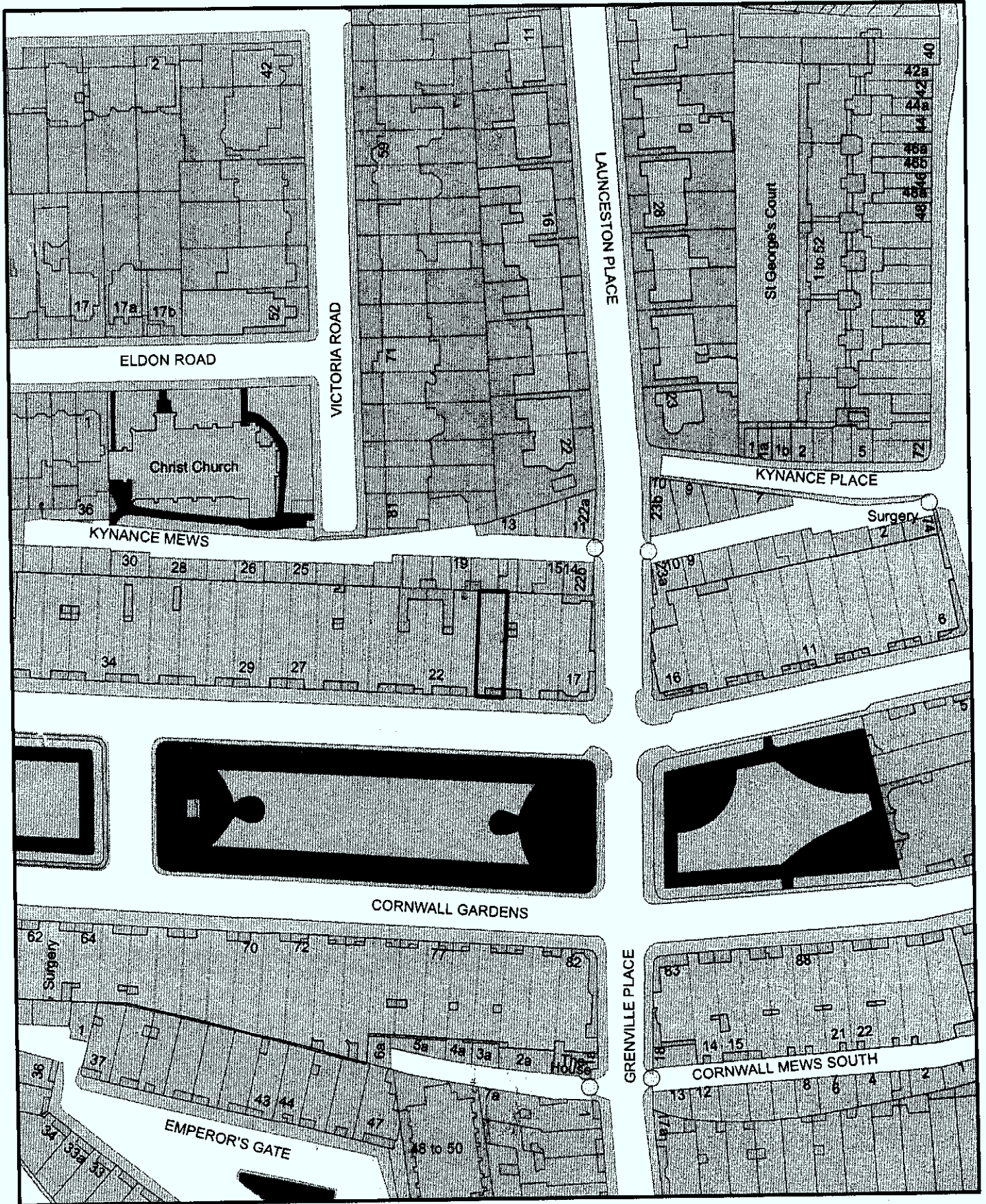


FLAT C & FLAT D, 20 CORNWALL GARDENS, SW7






1:1,250

© Crown copyright.
All rights reserved
(100021668) (2009)



Listed Buildings

-  Grade II
-  Grade II*
-  Grade I

Property and Land Applications Team
The Royal Borough of Kensington and Chelsea
The Town Hall, Hornton Street, London, W8 7HX
+44 (020) 7351 3564
Dave.Yarwood@rkc.gov.uk

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

**APP NO. PP/11/00054/Q13
PLANNING APPLICATIONS COMMITTEE 10/05/2011
AGENDA ITEM NO. N50**

SITE ADDRESS

**Flat C & Flat D, 20
Cornwall Gardens,
LONDON, SW7 4AW**

**APPLICATION DATED 07/01/2011
APPLICATION COMPLETE 10/01/2011
APPLICATION REVISED 21/03/2011 &
06/04/2011**

APPLICANT/AGENT ADDRESS

**Mr Griffiths
Astronaut Kawada
Architecture
10a Lant Street
LONDON
SE1 1QR**

LISTED BUILDING II

CONS. AREA

Cornwall

WARD Queen's Gate

CAPS Yes

ENGLISH HERITAGE

K&C

ART '4' No

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
21	6	0	0	0

Applicant c/o ASM Capital

PROPOSAL: Installation of rooflight to second floor level roof to re-provide access to established roof terrace

**RBK&C Drawing No(s):PP/11/00054 and PP/11/00054/A
PP/11/00054/B**

Applicant's Drawing No(s): 0057-110-P2 (proposed), 0057-110-P2 (existing), 0057-111-P3 (proposed) and 0057-011-P2 (existing).

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, 0057-110-P2 (proposed), 0057-110-P2 (existing), 0057-111-P3 (proposed) and 0057-011-P2 (existing). (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 preserve and enhance the character and appearance of the Conservation Area. (R072)

4. **No process shall be carried out, or machinery installed, pursuant to this permission so as to cause detriment to the amenity of adjacent property, or of the immediate area, by reason of noise, vibration, smell, smoke, soot, ash, grit, or electrical interference. If at any time the plant is unable to comply with this Condition, it shall be switched off and not used again until it is able to comply. (C047)**
Reason - To safeguard the amenity of neighbouring property and the immediate area. (R047)

5. **Full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved and shall be so maintained:**
 - a) Replacement glass stair enclosure, including framing and opening mechanism
 - b) Kitchen extract in rear main wall,
 - c) Paving to rear terrace. (C011)

Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the Local Planning Authority wishes to ensure that the details of the development are satisfactory. (R011)

6. **The rooflight hereby permitted shall be of a traditional conservation type being flush with the roofslope and so maintained. (C083)**

Reason - To safeguard the appearance of the building/street. (R083)

INFORMATIVES

1. I09
2. I10
3. I11
4. I68

1.0 SITE

- 1.1 The property is a six storey (plus basement) building situated mid-terrace on the North side of Cornwall Gardens. The property is in use as a number of self contained flats.
- 1.2 The property is Grade II Listed, located within the De Vere, Kensington Court and Cornwall Conservation Area.

2.0 PROPOSAL

- 2.1 Planning permission is sought for installation of a rooflight to the roof of a second floor level roof extension to re-provide access to an established roof terrace. The rooflight would run flush with the existing pitch of the roof slope. An existing timber structure, within the roof pitch, currently provides access to the established roof terrace.
- 2.2 An amended plan has been submitted following Officer advice which now reflects the appropriate alterations to the special architectural and historic interest of this Listed Building, including the removal of a proposed glazed conservatory structure re-providing access to the established rear terrace at second floor level, floor washers to the established terrace and a number of internal alterations.
- 2.3 The proposed amalgamation of two residential units, currently known as flats C and D, would not constitute development requiring planning permission, defined in section 55 of the Town and Country Planning Act 1990 (as amended), and would not therefore form part of this application.
- 2.4 Listed building consent (ref;LB/11/0055) is sought for the above mentioned external and internal alterations, and this report covers both applications.

3.0 RELEVANT SITE HISTORY

- 3.1 Planning permission and Listed building consent was granted in 1985 (TP/85/0283 and TP/85/02384) for the conversion to provide seven self contained residential units.

This permission was not implemented.

- 3.2 Planning permission and Listed building consent was granted in 1986 (TP/86/2579 and TP/86/2580) for the conversion to provide seven self contained residential units and the erection of a mansard roof extension.

This permission was implemented.

4.0 PLANNING CONSIDERATIONS

4.1 The main issues for consideration are (i) impact of the proposal upon the special architectural and historic interest of this Listed Building; (ii) impact of the proposal upon the character or appearance of the building and the surrounding Conservation Area; and (iii) 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 28th September 2007).

The relevant Core Strategy policies are:

CL1 (Context and Character)

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

CL3 (Historic Environment)

CL4 (Historic Assets)

CL5 (Amenity)

CL6 (Small-scale Alterations and Additions)

CE6 (Noise and Vibration).

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

CD46 (roof terraces)

CD47 (extensions)

4.3 Also for consideration is 'The London Plan, Spatial Development Strategy for Greater London, as consolidated with alterations since 2004. In this particular instance, there are no specific Policies relevant to this application contained within this plan.

4.4 The De Vere, Kensington Court and Cornwall Conservation Area 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 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 Consolidated with Alterations since 2004, plus relevant 'saved' policies from the UDP.

Renewing the Legacy - Roofline Alterations

4.6 To the rear, the North side of Cornwall Gardens is characterised by traditional three storey closet wings maintaining a void lightwell pattern, many of which have subsequently been in-filled by glazed

extensions at basement floor level. The majority of rear closet wing extensions, at roof level, feature semi-glazed pitched structures, providing access for the use as a terrace or light for the internal accommodation below.

4.7 The application property features a timber structure projecting approximately 1m above the pitched roof, providing access to an established roof terrace. The proposal seeks to re-align the form and pitch of the closet wings roof with those exhibited along the terrace with a less obtrusive, more sympathetic, structure.

4.8 In consideration of the CS Policies CL1, CL2, CL3 and CL6, 'saved' UDP Policy CD47, the proposed alteration to remove an existing timber roof structure and its replacement with a rooflight matching the pitch of the roof of the rear closet wing, would not harm the character and appearance of the building or the terrace of which it forms part and preserves the character and appearance of the surrounding Conservation Area.

4.9 Formal Observations of Conservation and Design Officer

The formal comment of the Council's Conservation and Design Officer on the proposals is as follows:-

"The proposed works relate to the combining of the first and second floor self-contained flats to create one maisonette. Both flats have been heavily altered and there is only limited original fabric and character remaining.

A new internal link staircase would be installed in the rear main room at first floor level. This insertion is, on balance, acceptable. This room is already compromised by a lift enclosure, extensive sub-division and a dropped ceiling. It is proposed that all unoriginal partitioning in this room is removed and that the ceiling is raised to the original level in conjunction with these works. In addition, the associated reinstatement of the original plan form and scale of the first floor front main room through the removal of an unsightly mezzanine level and partitioning is welcomed. It is also proposed that a second staircase is installed in the rearmost first floor room. This staircase would afford access to the existing terrace above. This modest element is acceptable, as it is set in a secondary area of the building and is located within a room where almost no original character remains. The associated replacement of the existing unsightly and prominent access housing by a shallow pitched sliding access hatch, which reflects the established rooflight pattern within the terrace group, represents a significant enhancement.

The works will preserve the special architectural and historic interest of this listed building."

- 4.10 The proposal is therefore considered to comply with the Council's CS Policies CL1, CL2, CL3, CL4 and CL6 and 'saved' UDP Policies CD46 and CD47.
- 4.11 With respect to the impact that the proposal may have upon the amenity of the occupiers of the neighbouring properties, it was noted that the proposal would re-provide access to an existing and established roof terrace. The proposal does not increase the size or area of terrace available. It is considered the proposal is of no greater detriment to the privacy of the surrounding properties nor does it present any greater sense of enclosure to the surrounding properties than the existing buildings arrangement. It is also considered, the proposal would not result in a material loss of sunlight/daylight to the surrounding properties.
- 4.12 With regard to the opening mechanism of the proposed rooflight, it is considered a number of recommended Conditions would adequately restrict the impact of noise nuisance and vibration upon the amenity of the occupiers of the neighbouring properties. If at any time the opening mechanism is unable to comply with this Condition, it shall be switched off and not used again until it is able to comply.
- 4.13 The proposal is, therefore, considered to comply with the Council's CS Policy CL5 and CE6.

5.0 PUBLIC CONSULTATION

- 5.1 Twenty-one addresses were notified of this proposal and a site notice was displayed outside the building. Six letters of objection have been received.

The representations object on the grounds that the proposed development would result in:

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

- 5.2.1 This particular issue has been addressed in Section 4.0 'Renewing the Legacy - Roofline Alterations' of this report

5.3 Loss of privacy attributed to the roof terrace above the closet wing extension

- 5.3.1 This particular issue has been addressed in Section 4.0 'Renewing the Legacy - Roofline Alterations' of this report

5.4 Loss of a fire escape route

- 5.4.1 This particular issue is considered to be matter outside of the realm of planning and would therefore not substantiate a refusal of permission.

5.5 Noise attributed to the opening mechanism of the rooflight

5.5.1 This particular issue has been addressed in Section 4.0 'Renewing the Legacy - Roofline Alterations' of this report

5.6 Excess light attributed to the proposed floor washers to the terrace

5.6.1 This particular issue has been addressed in Section 4.0 'Renewing the Legacy - Roofline Alterations' of this report

6.0 RECOMMENDATION

6.1 Grant planning permission and Listed building consent, subject to Conditions

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

List of Background Papers:

The contents of file PP/11/00054 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

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

PSC05/11/GW.REP

26/04/2011 14:46:24

Installation of rooflight to second floor level roof to re-provide access to established roof terrace

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:

- CL01 (Context and Character)
- CL02 (New Buildings, Extensions & Modifications to Existing Build
- CL03 (Historic Environment)
- CL04 (Historic Assets)
- CL05 (Amenity)
- CL06 (Small-scale Alterations and Additions)
- CE06 (Noise and Vibration)
- CD44 (to resist roof additions in eight specified circumstances)
- CD45 (to permit roof additions in two specified situations)
- CD46 (resist roof terraces in specified situations)
- CD47 (to resist extensions in eleven specified situations)

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 **Cornwall** 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.

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

**APP NO. LB/11/00055/Q23
PLANNING APPLICATIONS COMMITTEE 10/05/2011
AGENDA ITEM NO. N51**

SITE ADDRESS

**Flat C & Flat D, 20
Cornwall Gardens,
LONDON,
SW7 4AW**

**APPLICATION DATED 07/01/2011
APPLICATION COMPLETE 10/01/2011
APPLICATION REVISED 21/03/2011
06/04/2011**

APPLICANT/AGENT ADDRESS

**Mr Griffiths
Astronaut Kawada
Architecture
10a Lant Street
London SE1 1QR**

LISTED BUILDING II

CONS. AREA

Cornwall

WARD Queen's Gate

CAPS Yes

ENGLISH HERITAGE

K&C

ART '4' No

**CONSULTED OBJECTIONS SUPPORT PETITION COMMENTS
0**

Applicant c/o ASM Capital

PROPOSAL: Installation of rooflight to second floor level roof to re-provide access to established roof terrace and associated internal alterations

RBK&C Drawing No(s): LB/11/00055/A & LB/11/00055/B

Applicant's Drawing No(s): 0057-110-P2 (proposed), 0057-110-P2 (existing), 0057-111-P3 (proposed) and 0057-011-P2 (existing).

RECOMMENDED DECISION: Grant listed building consent

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The works hereby permitted shall be begun before the expiration of three years from the date of this consent. (C201)**
Reason - As required by Section 18 of the Planning (Listed Buildings and Conservation Areas Act) 1990, to avoid the accumulation of consents. (R201)

2. **The works hereby permitted shall be carried out in their entirety exactly and only in accordance with the details shown on the submitted plans, 0057-110-P2 (proposed), 0057-110-P2 (existing), 0057-111-P3 (proposed) and 0057-011-P2 (existing). (C205)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R205)

3. **Notwithstanding the approved drawings, the consent hereby approved does not cover the removal or alteration of any currently hidden features of interest that may be revealed during the course of building works, unless otherwise specifically agreed in writing by the Local Planning Authority. (C205a)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R205)

4. **All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture, and profile. (C206)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R206)

5. **All original fabric shall be retained unless notated otherwise on the approved drawings, including lath and plaster ceilings. (C208b)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R206)

6. **Before any work is undertaken in pursuance of this consent to demolish any part of the building, such steps shall be taken and such works carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of that part of the building which is to be retained. (C212)**
Reason - In order to safeguard the special architectural or

historic interest of the building. (R211)

7. **Suitable precautions must be taken to secure and protect the interior elements against accidental loss or damage during building work, and no such elements may be disturbed or removed temporarily or permanently except as indicated on the approved drawings or with the prior written approval of the Local Planning Authority. (C214)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R211)
8. **All new partitions hereby approved shall be of lightweight construction and easily removable and shall be so maintained. (C219)**
Reason:- To preserve the special architectural character of the listed building. (R219)
9. **Excluding only that which is specifically indicated on the approved drawings, no existing joinery, cornices, fireplaces, floorboards, lath and plaster or other architectural fixtures or surfaces shall be removed from the building unless details have first been submitted to and approved in writing by the Local Planning Authority. (C220)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R215)
10. **Excluding only that which is specifically indicated on the approved drawings, no new joinery, cornices, fireplaces, parquet or stone floors, or other architectural fixtures or surfaces shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. (C221)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R215)
11. **Excluding only that which is specifically indicated on the approved drawings, no recessed lighting and/or speakers, smoke detectors, ventilation, heating or air-conditioning grilles shall be installed unless details have first been submitted to and approved in writing by the Local Planning Authority. (C222)**
Reason - In order to safeguard the special architectural or historic interest of the building. (R215)
12. **Notwithstanding the approved drawings, there shall be no general renewal of plasterwork. Plaster shall only be replaced where it is unsound, and then it shall be replaced on a 'like for like' basis (i.e. replace laths with laths, lime plaster with lime**

plaster, and gypsum with gypsum). (C223)

Reason - In order to safeguard the special architectural or historic interest of the building. (R215)

13.

Detailed drawings or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

- a) Replacement glass stair enclosure, including framing,**
- b) New staircases,**
- c) Kitchen extract in rear main wall,**
- d) Paving to rear terrace.**

(C208)

Reason - In order to safeguard the special architectural or historic interest of the building. (R206)

INFORMATIVES

- 1. I10A
- 2. I21

For further details and the report, please see Planning Application reference PP/11/00054.

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

List of Background Papers:

The contents of file LB/11/00055 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

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

PSC05/11/GW.REP

26/04/2011 14:57:36

Installation of rooflight to second floor level roof to re-provide access to established roof terrace and associated internal alterations

SUMMARY OF REASONS FOR DECISION

You are advised that this application for listed building consent was determined by the Local Planning Authority with regard to Development Plan policies in particular Policy CL4 of the Core Strategy within the Local Development Framework, as well as the policies and guidance presented in PPS5 'Planning for the Historic Environment', and was considered not to result in harm to the special significance of the building and to be in compliance with the relevant policies.

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

The formal observations of the Council's Conservation and Design Officer are set out below:

'The proposed works relate to the combining of the first and second floor self-contained flats to create one maisonette. Both flats have been heavily altered and there is only limited original fabric and character remaining.

A new internal link staircase would be installed in the rear main room at first floor level. This insertion is, on balance, acceptable. This room is already compromised by a lift enclosure, extensive sub-division and a dropped ceiling. It is proposed that all unoriginal partitioning in this room is removed and that the ceiling is raised to the original level in conjunction with these works. In addition, the associated reinstatement of the original plan form and scale of the first floor front main room through the removal of an unsightly mezzanine level and partitioning is welcomed. It is also proposed that a second staircase is installed in the rearmost first floor room. This staircase would afford access to the existing terrace above. This modest element is acceptable, as it is set in a secondary area of the building and is located within a room where almost no original character remains. The associated replacement of the existing unsightly and prominent access housing by a shallow pitched sliding access hatch, which reflects the established rooflight pattern within the terrace group, represents a significant enhancement.

The works will preserve the special architectural and historic interest of this listed building.'

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