

COMMITTEE REPORT

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ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL

APP NO. PP/01/00637
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

40 Ovington Street, London, SW3 2JB

APPLICATION DATED 21/03/2001

APPLICATION REVISED

APPLICATION COMPLETE 26/03/2001

APPLICANT/AGENT ADDRESS:

GVA Grimley,
10 Stratton Street,
London

W1X 6JR

CONS. AREA Oxford
Gardens CAPS Yes

ARTICLE '4' Yes WARD Hans Town

LISTED BUILDING II

HBMC DIRECTION

CONSULTED OBJ.

SUPPORT PET.

RECOMMENDED PROPOSAL:

RBK& C DRAWING NO(S):

RECOMMENDED DECISION:

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APP NO. PP/01/00637/ CHSE

MEMBERS' PANEL

ADDRESS

40 Ovington Street, London,
SW3 2JB

APPLICATION DATED 21/03/2001

APPLICATION COMPLETE 26/03/2001

APPLICATION REVISED 04/04/2001

APPLICANT/AGENT ADDRESS:

GVA Grimley,
10 Stratton Street,
London W1X 6JR

CONSERVATION AREA 1 CAPS Yes

ARTICLE '4' Yes WARD RA

LISTED BUILDING II

HBMC DIRECTION N/A

CONSULTED 4 OBJECTIONS 0

SUPPORT 0 PETITION 0

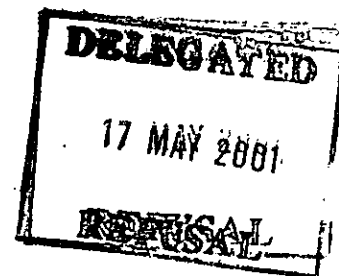
Applicant Ms Helen Green

PROPOSAL:

Erection of glazed lightwell infill extension at rear first floor level.

RBK&C Drawing No(s): PP/01/00637 and PP/01/00637/A
Applicant's Drawing No(s): 2011/ 01; 2011/ 02; 2011/ 03; 2011/ 12 and Planning Statement (received 04/04/2001).

RECOMMENDED DECISION: Refuse planning permission



REASON(S) FOR REFUSAL

By reason of its location significantly above garden level, the proposed glazed infill extension is considered to introduce an alien feature at this level, removing an original window and having an overbearing impact on the rear facade. This would be detrimental to the character and appearance of the property, the terrace of which it forms part and the surrounding Conservation Area and would be contrary to policies contained within the Conservation and Development Chapter of the Unitary Development Plan, particularly Policies CD25, CD41, CD42, CD48, CD52 and CD53.

INFORMATIVE(S)

You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD25, CD41, CD42, CD48, CD52 and CD53. (I51)

1.0 THE SITE

- 1.1 No. 40 Ovington Street is a 2 storey with basement single family dwelling. It forms part of a listed terrace consisting of Nos. 2-58 (even) dating from the mid-nineteenth century and were originally designed as being symmetrical. The property is also situated within the Chelsea Conservation Area.

2.0 PROPOSAL

- 2.1 The proposal is for the creation of a glazed infill extension within the rear closet wing extension at first floor level. This will take the form of a clear glazed lightweight structure which will extend the glazed conservatory at ground floor level granted planning permission and listed building consent under reference PP/00/1956 and LB/00/1957 respectively.

3.0 PLANNING HISTORY

- 3.1 Planning permission and listed building consent were granted in October last year for the erection of a roof extension, remodelling of the existing closet wing extension, fenestrational alterations and the erection of a rear conservatory within the lightwell at ground floor level (refs. PP/00/1956 and LB/00/1957).

4.0 PLANNING CONSIDERATIONS

- 4.1 The principal considerations relate to the effect of the proposal on the special architectural character and historic interest of the listed building; the character and appearance of the Conservation Area and any residential amenity implications.
- 4.2 Policy CD25 seeks that all development in any part of the Borough is to a high standard of design and is sensitive to, and compatible with, the scale, height, bulk and character of the surroundings.
- 4.3 Policy CD30 requires development to be designed to ensure sufficient visual privacy of residents and the working population.
- 4.4 Policy CD41 normally resists proposals for rear extensions (subject to certain criteria) including extending rearward beyond the general building line; it would disrupt the even rhythm of rear additions or the detailed design of the addition would not be in character with the existing building.
- 4.5 Policy CD42 normally resists proposals for conservatories if (amongst other criteria) they are located significantly above garden level.
- 4.6 Policies CD48, CD52 and CD53 aim to preserve or enhance the character or appearance of Conservation Areas.

- 4.7 Policy CD58 normally resists proposals to alter listed buildings (subject to certain criteria) including alterations being in keeping with the style of the original building.

Formal Observations of the Conservation and Design Officer

- 4.8 The application falls within a category which does not need to be referred to English Heritage and can be determined by the Royal Borough. The Formal Observations of the Design and Conservation Officer are as follows:

"The property is a modest 19th Century townhouse, which forms part of a terraced row. The existing rear elevation is narrow in width, with a closet wing and lightwell following the solid-void rhythm of the terrace as a group.

The scheme proposed is the modification of an approved single storey conservatory, to create a double height glazed infill. (Ref. PP/00/01956).

The approved conservatory is a lightweight, frameless structure, to be built within a rear lightwell at basement level. The proposed modification would raise the glazed roof a full storey higher than the permitted design.

The new scheme also includes the removal of a 19th Century sash window on the rear elevation at ground floor level, to create an internal opening from the rear principal room, which would be regrettable.

The proposed new structure would dominate the 19th Century rear elevation in scale, proportion and materials to an unacceptable degree, which would be wholly unsympathetic to the appearance of the parent building.

It is considered that the scheme proposed would harm the special architectural and historic character of the building and is therefore unacceptable."

- 4.9 In terms of the impact on the character and appearance of the Conservation Area, there are only limited views of the upper portion of the property from street level in Lennox Garden Mews. However, the rear of the terrace can generally be viewed from this location and views of the lower portions of the terrace are available from upper floor windows. It would appear that there are no readily identifiable precedents for this type of extension at first floor level and it is considered to be detrimental to the character and appearance of the Conservation Area. On this basis, the proposal is considered to be contrary to Policies CD25, CD41, CD42, CD48, CD52, CD53 and CD58 of the Unitary Development Plan.
- 4.10 In terms of residential amenity, the glazed infill extension will be contained within closet wing extensions and is not considered to cause any loss of sunlight and daylight. Given the distance to the nearest residential property at the rear, no direct overlooking should occur which would warrant refusal on these grounds. On this basis, the proposal is considered to be in compliance with Policy CD30.

5.0 PUBLIC CONSULTATION

5.1 The occupiers of 3 residential properties in Ovington Street have been consulted on the proposal.

5.2 An agent acting on behalf of the occupier of 42 Ovington Street has written complaining about scaffolding being erected in his garden.

In response, this is a private matter and not a material planning consideration. The agent acting on behalf of the developer has written to the occupier directly and it appears the matter is being addressed.

6.0 RECOMMENDATION

6.1 Permission be refused.

**M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**