Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) ORDER 2010**

**Permission for Development (Conditional)**

The Royal Borough of Kensington and Chelsea hereby GRANTS PERMISSION for the development set out in the schedule below, subject to the stated Conditions and in accordance with the plans and information submitted.

Your attention is drawn to the enclosed information sheet.

**SCHEDULE**

**Development:** Erection of single storey rear extension to enclose basement void at lower ground floor and to introduce an internal staircase that connects basement, garden at lower ground and ground floor

**Site Address:** 14 Pelham Street, LONDON, SW7 2NG

**RBKC Drawing Nos:** PP/20/00028

**Applicant’s Drawing Nos:** 1200, 1201, 1700, 1701.

**Application Dated:** 20/12/2019

**Application Completed:** 20/12/2019

FULL CONDITION(S), REASON(S) FOR THEIR IMPOSITION AND INFORMATIVE(S) ATTACHED OVERLEAF
1. Time Limit
The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions.

2. Compliance with approved drawings
The development shall not be carried out except in complete accordance with the details shown on submitted plans 1200, 1201, 1700, 1701.

Reason - The details are material to the acceptability of the proposals, and to ensure accordance with the development plan.

3. Materials - To match existing
All work and work of making good shall be finished to match the existing exterior of the building(s) in respect of materials, colour, texture, profile and, in the case of brickwork, facebond and pointing, and shall be so maintained.

Reason - To preserve the appearance of the building and the character of the area in accordance with policies of the development plan in particular policies CL1, CL2, CL3 and CL6 of the Local Plan 2019.

4. Doors in painted timber
External doors hereby permitted shall be timber framed and painted and so maintained.

Reason - To preserve the appearance of the building and the character of the area, in accordance with policies of the development plan in particular policies CL1, CL2, CL3 and CL6 of the Local Plan 2019.

5. Code of Construction Practice
No development shall commence until:

   A) A Code of Construction Checklist and Site Construction Management Plan (SCMP) for the development have been approved, in writing, by the Council’s Construction Management Team, and then

   B) Copies of the approved Checklist and Plan, and their written approval, have been submitted to the local planning authority to be placed on the property record.

[The Council’s Construction Management Team work independently of the planning department. For further information regarding the Code and how the required details should be submitted to them, the Council’s Construction Management Team can be contacted on email at: dehcmt@rbkc.gov.uk or tel: 020 7361 3002]

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 Basements and Transport and Streets SPDs and policies CL5, CT1, CE5 and CE6 of the Local Plan 2019. It is necessary for the condition to be on the basis that “No development shall commence until” as compliance with the requirements of the condition at a later time would result in unacceptable harm.
1. Your attention is drawn to the Conditions of this Permission and to the Council’s powers of enforcement, including the power to serve a Breach of Condition Notice under the Town and Country Planning Act 1990, as amended. All Conditions must be complied with. If you wish to seek to amend a Condition you should apply to do so under s.73 of the Act, explaining why you consider it is no longer necessary, or possible, to comply with a particular condition.

2. Planning permission is hereby granted for the development as shown on the approved drawings. Any variation to the approved scheme may require further permission, and unauthorised variations may lay you open to planning enforcement action. You are advised to seek advice from the Directorate of Planning and Place, before work commences, if you are thinking of introducing any variations to the approved development.

Advice should urgently be sought if a problem occurs during approved works, but it is clearly preferable to seek advice at as early a stage as possible. Use the following link to see how advice can be obtained: Planning Advice Service

3. This property is within a Conservation Area. All building works should, therefore, be completed with great care. External facing work and detailed treatment should be finished in a manner sympathetic to the existing building. If there is any doubt about the way in which work should be carried out, you should seek the advice of the Directorate of Planning and Place.

4. The responsibility to properly address contaminated land issues, including safe development and secure occupancy, and irrespective of any involvement by the Royal Borough, lies with the owner/developer of the site. No contaminated land condition is recommended for this planning application as the chance of significant contamination being found with the potential to cause harm is considered to be low. Despite this the owner or developer of the property may wish to consider contaminated land issues further before development work starts.

Based on this information, observations made during groundworks or as a precaution, the developer should consider whether measures should be taken to investigate or address possible contamination issues. This may, for example, involve undertaking a more detailed unexploded ordnance assessment, undertaking historical searches or investigation work or providing enhanced ground gas and vapour protection. The applicant/developer is requested to contact the Royal Borough’s Contaminated Land Officer (Environmental Quality Unit) (Tel: 020 761 3002 email: EH-EQ@rbkc.gov.uk) as soon as is practicable should contamination be encountered during the development of the site. Contamination will often be evident either visually or from odours. Visual evidence of contamination may include staining by oil/fuel, coloured liquids/soils uncharacteristic of soil or groundwater, or debris (e.g. asbestos) being present. Odours will usually be obvious and smell of fuels/solvents, be pleasant or unpleasant, or otherwise be uncharacteristic of soil or groundwater.

Where land contamination is found during the course of the development, we would recommend that an appropriate level of desk study research and investigation work is undertaken to identify and assess risks from land contamination. Guidance on land contamination planning issues is available from
the Council’s website. It is the responsibility of the developer to ensure that they 
comply with the requirements of Contaminated Land, Health & Safety, Waste 
Management, the Control of Asbestos and Environmental Damage Regulations. 
The responsibility to properly address contaminated land issues, including safe 
development and secure occupancy, and irrespective of any involvement by the 
Royal Borough, lies with the owner/developer of the site.

5. To assist applicants in finding solutions to problems arising in relation to their 
development proposals the Local Planning Authority has produced planning 
policies, and provided written guidance, all of which are available on the Council's 
website, and which has been followed in this instance.

6. 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)

7. You are reminded that, if not properly managed, construction works can lead to 
significant negative impacts on the local environment, reducing residential amenity 
and the safe function of the highway. No vehicles associated with the building 
operations on the development site shall be parked on the public highway so as to 
cause an obstruction. Any such wilful obstruction is an offence under Section 137 
of the Highways Act 1980. The Council can prosecute developers and their 
contractors if work is not managed properly. For advice on how to manage 
construction works in the Royal Borough please see Advice for Builders on the 
Council's website; from this page you will also find guidance on what to include in 
Construction Traffic Management Plans (where these are required) which are 
very valuable instruments in limiting the impact of large scale building work. (I.40)

8. Construction and demolition work is controlled by the Council under sections 60 
and 61 of the Control of Pollution Act 1974. The Council has adopted a Code of 
Construction Practice which sets out best practice standards expected in the 
borough and applies to new development projects from April 2019. Under the 
terms of the Code, works heard at the boundary of the site are restricted to:

**Monday to Friday 8am – 6pm**
**Saturday, Sunday and public holidays – none permitted**

The code also introduces a further set of restricted hours for high impact activities 
such as demolition and concrete breaking. Undertaking noisy works outside of the 
Code hours may be liable for prosecution and a fine of up to £5000 where a notice 
has been served under the Control of Pollution Act 1974.

If you are required to submit a Code of Construction Checklist and Site 
Construction Management Plan (SCMP), please contact the Construction 
Management Team on 020 7361 3002 or by email at dehcmt@rbkc.gov.uk

9. Your attention is drawn to Section 61 of the Control of Pollution Act 1974, which 
allows developers and their building contractors to apply for ‘prior consent’ for 
noise generating activities during building works. This proactive approach involves 
assessment of construction working methods to be used and prediction of likely 
construction noise levels at sensitive positions, with the aim of managing the 
generation of construction noise using the ‘best practicable means’ available. You 
are advised to engage an acoustic consultant experienced in construction noise 
and vibration assessment and prediction to complete your s.61 
application. Relevant information can be found here
The full report is available for public inspection on the Council’s website at http://www.rbkc.gov.uk/PP/20/00028. 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.

Yours sincerely,

Sue Foster OBE MRTPI
Interim Director of Planning and Place
When a permission or consent is given it does not convey any approval, consent, permission or licence under any Acts, Byelaws, Orders or Regulations other than those referred to in the permission or consent. Nothing in the permission or consent shall be regarded as dispensing with compliance with such other Acts or Byelaws etc.

In respect of planning permission, your particular attention is drawn to the provisions of the Building Act 1984, and the Building Regulations 2010 (as amended).

Also, the Council’s permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any persons entitled to the benefits thereof.

Your attention is drawn to applicant’s rights arising from the refusal of planning permission or Listed Building Consent, and from the grant of permission/consent subject to Conditions, as follows:

1) If the applicant is aggrieved by the decision of the local planning authority to refuse planning permission, Listed Building Consent, or approval for the proposed development; or to grant permission or approval/consent subject to conditions, he may appeal to the Secretary of State, under section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice. Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at www.planningportal.gov.uk/pcs.

2) If permission to develop land or Listed Building Consent is refused or granted subject to Conditions whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the relevant authority where the land is situated, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990, or Part 1 Chapter III of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3) In certain circumstances, a claim may be made against the local planning authority for compensation. The circumstances in which such compensation is payable are set out in Sections 114 of the Town and Country Planning Act 1990, or Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4) The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

5) The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

6) Advertisements on hoardings constructed around the site need to meet the size and other requirements of Class 8 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Any outside of these requirements need advertisement consent granted by the Council.