This application is for a class of development which may be determined under powers delegated to the Director of Planning and Place. 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
14 Pelham Street, LONDON, SW7 2NG

APPLICATION DATED 20/12/2019
APPLICATION COMPLETE 20/12/2019

APPLICANT/AGENT ADDRESS
Mr A Krause
Krause Architects
6 Corbet Place
Jack's Place Unit A11
London
E1 6NN
Applicant Mrs L Matharu

Consulted 2  Objections 0  Support 0  Petition 0  Comments 0

PROPOSAL: 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

RBK&C Drawing No(s): PP/20/00028
Applicant's Drawing No(s): 1200, 1201, 1700, 1701.
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 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: dehcmpt@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 contrary to the
INFORMATIVES

1 Enforcement of Conditions (PP)

2 Variations to Approved Drawings

3 Care in the Conservation Area

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 7613002 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 GTD/No pre-app/Est. Guid/No amend rqd

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
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 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

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.
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. Many applications are also fairly straightforward and do not involve complex issues of wider public interest where the time and resources involved in a formal public discussion is necessary. The Council’s Constitution therefore delegates authority to decide many applications to the Council’s Director, Planning and Place. 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 Director, Planning and Place 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 consulters with specialist knowledge and nearby residents.

1.4 In assessing the application, 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. Reason for delegated decision

- Fewer than three objections were received during the consultation period and the recommendation is to grant.

- No councillors have requested that the case come to the Planning Committee/Planning
3. **The site and its surroundings**

3.1 14 Pelham Street is a mid-terrace house over four storeys, including the lower ground floor level, with a mansard roof extension, located on the southern side of the street.

3.2 The property is not listed but is in the Thurloe and Smith’s Charity Conservation Area.

4. **The proposal and any relevant planning history**

4.1 Planning permission is sought for the erection of a single storey extension to the rear of the closet wing and an infill extension in the gap between the host closet wing and that of the neighbouring No. 12.

<table>
<thead>
<tr>
<th>Reference</th>
<th>Description</th>
<th>Decision</th>
<th>Implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>PP/02/00383</td>
<td>Installation of French doors to rear ground and third floor level, together with steps to the garden from the ground floor doors and alterations within the front basement lightwell.</td>
<td>Granted 28/03/2002</td>
<td>Yes</td>
</tr>
</tbody>
</table>

5. **Main policies and strategies relevant to the decision**

**The development plan**

5.1 The main planning considerations applying to the site and the associated policies are:

<table>
<thead>
<tr>
<th>Local Plan</th>
<th>Conservation area</th>
<th>General townscape</th>
<th>Living conditions</th>
<th>Trees</th>
</tr>
</thead>
<tbody>
<tr>
<td>CL3, CL11</td>
<td>CL1, CL2, CL6, CL9</td>
<td>CL5</td>
<td>CR6</td>
<td></td>
</tr>
</tbody>
</table>

These policies can be read online at:


**Other local strategies or publications**

5.2 The main relevant supplementary planning documents adopted by the Council are:

- Thurloe and Smith’s Charity Conservation Area Appraisal
- Trees and Development

These documents can be read online at:


Other documents:
6. **Evaluation**

6.1 The additional bulk of the extensions would be either behind the line of the closet wings or lower than the height of the garden walls. As such, there would be no harmful loss of light, sense of enclosure or loss of privacy.

6.2 The application includes a tree protection report which demonstrates that the development would have no harmful impact on the surrounding trees.

6.3 The decisive issue is:

i Whether the proposal would preserve, or take opportunities to enhance, the character and appearance of the group of buildings and the Thurloe and Smith’s Charity Conservation Area.

**Character and appearance**

6.4 The proposal is acceptable. Both of the extensions would be a solid appearance, utilising a mix of brickwork, tiling and timber framed glazing that matches the material of the main building. Both would also be discreetly located, within the gap between closet wings, or lower than the garden wall, thus visible only to oblique views from the upper levels of the neighbouring houses.

6.5 The height and depth of the extensions have been proposed to appear subordinate to the main building and its earlier extension. This allows the original façade of the building to be clearly read.

**Issues and balancing**

6.6 The proposal would preserve the character and appearance of the group of buildings and the Thurloe and Smith’s Charity Conservation Area, ensure that good living conditions continue for neighbouring occupants and preserve the health of the trees in the area in compliance with policies CL1, CL2, CL3, CL5, CL6, CL9, CL11 and CR6 of the Local Plan 2019.

6.7 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.

7. **Community Infrastructure Levy Information**

7.1 If permitted and built, the proposal would not require a payment towards funding additional infrastructure under the Borough’s Community Infrastructure Levy or a payment towards funding Crossrail under the Mayor of London’s Community Infrastructure Levy.

8. **Consultations carried out**

8.1 Two nearby owners/occupiers were notified directly of the application. The application was advertised in the Gazette on 10/01/2020. A statutory notice advertising the application was posted near the site on 10/01/2020.

8.2 No comments were received from the neighbouring properties notified.
9. Recommendation

9.1 Grant Planning Permission

SUE FOSTER
DIRECTOR, PLANNING AND PLACE

List of Background Papers:

The contents of file PP/20/00028 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

14/02/2020 16:20:09