This application is for a class of development which may be determined under powers delegated to the Executive Director, Planning and Borough Development. It is not an application which any Councillor has asked to be considered by the Planning Applications Committee.

RECOMMENDED DECISION: Grant Planning Permission

SITE ADDRESS

111 Finborough Road, LONDON, SW10 9DU

APPLICANT/AGENT ADDRESS

Mr McLaren
92 Westgate
Guisborough TS14 6AP
Applicant Mr Murat

Consulted

16

Objections

0

Support

0

Petition

0

Comments

0

PROPOSAL: Erection of rear closet wing extension at third-floor with roof terrace above.

RBK&C Drawing No(s): PP/18/06874
Applicant’s Drawing No(s): L(-2)100.
L(-2)102.
L(-2)103.
L(-3)100.
L(-3)102.
L(-4)100A
L(-4)102.
Location 1:1250 and Block 1:200
CONDITIONS AND REASONS FOR THEIR IMPOSITION

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 L(-2)100, L(-2)103, L(-3)100, L(-3)102, L(-4)100A and L(-4)102.
*Location 1:1250 and Block 1:200*

*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 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 Consolidated Local Plan.

4. **Roof Terrace – Black painted railings**
The railings to the roof terrace shall be painted black, 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, and CL6 of the Consolidated Local Plan.

INFORMATIVES

1. Enforcement of Conditions (PP)
2. Variations to Approved Drawings
3. Care in the Conservation Area
4. GTD/No pre-app/Est. Guid/No amend rqd
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.

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 2016. 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.

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 [S.61 Control of Pollution Act 1974](#).
Constraints

<table>
<thead>
<tr>
<th>Conservation Area</th>
<th>Boltons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Listed Building</td>
<td></td>
</tr>
<tr>
<td>Flood Zone</td>
<td>1</td>
</tr>
<tr>
<td>Critical Drainage Area</td>
<td>N/A</td>
</tr>
<tr>
<td>Town Centre</td>
<td>N/A</td>
</tr>
<tr>
<td>TPO</td>
<td>No</td>
</tr>
<tr>
<td>Article 4</td>
<td>Number 100 (basements)</td>
</tr>
<tr>
<td>Other</td>
<td>Red Routes Buffer, TFL Road Network Buffer,</td>
</tr>
</tbody>
</table>

Relevant planning history

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
<th>Implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>PP/17/06796</td>
<td>Erection of additional storey and outdoor terrace to top floor flat.</td>
<td>Granted 21/12/2017</td>
<td>In progress</td>
</tr>
<tr>
<td>PP/18/04800</td>
<td>Variation of condition 2 (approved drawings) of planning permission 17/06796 for replacement of sash window with double-doors and Juliette balcony to approved rear additional storey elevation</td>
<td>Granted 03/10/2018</td>
<td>In progress</td>
</tr>
<tr>
<td>PP/18/04657</td>
<td>Erection of rear extension to closet wing at first and second floor levels, with creation of roof terrace at third floor level.</td>
<td>Granted 04/10/2018</td>
<td>No</td>
</tr>
</tbody>
</table>

Summary report on application

1. Introduction

1.1 The Council receives around 6000 applications under the Planning Acts each year. It is not practical for all to be determined by councillors in a public meeting. The Council’s Constitution therefore delegates authority to decide many applications to the Council’s
Executive Director, Planning and Borough Development. Councillors can then spend more time considering the cases of widest public importance and greatest importance to the community.

1.2 This application is of a nature where the Council’s Constitution delegates the authority to make the decision to the Executive Director, Planning and Borough Development rather than it being decided by a committee of councillors.

1.3 Before preparing this summary report a planning officer has visited the application site, considered any relevant previous planning applications in relation to the development and considered any comments made by those interested in the application such as consultees with specialist knowledge and nearby residents.

1.4 By indicating that the development proposal complies with relevant local policies, the planning officer is taking into account the information submitted with the application, any previous relevant applications, observations during the site visit, any comments received in connection with the application and any other case specific considerations which are material to the decision.

2. Reasons for granting planning permission

2.1 The proposals would preserve the character and appearance of the building, street scene and conservation area. This is because they would be in keeping with plenty of examples of similar developments in this locality. In addition, the design responds and respects the site and its context in terms of scale, massing, choice of external construction materials and siting. They would be discreetly located to the rear from where they would not be visible from public views. Furthermore, the views from private areas would either be limited or not materially different from the current built form.

2.2 The proposals having regard to their design and siting in relation to neighbouring boundaries would not result in material harm to the living conditions of the occupants of neighbouring properties in terms of sense of enclosure, loss of light, outlook, or increased degree of overlooking, noise and other disturbances.

3. Consultations carried out

3.1 16 neighbouring occupiers were notified directly of the application. The application was advertised in the Kensington & Chelsea Gazette on 9/11/2018. A statutory notice advertising the application was posted near the site on 9/11/2018.

3.2 No comments were received from the 16 neighbouring properties notified

4. Conclusion

4.1 For the reasons outlined above the proposed development is in general accordance with the relevant Development Plan policies:

Consolidated Local Plan
CL1 Context and Character
CL2 Design Quality
CL3 Heritage Assets - Conservation Areas and Historic Spaces
CL5 Living Conditions
CL6 Small-scale Alterations and Additions
CL8 Existing Buildings - Roof Alterations/Additional Storeys
CL9 Existing Buildings - Extensions and Modifications
4.2 Considerable importance and weight has been attached to and special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended.

4.3 Weight was also given to relevant local Supplementary Planning Guidance/Documents and Statements, including:

The Boltons Conservation Area Appraisal adopted

5. **Recommendation**

5.1 Grant Planning Permission

**Graham Stallwood**
EXECUTIVE DIRECTOR, PLANNING AND BOROUGH DEVELOPMENT

**List of Background Papers:**

The contents of file PP/18/06874 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

24/12/2018 10:02:14