

COMMITTEE REPORT

Please Index As

File Number

Committee Report

Part 1

Part 2

Part 3

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING &
CONSERVATION

86

APP NO. PP/99/01429/MIND/41 42
PLANNING SERVICES COMMITTEE 19/10/1999 AGENDA ITEM NO. 159

ADDRESS

Colville Mews, Rear of 16
Colville Road,
Kensington W.11

APPLICATION DATED

07/07/1999

RECOMMENDATION
ADOPTED

APPLICATION COMPLETE 12/07/1999

APPLICATION REVISED 30/09/1999 and
11/10/1999 13.10.99

APPLICANT/AGENT ADDRESS:

CONSERVATION AREA N/A

CAPS No

Thirstone Homes
Limited,

ARTICLE '4' No

WARD Colville

Thirstone House,
142 Oyster Lane,

LISTED BUILDING NO

APPROVED BY
PLANNING SERVICES CTTEE

HBMC DIRECTION N/A

SUBJECT TO S.106
19 OCT 1999

CONSULTED 198

OBJECTIONS 1

SUPPORT 0

PETITION 0

CONSENT BY
Applicant: Chang Properties

PROPOSAL:

The erection of five houses each with an integral garages.

RBK&C Drawing No(s):

PP/99/01429D and PP/99/01429/E

Applicant's Drawing No(s):

TO:186:01C, :02C, :03B, :04C, :05D, :06E and 07B

PP/99/01429/F

RECOMMENDED DECISION: Subject to a Planning Obligation under Section 106 to secure at No. 16 Colville Road, the west site Colville Mews, (1) provision of the proposed Class B1(c) workshop accommodation before the residential development is brought into use and (2) provision and retention of a goods lift for the Class B1(c) accommodation to the standards stated in the Unitary Development Plan Ch. 13 para. 4.13 in accordance with Planning Permission reference TP/98/1443 dated 25/6/99.

Grant Planning Permission.

PP/99/01429 :

1

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

87

1. **The development hereby permitted shall be begun before the expiration of five 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. **Full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:**
 - (a) the materials to be used on the roof and balcony enclosures.
 - (b) the treatment of the open land within the site including hard and soft landscaping
 - (c) any proposed walls, fences, or railings
 - (d) the provision to be made for the storage and disposal of refuse
 - (e) the eastern elevation
 - (f) rooflights**(C011)**
Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the local planning authority wishes to ensure that the details of the development are satisfactory. (R011)
3. **The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
4. **The dwellings hereby permitted shall not be occupied unless and until the garages shown on the drawings have been made available at all times for car parking and the garages shall not be adapted for living, commercial, or other purposes.**
Reason - In order to safeguard the special architectural or historic interest of the building. (R206)
5. **Notwithstanding the provisions of Article 3, Schedule 2, and Part 1 of the Town and Country Planning General Development Order 1995, no external alterations shall be carried out or extensions constructed to the premises the subject of this permission without the prior approval in writing of the Local**

88

Planning Authority. (C070)

Reason - To safeguard the amenities of neighbouring properties. (R055)

6. **No demolition pursuant to this permission shall commence until a contract for the carrying out of the building operations hereby permitted has been completed. (C069)**

Reason - To ensure a satisfactory standard of external appearance, and to safeguard the visual amenity of the area. (R069)

7. **No water tank, lift motor room, or other roof structure shall be erected which rises above the roof of the building, including the roof of any extensions. (C078)**

Reason - To safeguard the appearance of the buildings. (R077)

8. **Except as shown on Drawing No. TO:186:04C relating to House 5, the roofs of the buildings hereby permitted shall not be used at any time as a terrace without the prior approval in writing of the local planning authority.**

Reason - To ensure a satisfactory standard of external appearance. (R079)

9. **No plumbing or pipes other than those shown on the drawings hereby approved shall be fixed on the external faces of the building without the prior written approval of the Local Planning Authority. (C086)**

Reason - To ensure a satisfactory standard of external appearance. (R085)

10. **The windows shown as "obscure glass/glazing" on Drawing Numbers TO:186:03B, TO:186:04C, TO:186:06E and TO:186:07B shall be constructed using only obscured glazing and shall be so maintained and shall be kept permanently in a closed position.**

Reason - To safeguard the amenities of neighbouring properties and in particular to prevent overlooking. (R091)

INFORMATIVES

- | | |
|----|-----|
| 1. | I44 |
| 2. | I09 |
| 3. | I10 |
| 4. | I43 |
| 5. | I21 |
| 6. | I29 |
| 7. | I30 |

89

8. I39

9. I40

10. I26

90

1.0 THE SITE

- 1.1 The site is located on the southern side of Colville Mews on a corner adjoining the western entrance to the mews.
- 1.2 The site formerly contained a tall, two storey building occupying a corner position in the mews. It had a "saw tooth" profiled roof giving north light to the first floor. There was a third storey plant room at its eastern end. The building was of industrial appearance, probably dating from the 1920's or 1930's. The building was demolished about two years ago, except for the southern elevation, which forms the boundary with the small rear gardens of terrace houses in Lonsdale Road, and part of the eastern elevation which adjoins the Council-owned traders' stores in Lonsdale Mews.
- 1.3 The premises were formerly used in conjunction with premises on the opposite site of the mews, (located at the rear of Colville Road and known as 16 Colville Road the West Building) as film processing laboratories, storage and ancillary offices by a firm called "Filmatic".

2.0 PROPOSAL

- 2.1 The erection of a terrace of five three-storey houses of contemporary style with rendered and painted walls, mid grey coloured powder coated aluminium framed windows and doors and a curved mid-grey coloured ribbed metal roof. Each house would have an integral garage. Four of the houses would have small courtyard gardens which would also serve as light wells to rear rooms. The fifth house, standing on the corner, would have a second floor roof terrace. The development would provide 2 x 3 bedroom dwellings and 3 x 2 bedroom dwellings.
- 2.2 The proposed residential development varies from a 1999 approval (see paragraphs 3.7 - 3.9) in the following respects:
 - 2.2.1 Minor elevational alterations.
 - 2.2.2 The raising of the overall height of House 5 to align with Houses 3 and 4, an increase in height of up to 300mm.
 - 2.2.3 The slight increase in overall height of the curved main roof line (approximately 150mm) and the slight lowering of the roofs of the rear wings (approximately 200mm).
 - 2.2.4 the relocation of the garage in House 5 from the northern elevation to the western elevation.
 - 2.2.5 the reconfiguration of the rear wing of House 1, replacing a curved three storey wall to its courtyard by a straight wall.

- 2.2.6 Internal layout changes "squaring up" the curved planform, the provision of larger rooms, giving one less bedroom per house and the enlargement of the mezzanine above the top floor living rooms.

3.0 RELEVANT PLANNING HISTORY

- 3.1 "Filmatic" was a long established industrial user of both the application premises (referred to as the "east building") and the west building.
- 3.2 In 1996 planning permission was granted for works including partial demolition, remodelling of the roof and elevational alterations in connection with use for two, 4 bedroom maisonettes with two garage car parking spaces, Class B1(C) and Class B1 with ancillary swimming pool.
- 3.3 This scheme proposed the retention of most of the ground floor accommodation in both east and west buildings for Class B1(c) light industrial use. The two upper levels in each building were to accommodate residential (east building) and offices (west building).
- 3.4 Physical alterations consisted of the retention of the east building but with the infilling between the roof ridges enabling the insertion of a second floor almost totally within the bulk of the original building.
- 3.5 Alterations to the west building were more extensive. They involved the rebuilding of the Mews frontage enabling the incorporation of a third storey, largely within the bulk of the original building. The works were of contemporary design and featured a curved copper-clad roof enclosing the first and second floors.
- 3.6 In 1997 an amended scheme was approved, involving the substantial demolition and rebuilding of the east building. The development was otherwise to be as approved in 1996.
- 3.7 In March this year, the Planning Services Committee decided to grant planning permission subject to a Planning Obligation under S. 106, for the erection of five houses with integral garages on the east site (i.e. the site which is the subject of the current application) and for the erection of a new building (west site) and roof addition to No. 16 Colville Road and use for workshop and offices within Class B1.
- 3.8 The Planning Obligation was required to secure the provision of the proposed Class B1(c) workshop accommodation before the residential development was brought into use and the provision and retention of a goods lift for the Class B1(c) accommodation.
- 3.9 The Planning Obligation was completed and the planning permission issued on 25 June this year.

- 3.10 The current application proposes amendments to the approved residential development.

4.0 PLANNING CONSIDERATIONS

- 4.1 The issues in this case are considered to be the effects of the proposed amendments to the 1999 permission upon:

- 4.1.1 the appearance of the proposed developments;
- 4.1.2 light and privacy to nearby properties;
- 4.1.3 on-street parking facilities; and
- 4.1.4 the quality of the residential accommodation provided.

- 4.2 Relevant Unitary Development Plan policies are contained in Chapters 4, 5, 7 and 13 and include:

CD25 (Standards of design and compatibility with surroundings)
CD47 (Preservation or enhancement of mews character)
CD28 (Light
CD30 (Privacy)
CD37 (To have regard to the standards set out in the standards chapter)
TR48 (Resistance to net loss of on-street residents' parking)
H18 and H19 (Housing mix)

- 4.3 The proposed elevational alterations are consistent with the scheme already approved and are considered to remain acceptable in design terms.
- 4.4 The proposed increases in height are minor. As in the 1999 approval, the development would still fall almost completely within previously existing light angles so as not to worsen pre-existing light conditions to adjoining premises. As previously approved, the scheme involves the partial lowering of sections of the rear boundary wall, so improving light to the adjoining terrace housing in Lonsdale Road.
- 4.5 As in the 1999 approval, the scheme features the judicious use of high level windows, obscured glazing, the positioning of windows at an angle to the rear boundary and the retention of parts of the rear boundary wall as a screen in order to safeguard the privacy of neighbours in Lonsdale Road.
- 4.6 The proposed development retains on-street car parking provision at the previously permitted levels. The relocation of the proposed garage of House 5 is accompanied by the corresponding rearrangement of on-street space so that there is no loss of residents' on-street car parking facilities.

4.7 The development proposes generously sized two and three bedroom dwellings in accordance with the minimum residential floorspace standards contained in the Unitary Development Plan Chapter 13. As previously approved, the scheme proposes family sized accommodation with outside amenity space; and is considered acceptable.

93

4.8 Thus the revised scheme is considered consistent with the Unitary Development Plan Policies referred to in paragraph 4.2 above.

4.9 The 1999 planning permission was only granted following the completion of a S.106 Planning Obligation in order to ensure the reprovision of Class B1(c) light industrial accommodation on the west site to comply with Unitary Development Plan Policy E20. There has been no change in circumstances and a mechanism to ensure that the light industrial accommodation is developed on the west site remains a requirement. Accordingly any new planning permission for residential development of this site should be subject to a S.106 agreement.

5.0 PUBLIC CONSULTATION

5.1 198 addresses in Lonsdale Road, Colville Road and Colville Terrace were notified of the proposal.

5.2 To date, two representations have been received. One (from a neighbouring business) objects but states no reason. A letter requesting an explanation of the reason has not been answered. The other queried the nature of the proposal, was supplied with copies of the drawings, and has made no further comment.

6.0 RECOMMENDATION

6.1 Subject to a Planning Obligation under Section 106 to secure.

(1) provision of the proposed B1(c) workshop accommodation before the residential development is brought into use.

(2) provision and retention of a goods lift for the Class B1(c) accommodation to the standards stated in the UDP Ch. 13 para 4.1.3.

6.2 Grant Planning Permission.

M.J. FRENCH

EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

94

List of Background Papers:

The contents of file PP/99/01429 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: SW
Report Approved By: LAWJ
Date Report Approved: 07/10/1999

PSC.99.10.SW.REP