

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

APP NO. PP/12/04953/Q13
PLANNING APPLICATIONS COMMITTEE 26/02/2013
AGENDA ITEM NO. N15

SITE ADDRESS

Flat 1 22 Campden Hill Gardens LONDON W8 7AZ	<u>APPLICATION DATED</u>	06/12/2012
	<u>APPLICATION COMPLETE</u>	10/12/2012

APPLICANT/AGENT ADDRESS

Ms T McFarlane
Milly Milly Designs Ltd
308C Battersea Park Road
LONDON
SW11 3BU

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

<u>CONSULTED</u>	<u>OBJECTIONS</u>	<u>SUPPORT</u>	<u>PETITION</u>	<u>COMMENTS</u>
19	4	0	0	0

Applicant Mr D Green

PROPOSAL: Construction of a replacement rear extension at ground floor level including two roof lights

RBK&C Drawing No(s):PP/12/04953

Applicant's Drawing No(s): Drawing Nos site plan, P319 D01, P319 D02 Rev A, P319 D05, P319 D06, P319 D07 Rev A, P319 D18

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, Drawing Nos site plan, P319 D01, P319 D02 Rev A, P319 D05, P319 D06, P319 D07 Rev A, P319 D18 (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 to the exterior shall be finished to match the existing original work to the building(s) in respect of materials, colour, texture, and profile and, in the case of brickwork, facebond and pointing, and shall be so maintained. (C071)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
4. **The roof of the extension hereby permitted shall not be used at any time as a terrace. (C080)**
Reason - To protect the privacy and amenity of neighbouring property (R080)
5. **The rooflights to the roof of the extension hereby permitted shall not project higher than 150mm above the height of the flat roof and shall be so maintained.**
Reason - To preserve the character and appearance of the conservation area and comply with policies CL1, CL2, CL3 and CL6.
6. **The French doors shall be timber framed, and so maintained. (C075)**
Reason - To preserve and enhance the character and appearance of the Conservation Area and comply with policies CL1, CL2, CL3 and CL6. (R072)

INFORMATIVES

- 1 I09 Variations due to Building Regs.
- 2 I10 Attention to Conditions
- 3 I11 Care - Conservation Area
- 4 I21 Building Regs. - Separate Approval
- 5 IDN3 GTD/Pre-app/At submission Est.G/No amend
- 6 I67A Construction Management

1.0 THE SITE

- 1.1 Number 22 is a three storey, end of terrace building situated on the southern side of Campden Hill Gardens. The application relates to Flat 1 located at ground floor level.
- 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 construction of a replacement rear extension at ground floor level including two roof lights.

3.0 RELEVANT HISTORY

- 3.1 Planning permission (PP/04/00443) was granted in March 2004 for a single storey rear extension at ground floor level. This permission was not implemented and has expired.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issues in the case are:
- the impact of the proposals on the character and appearance of the building and the area, and;
 - impact on the living conditions of neighbouring properties.
- 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. A list of the relevant policies is attached. The contents of the Government's National Planning Policy Framework have also been taken into account.
- 4.3 The application seeks permission for the construction of a replacement rear extension that would have a depth approximately 3 metres from the rear closet wing and width of 5.7 metres. Timber framed French doors to the eastern elevation would provide direct access to the garden and two roof lights are proposed to the roof of the extension to provide high level lighting to a kitchen. The extension would extend to the rear boundary wall to the south and west and a 600mm high trellis is proposed to the southern boundary wall adjoining St George's Church. The adjoining property at 24 Campden Hill Gardens has an existing trellis on the boundary walls.
- 4.4 Due to its heavily enclosed location behind the existing boundary walls, the proposed development would have limited visibility from the surrounding area. The size and location of the proposed extension would not significantly detract from, or cause harm to, views enjoyed across the conservation area. As there are similar examples within this section of the terrace the proposed alterations would respect the rhythm of rear

extensions in this heavily altered group. The proposed development would preserve the character and appearance of the building and the conservation area and the views enjoyed across it in accordance with 'saved' policies CD47 and CD63 of the UDP and policies CL1, CL2 and CL6 of the Core Strategy.

- 4.5 In terms of living conditions, the location of the extension towards the rear boundary wall means it would not significantly reduce daylight or sunlight admission or give rise to an increased sense of enclosure to the occupiers of neighbouring properties. In light of the distance of the proposed development to the existing lightwell and in light of the existing situation, the proposals would not cause a significant loss of daylight to the basement flat. As the proposed roof lights would give a direction of outlook only upwards, the existing privacy levels of neighbouring properties would be retained in accordance with CL5 of the Core Strategy.

5.0 PUBLIC CONSULTATION

- 5.1 Neighbouring properties have been notified of the proposal. A site notice was erected outside the property and the application was publicised in a local newspaper.

- 5.2 Four letters of objection have been received, summarised as follows:

- 5.3 **Concerns are raised with regard to the stability of the western party wall due to rainwater runoff from the proposed structure.**

Issues relating to the stability of the existing and adjoining structures would be considered under Building Regulations and Party Wall legislation. There is no planning policy requirement for additional information in this respect and it is not recommended that planning permission is withheld on this basis.

- 5.4 **Concerns are raised with regard to the visual impact of the roof lights.**

As the roof lights would be situated below the rear boundary wall there would be no significant loss of visual amenity in this case.

- 5.5 **Concerns are raised with regard to the accuracy of the proposed plans relative to adjoining properties.**

The applicant has submitted scaled plans at 1:50 and 1:100 to indicate the dimensions of the proposed extension.

- 5.6 **Concerns are raised with regard to the impact of adjoining flats in terms of maintenance and resultant noise during construction.**

In accordance with Environmental Health legislation, noise and disturbance would only be permitted to take place during reasonable hours. Given the scale of the development proposed, it is not recommended that planning permission is withheld on this basis, nor is it considered reasonable to recommend conditions in respect of construction details.

5.7 Concern for the loss of light to the basement flat.

This matter is addressed above and the provision of light to the basement flat would not be significantly worsened by these proposals.

6.0 CONCLUSION

6.1 The proposed rear extension at ground floor level would preserve the character and appearance of the existing building, the terrace and the surrounding area and would not harm the amenities of neighbouring properties beyond the existing, in accordance with 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/12/04953 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Construction of a replacement rear extension at ground floor level including two roof lights

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
CL6	Small-scale Alterations and Additions

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

CD47	Resist Proposals for Extensions
CD63	Conservation Area Views

Weight was also given to relevant local Supplementary Planning Guidance/Documents and Statements, including: Kensington adopted 9 January 1995 (06). 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 proposed rear extension at ground floor level would preserve the character and appearance of the existing building, the terrace and the surrounding area and would not harm the amenities of neighbouring properties beyond the existing, in accordance with the development plan.

The full report is available for public inspection on the Council's website at <http://www.rbkc.gov.uk/PP/12/04953>. 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.