

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

APP NO. PP/13/00549/Q21
PLANNING APPLICATIONS COMMITTEE 16/04/2013
AGENDA ITEM NO. C32

SITE ADDRESS

27 Redcliffe Road
LONDON
SW10 9NP

APPLICATION
DATED

28/01/2013

APPLICATION
COMPLETE

28/01/2013

APPLICATION
REVISED

08/03/2013

APPLICANT/AGENT ADDRESS

Mr T Foulsham
the basement design studio
Suite 17 Maple Court
Grove Park
WHITE WALTHAM
Berkshire
SL6 3LW

LISTED
BUILDING

N/A

CONS.
AREA

Boltons

WARD

Redcliffe

CAPS

Yes

ENGLISH
HERITAGE

N/A

ART '4'

Yes

CONSULTED

35

OBJECTIONS

3

SUPPORT

0

PETITION

0

COMMENTS

0

Applicant Mr Calcraft

PROPOSAL: Creation of basement storey under the house and rear garden including changes to rear garden level, new glazing in base of front lightwell, new rear lightwell and alterations to front vaults to provide cycle storage.

RBK&C Drawing No(s):PP/13/00549 and PP/13/00549/A

Applicant's Drawing No(s): 12/037-01 sheet 1-4 and 12/037-02A sheet 1-4.

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, 12/037-01 sheet 1-4 and 12/037-02A sheet 1-4. (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. **The subterranean development hereby permitted shall not be implemented until a Construction Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The statement should include:**
 - **routeing of demolition, excavation and construction vehicles;**
 - **access arrangements to the site;**
 - **the estimated number of vehicles per day/week;**
 - **details of any vehicle holding area;**
 - **details of the vehicle call up procedure;**
 - **estimates for the number and type of parking suspensions that will be required;**
 - **details of any diversion, disruption or other abnormal use of the public highway during demolition, excavation and construction works;**
 - **a strategy for coordinating the connection of services on site with any programmed work to utilities upon adjacent land;**
 - **work programme and/or timescale for each phase of the demolition, excavation and construction works; and**
 - **where works cannot be contained wholly within the site a plan should be submitted showing the site layout on the highway including extent of hoarding, pedestrian routes, parking bay suspensions and remaining road width for vehicle movements.****The development shall not be carried out except in accordance with the approved Construction Traffic Management Plan.**
Reason - In the interest of highway safety and to safeguard the amenity of the area and to comply with the Subterranean Development SPD and policy CT1 and CL5.

4. **The development hereby permitted shall not commence until a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed to supervise the construction works throughout their duration and their appointment confirmed in writing to the Local Planning Authority. In the event that the appointed engineer ceases to perform that role for whatever reason before the construction works are completed those works will cease until a replacement chartered engineer of the afore-described qualification has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer is at that time currently appointed and their appointment has been notified to this Authority in accordance with this Condition. (C106)**

Reason - The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the Subterranean Development SPD and policy CL2. (R106)

5. **No development shall be carried out until such time as the lead contractor, or the site, is signed to the Considerate Constructors Scheme (CCS) and its published Code of Considerate Practice, and the details of (i) the membership, (ii) contact details, (iii) working hours as stipulated under the Control of Pollution Act 1974, and (iv) Certificate of Compliance, are clearly displayed on the site so that they can be easily read by passing members of the public, and shall thereafter be maintained on display throughout the duration of the works hereby approved.**

Reason - To mitigate the impact of construction work upon the levels of amenity that neighbouring occupiers should reasonably expect to enjoy, and to comply with the Subterranean Development SPD and policy CL5.

6. **The subterranean development hereby approved shall not be used or occupied until the entire dwelling has achieved an EcoHomes or BREEAM Domestic Refurbishment rating of Very Good with 40% of the credits achieved under the Energy, Water and Materials sections and a post construction review Certificate or a Post-Construction Letter of Compliance for the dwelling has been issued certifying that a Very Good rating has been achieved. (C110)**

Reason – To secure mitigation for the environmental impact of the subterranean development and to comply with policy CE1 of the Core Strategy.

7. **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 the character and appearance of the Conservation Area. (R072)

8. **Grilles over the lightwells hereby permitted shall be painted black and so maintained.**

Reason - To ensure the grille preserves the character and appearance of the Conservation Area and complies with policies CL1, CL2, CL3 and CL6.

INFORMATIVES

- 1 I10 Attention to Conditions
- 2 I11 Care - Conservation Area
- 3 I21 Building Regs. - Separate Approval
- 4 I09 Variations due to Building Regs.
- 5 I71 Party Wall Act
- 6 IDN2 GTD/No pre-app/Amendmts to comply Est. G
- 7 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)
- 8 I.67A

1.0 THE SITE

- 1.1 The property is a single dwelling located mid terrace on the eastern side of Redcliffe Road. It comprises basement and three storeys.
- 1.2 The property is not a listed building but lies within the Boltons Conservation Area.

2.0 PROPOSAL

- 2.1 Planning permission is sought for the creation of a new basement storey under the existing building and most of the rear garden to provide additional accommodation for this house. It is proposed to use the new basement area as a gym, utility room, bathroom and study area.
- 2.2 The external alterations of the basement would comprise a covered lightwell located towards the end of the rear garden which would be part covered by a grille and part glazed (0.8m deep and 2.2m wide) and a new obscure glazed roof light within the floor of the existing front lightwell (0.8m by 1.9m wide).
- 2.3 The proposal also includes lowering of the rear garden level by 800mm and lowering the floor level in the existing front vault area to provide bicycle storage.

3.0 RELEVANT SITE HISTORY

- 3.1 Planning permission was granted in 1999 and renewed in 2003 for the erection of a single storey conservatory at basement level and alterations to steps, railings and elevations (TP/98/2363 and PP/03/02187).
- 3.2 Planning permission was granted in 2008 for the erection of a rear extension at first and second floor level (PP/07/03102).
- 3.3 Retrospective planning permission for the retention of a roof access enclosure was refused in July 2008, and an appeal against this refusal and subsequent enforcement notice was dismissed (PP/08/02024). Planning permission was then granted in 2009 for the retention of a roof access enclosure after its reduction in height by 0.8m (PP/09/2419).

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issues for consideration in this application relate to the impact of the proposal upon the character and appearance of the building, the terrace of which it forms part and of the surrounding Conservation Area, the impact that the proposal may have upon the amenity of neighbouring occupiers and the impact of the basement on flooding, sustainability and the stability of neighbouring property.
- 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.
- 4.3 The relevant Policies in this case are:
- CL1 (context and character)
 - CL2 (New buildings, extensions and modifications to existing buildings)
 - CL3 (Heritage Assets - Conservation Areas and Historic Spaces)

CL5 (Amenity)
CE1 (Climate Change)
CE2 (Flooding)
CR6 (Trees and Landscape)

4.4 The following 'saved' UDP Policies are also considered relevant:

CD63 (views into and out of conservation areas)

The contents of the Government's National Planning Policy Framework have also been taken into account.

4.5 The London Plan (July 2011) forms part of the development plan for the Royal Borough but no policies are considered of particular relevance to this case.

4.6 The Boltons Conservation Area Proposals Statement has been taken into account and weight has also been given to Supplementary Planning Documents, including on Subterranean Development (adopted 26th May 2009).

Visual Impact

4.7 The Council's Supplementary Planning Document on Subterranean Development requires that any features associated with subterranean development that are visible from the street or surrounding properties are well designed to be discreet.

4.8 The rear boundary of the site is formed by the rear wall of the properties of Bolton Studios in Gilston Road and these properties have first floor windows overlooking the site. The proposed rear lightwell, part covered with obscured glazing and a metal grille, will be located in the rear southeastern corner of the rear garden and will have a planted area on its eastern side. Given its size and position, it would not cause harm to views of the existing building, terrace or conservation area.

4.9 The existing garden level is raised and its lowering by 800mm would not be so significant to result in harm to the character of these rear gardens.

4.10 The only visible development to the front of the building would be the proposed grille set over glazing in the existing lightwell. Given the modest size and positioning in the existing lightwell, the proposed glazing would be largely screened from views from the street and would preserve the character and appearance of the terrace and conservation area.

4.11 These proposed external alterations would respect the character and integrity of the original building and would preserve the character and appearance of the Boltons conservation area in accordance with Policies CL2 and CL3.

Impact upon living conditions of neighbours

4.12 Obscured glazing is proposed to both lightwells which would prevent any potential loss of privacy to neighbouring occupiers and any light spill would not be significant and the proposed external alterations would not have any adverse impact on the amenities of neighbouring residents. The proposal complies with Policy CL5 in this regard.

Subterranean Development

4.13 The Subterranean Development SPD requires that basement extensions do not extend under more than 85% of the garden and that 1m of top soil is replaced above the basement. Core Strategy Policy CL2 also requires that there is no loss of trees and that adequate soil depth and material is provided to ensure sustainable growth. The purpose of these requirements is to ensure that the green and leafy

appearance of the Borough is maintained and to provide adequate drainage.

- 4.14 The application proposes one metre soil depth and an area to the rear of the garden will not be excavated in order to comply with the requirement that no more than 85% of the garden is excavated. The proposed garden area is shown as largely paved, as is the existing garden, with soft landscaping to the rear of the site and is acceptable.
- 4.15 A Construction Method Statement (CMS), prepared by a suitably qualified engineers (MICE and MIStructE), has been provided with the application. The Subterranean Development SPD requires this document to contain specific details. The CMS has been reviewed and it contains the relevant details and results of borehole tests, details of excavation, structural drawings, a consideration of the impact on geology and hydrology, a consideration of the impact on neighbouring structures and information has been given on the sequence of works. The documentation submitted is in line with the requirements of the Subterranean Development SPD. The proposal has also therefore adequately demonstrated that it is in line with the requirements of Core Strategy Policy CL2.
- 4.16 Details of the construction traffic plan and temporary works arrangements have been submitted with the application. The Director of Transportation and Highways recommends that a condition is included on any grant of planning permission to ensure that a detailed construction traffic management plan is approved before works commence on site which is consistent with the Council's SPD.

Sustainability and flooding

- 4.17 The Core Strategy Policy CE1 criterion (c) requires an assessment to demonstrate that the entire dwelling where subterranean extensions are proposed meets EcoHomes Very Good (at design and post construction) with 40% of the credits to be achieved from Water, Materials and Energy sections. The applicants have submitted an EcoHomes preassessment to demonstrate likely compliance.
- 4.18 The application site does not lie in a flood risk area. The impact of the proposed subterranean development is considered in the CMS and proposals to mitigate any impact on groundwater are considered.

5.0 PUBLIC CONSULTATION

- 5.1 Thirty five letters were sent to neighbouring properties in Redcliffe Road and in Bolton Studios. To date, three representations have been received which are from the Boltons Association and the freeholder and occupier of the adjoining property (no. 28 Redcliffe Road). They object to the proposal as follows:

- 5.2 **Objection to subterranean development on grounds of subsidence damage.**
The application is supported by a Construction Method Statement which addresses all the requirements of the Subterranean Development SPD and complies with requirements of Core Strategy Policy CL2. Conditions are recommended to ensure that a suitably qualified engineer is employed to carry out the works, that a Construction Traffic Management Plan is approved and that the development is carried out in accordance with the 'Considerate Constructors' scheme. Issues relating to the structural stability of the basement are dealt with under the Building Regulations and the stability of adjoining land and property are dealt with under the Party Wall Act 1996. Environmental Health legislation and Highways legislation predominantly encompass issues relating to the construction process. The granting of planning permission would not supersede the need for the development to accord with all other relevant guidance and legislation.

- 5.3 **The proposal is overdevelopment**
It would need to be demonstrated that there is harm resulting from the proposal to

refuse the application. As discussed in the main body of the report, the area of excavation is considered acceptable in this case and the proposal complies with the Council's policies.

5.4 Impact on the water table

There is no evidence the development the subject of this application would result in a harmful impact on the water table.

5.5 Noise, vibration, dirt and disturbance from construction process

It is understood that the construction process can be a source of disturbance to neighbouring occupiers. Conditions are recommended to secure a Construction Traffic Management Plan and to ensure that the development accords with the 'Considerate Constructors' scheme. These conditions are recommended to help control the impact of the construction process as far as reasonably possible under planning control.

5.6 The property is located within a conservation area where the integrity of buildings must be maintained.

The proposed basement would not compromise the architectural integrity of this building. The proposed external alterations would be positioned discreetly and would preserve the character and appearance of the conservation area.

6.0 CONCLUSION

6.1 The development would not harm neighbouring residential amenity to an unacceptable degree and would preserve the architectural integrity of the building and the character and appearance of the conservation area. Subject to conditions, the proposal complies with the relevant policies which have been used in the assessment of this case, including the Council's Subterranean SPD.

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/13/00549 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Creation of basement storey under the house and rear garden including changes to rear garden level, new glazing in base of front lightwell, new rear lightwell and alterations to front vaults to provide cycle storage.

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
CE1	Climate Change
CE2	Flooding
CR6	Trees and landscape

'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: Subterranean Development adopted 26 May 2009 (0903), The Boltons adopted 21 October 1980 (12). 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 development would not harm neighbouring residential amenity to an unacceptable degree and would preserve the architectural integrity of the building and the character and appearance of the conservation area. Subject to conditions, the proposal complies with the relevant policies which have been used in the assessment of this case, including the Council's Subterranean SPD.

The full report is available for public inspection on the Council's website at <http://www.rbkc.gov.uk/PP/13/00549>. 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.