

APPROVED DRAWINGS

Please Index As

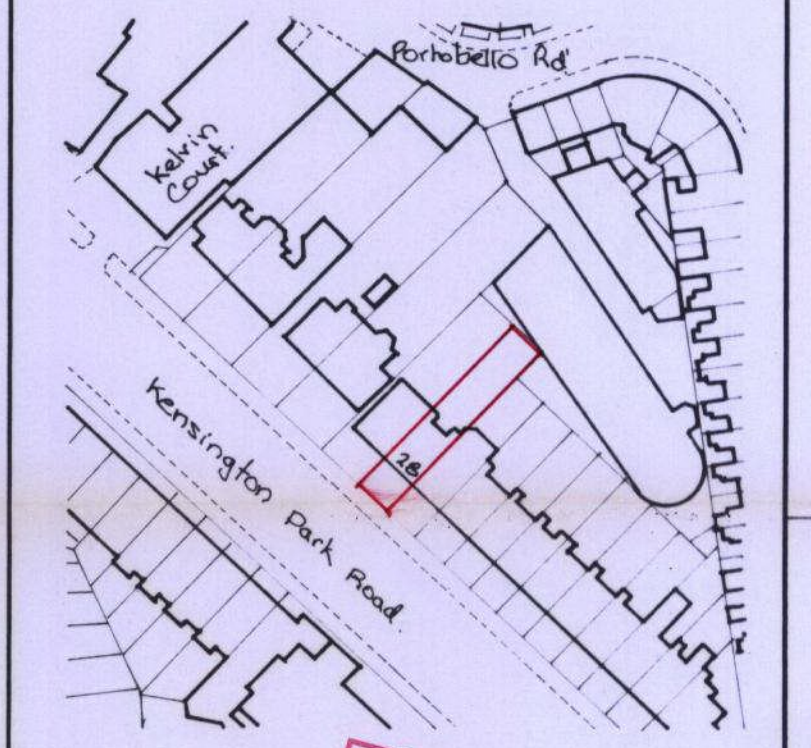
File Number

APPROVED DRAWINGS

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PP/01/00337 ①

NOTES
DO NOT SCALE
REPORT ANY ERRORS OR OMISSIONS TO ARCHITECTS
DIMENSIONS TO BE CHECKED ON SITE BEFORE FABRICATION



LOCATION PLAN
scale 1 : 1250 07 FEB 2001
R.B.K. & C. TOWN PLANNING
RECEIVED

REVISIONS

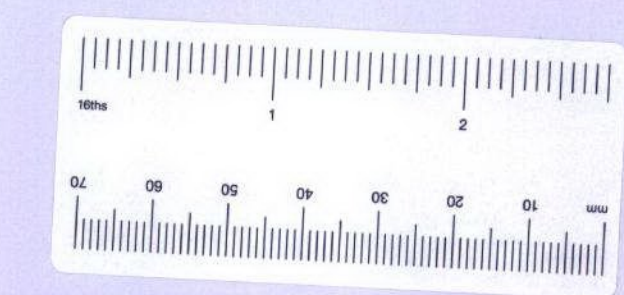
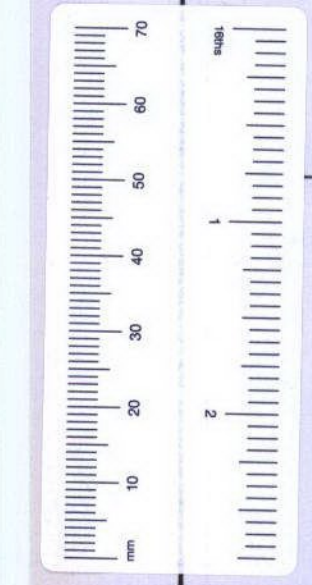
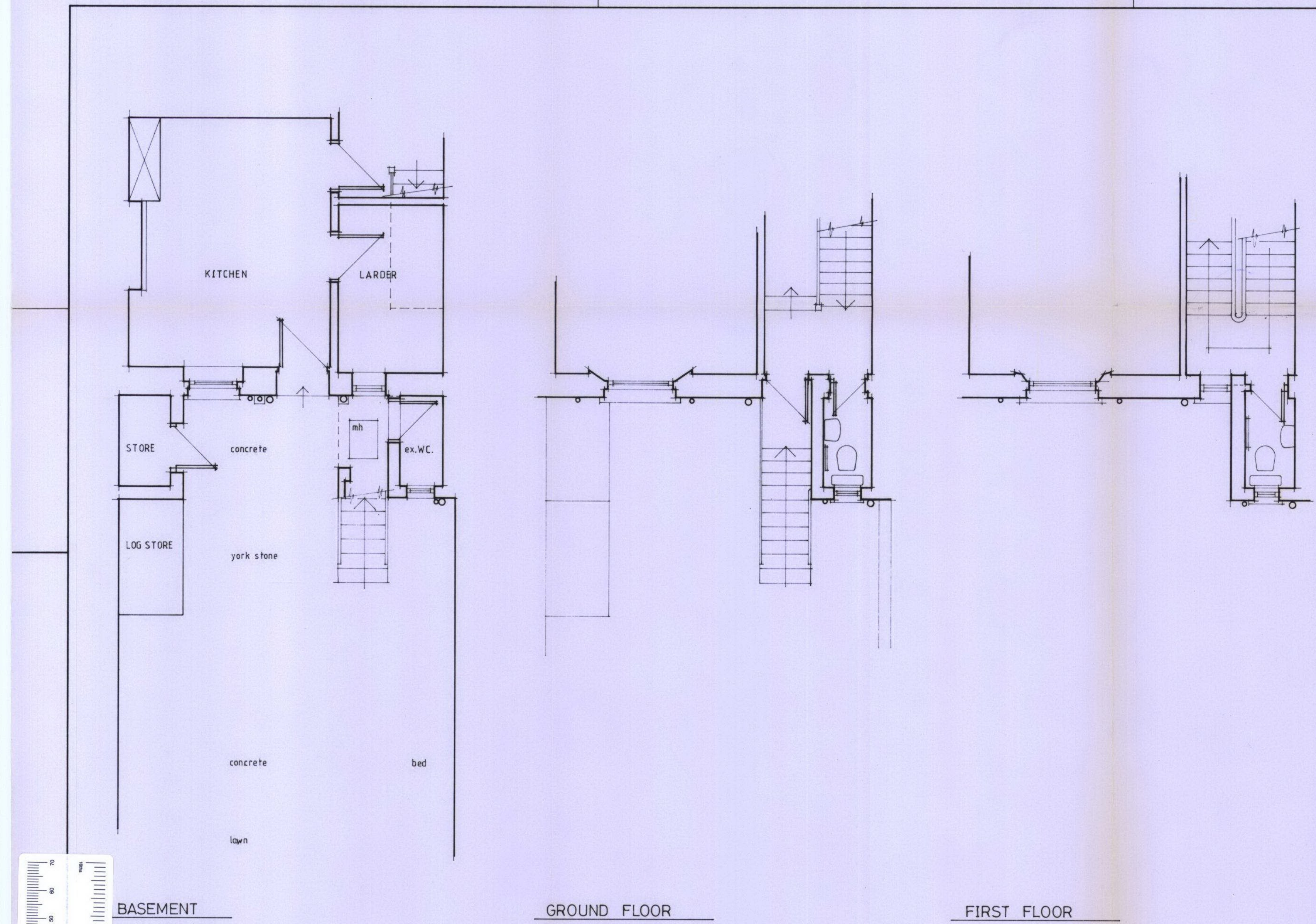
 **DAVID MAYCOX & Co.**
Building Surveyors • Designers
121 Cat Hill, East Barnet, Herts. EN4 8HR
Tel: 0181-441 9900 Fax: 0181-441 9980

PROJECT
28, KENSINGTON PARK ROAD,
LONDON W.11.
PP010337

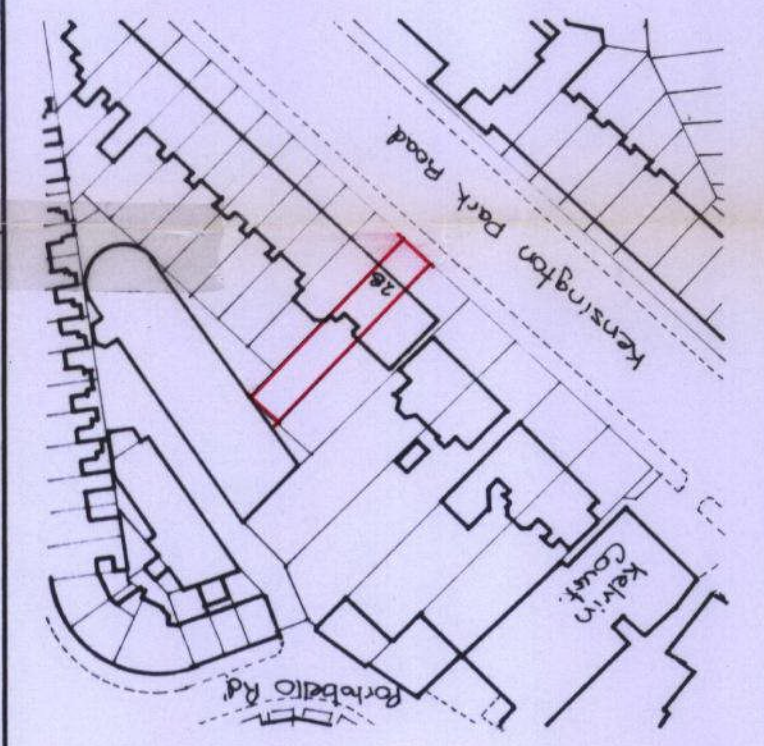
DRAWING TITLE
PART BASEMENT, GROUND &
FIRST FLOORS - EXISTING

SCALE - 1 : 50 DATE - 17.07.00

DWG. No. 0006.01 REV.



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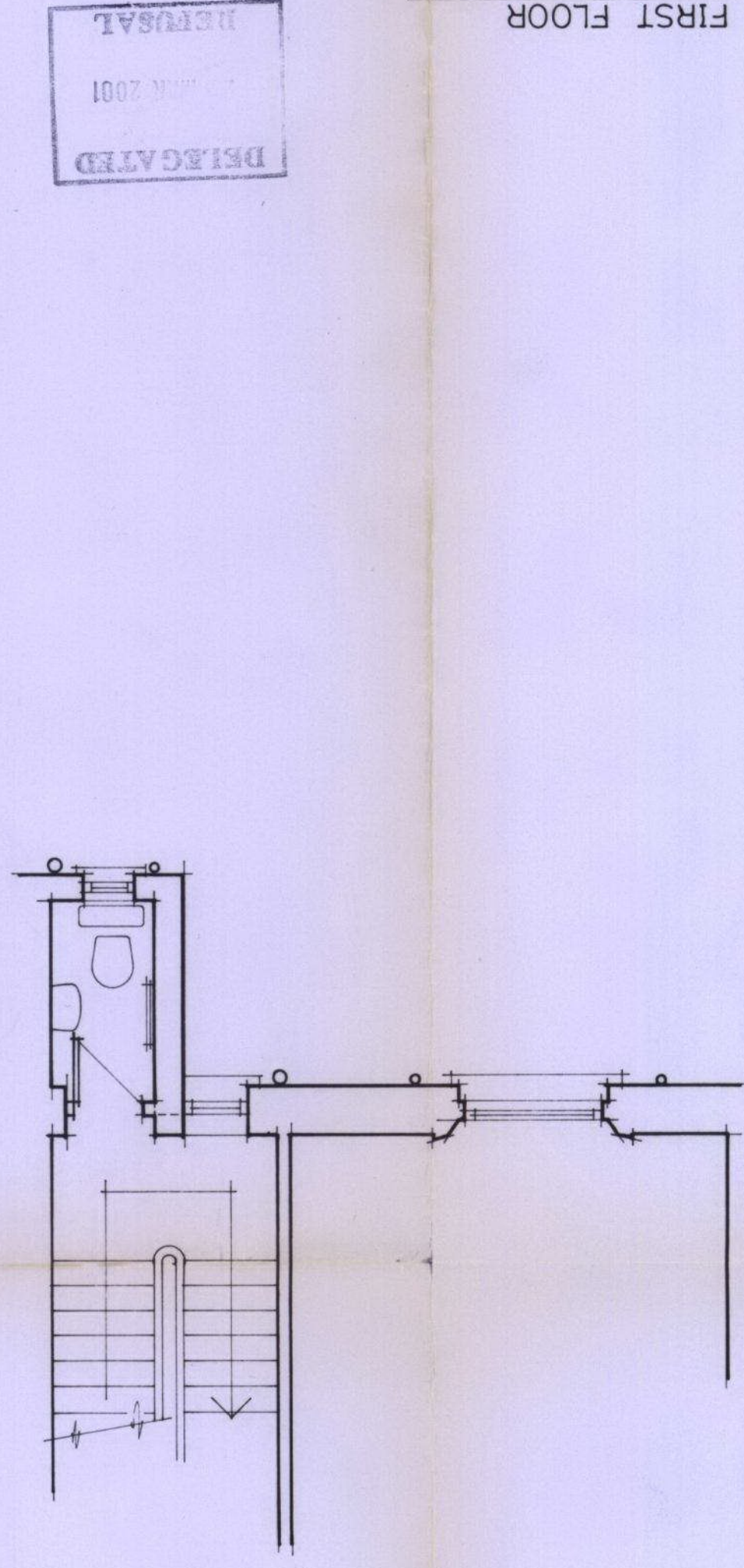
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PART BASEMENT, GROUND &
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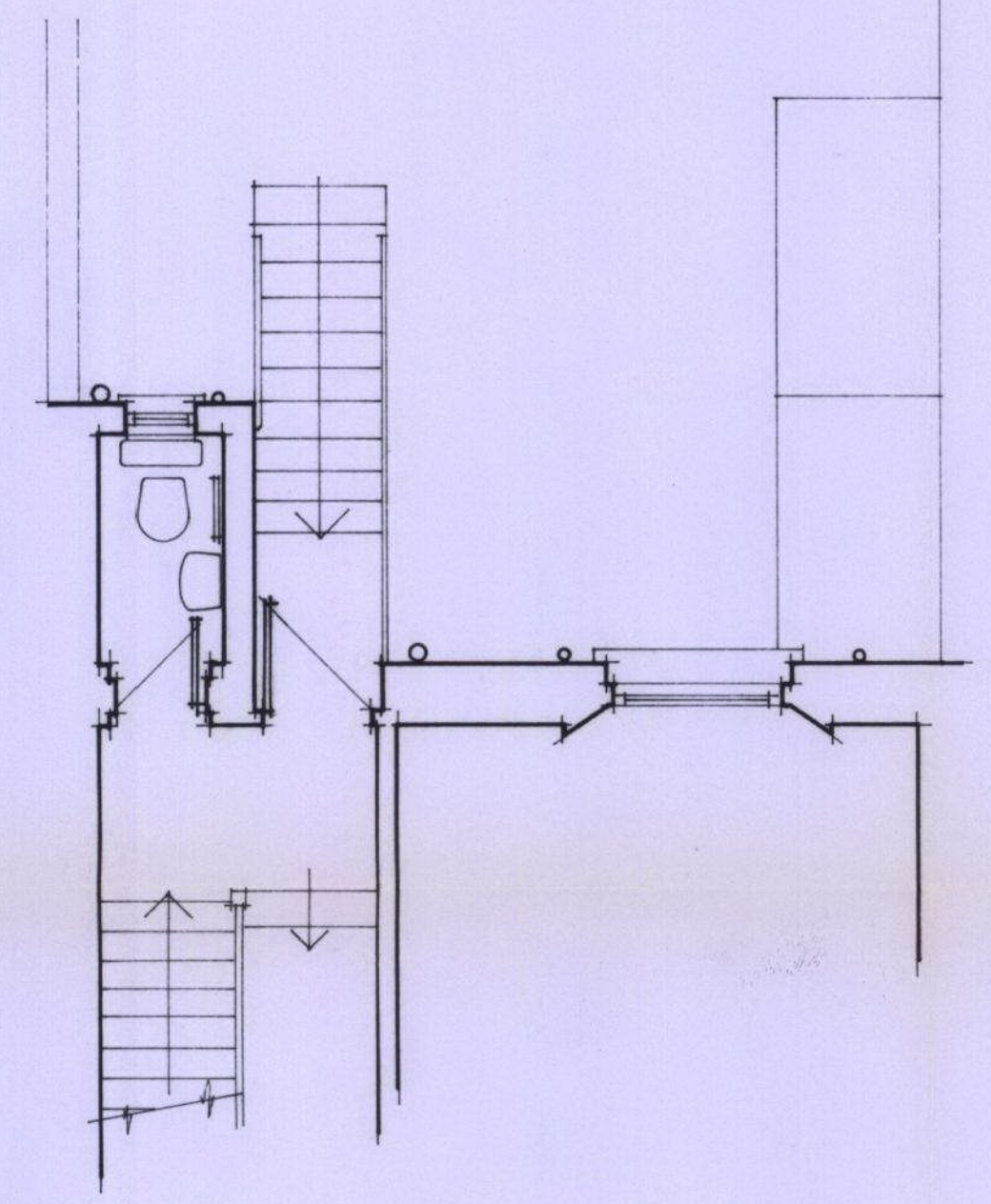
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PP/01/00337 ②

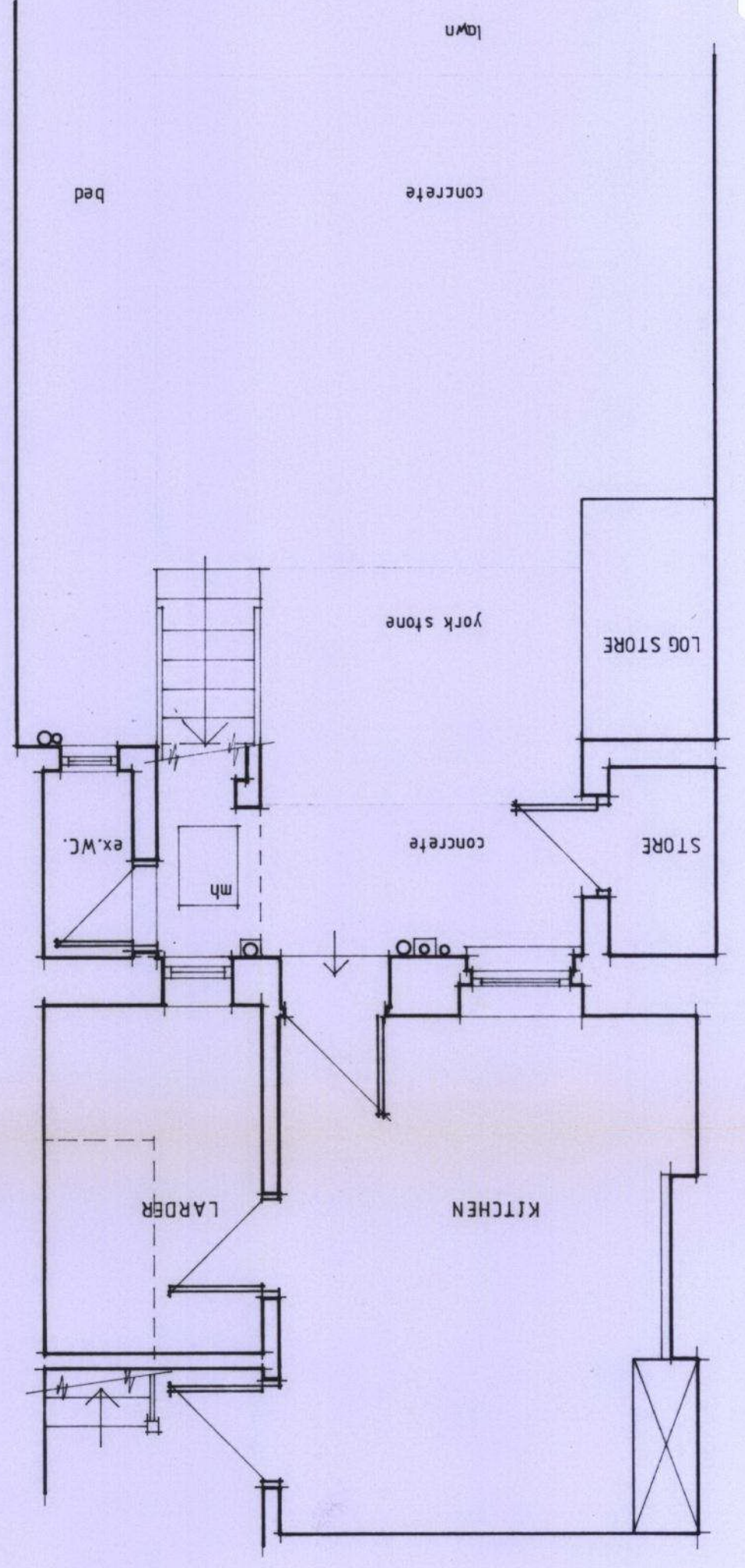
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17 JAN 2001
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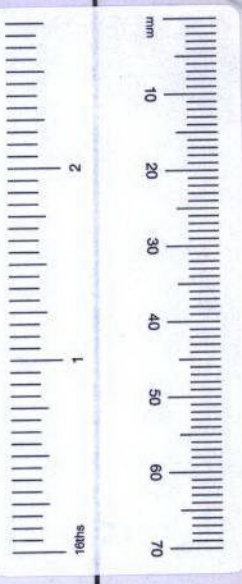
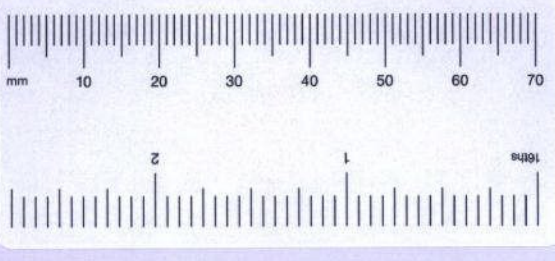
FIRST FLOOR



GROUND FLOOR



BASEMENT



PP002594



Rear elevation existing – lower ground floor.



Rear extension to adjoining property.

PP002594

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THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

MEMBERS PANEL

APPLICATION NO.

AGENDA ITEM

TP/98/0040/M/12

454

REPORT BY THE EXECUTIVE DIRECTOR OF PLANNING AND CONSERVATION

APPLICANTS NAME/ADDRESS

Application
dated

07/01/98

Andrews Downie and Partners,
6 Addison Avenue,
Holland Park,
London, W11 4QR

Revised

20/03/98

Completed

08/01/98

Polling Ward GA

ON BEHALF OF : Mr & Mrs A Lowenthal
INTEREST : Owner/Occupier

District Plan Proposals Map:

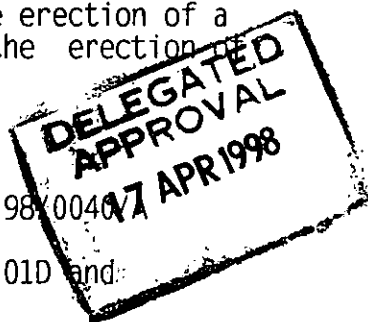
Cons.Area	CAPS	Article 4 Direction	Listed Building	HBMC Direction	A/O Consulted	Objectors (to date)
3	YES	YES	NO	N/A	16	2

RECOMMENDED DECISION :-

GRANT planning permission for the erection of a
three storey rear extension and the erection of
basement level conservatory.

At: 22 KENSINGTON PARK ROAD, KENSINGTON, W.11

As shown on submitted drawing(s) No(s): TP/98/0040 and TP/98/0040

Applicant's drawing(s) No(s) : 97/195/01/0, 2944/01D and
2944/02CCONDITIONS

1. C.1 2. C.68 3. C.71
4. C.75 ... windows to the rear extension
5. C.76

REASONS FOR THE IMPOSITION OF CONDITIONS

1. R.1 2. R.68 3. R.72 4. R.72 5. R.72

INFORMATIVES

1. I.9 2. I.10 3. I.11 4. I.21 5. I.30

R.B.K.C PLANNING

Received 21 SEP 2001

Ex Die HDC TP CAC AD CLU
AOACK N C SW SE APPEALS
IO REC ARB F.PLAN CON.DES

Members Panel
22 Kensington Park Road

1.0 The Site.

- 1.1 This mid-terraced property is situated on the eastern side of Kensington Park Road, and is in use as a single family dwelling.
- 1.2 The property is not Listed, but is located within the Ladbroke Conservation Area.

2.0 The Proposal.

- 2.1 Planning permission is sought for the erection of a half width rear extension at lower ground, ground and first floor levels, together with the erection of a lower ground floor conservatory within the lightwell formed.

3.0 Planning History.

- 3.1 Planning permission was refused for the erection of an additional storey in 1978.

4.0 Planning Considerations.

- 4.1 The main considerations with regard to this application relate to the effect of the extensions on the parent property and the character and appearance of the Ladbroke Conservation Area, together with the effect of the extensions on the amenity of the neighbouring residential properties.
- 4.2 The relevant policies for consideration are as follows:
- CD25 (High Standard of design)
 - CD41 (Rear extensions)
 - CD42 (Conservatories)
 - CD48 (Preservation or enhancement of Conservation Areas)
 - CD28/29 (Sun light and daylight)
 - CD52/53 (Development in Conservation Areas)
- 4.3 With regard to this application, permission is sought for the erection of a three storey rear extension, to match in terms of height and outreach the adjoining extensions at Nos. 20 and 24 Kensington Park Road. The extension is also proposed to match the half width nature of No. 20 Kensington Park Road, while No. 24 Kensington Park Roads' extension covers less than half of the width of the rear of the parent property. Due to the neighbouring extensions it is considered that such an extension in this location is likely to be acceptable. At present a small two storey rear extension exists, as part of the proposal it is sought to remove this extension which rises by 5.2 metres on the boundary.

- 4.4 The proposed extension will be 7.95 metres in height, and cover half the width of the rear elevation, i.e. 3 metres. It is proposed to extend out from the property by 2.3 metres. As the proposal will match, or closely match a number of adjoining extensions, it is considered that it will be inkeeping with the character and appearance of the parent property as well as the Ladbroke Conservation Area and is in accordance with the policies as set out in Chapter 4 of the UDP, notably CD48, CD52, CD53 and CD41 regarding rear extensions.
- 4.5 Additionally the proposal is considered to comply with CD28 and CD29 of the UDP, in respect of daylight and sunlighting. A condition is proposed to be attached to ensure that the flat roof of the rear extension is not used as a roof terrace to the detriment of the privacy of the surrounding properties.
- 4.6 As part of the proposal, permission is sought for the insertion of a conservatory at rear basement level. The conservatory is proposed to be set within the lightwell formed by the erection of the rear extension, and is of a timber construction in a style that the Design Officer considers to be acceptable. The conservatory is proposed to have a slight set back from the rear extension, to ensure that the proposal at this level is not read as a full width extension.
- 4.7 The erection of a conservatory at rear lower floor level and within the lightwell of the proposed rear extension is considered to be in accordance with the policies set out in the UDP, notably CD41, regarding conservatories.
- 4.8 It is therefore considered that the proposed extensions to the rear of this property will not adversely affect the neighbouring properties and will be an enhancement to the property and character and appearance of the Ladbroke Conservation Area and complies with policies CD40, CD41, CD48, CD52, CD53, CD28 and CD29 of the UDP.

5.0 **Public Consultation.**

- 5.1 Sixteen letters of notification were sent to properties within Kensington Park Road and Portobello Road with regard to this application.
- 5.2 Two responses have been received. One letter was received from a neighbouring property, who had no objection subject to the materials of the rear extension matching the parent property and all work, such as pointing to match the existing.

It is proposed to attach a condition, regarding this element.

- 5.3 The Ladbroke Association asked what effect the proposal would have on the neighbouring property and whether there should be policies regarding back extensions and loss of garden.

It is considered that the proposal will not materially effect the neighbouring properties with regard to daylight and sunlighting as stated in paragraph 4.5. There are policies within the UDP which relate to rear extensions and consequent implications upon garden space, and in this context the proposal complies with policy CD41.

6.0 **Recommendation.**

6.1 Grant planning permission.

M J French
Executive Director, Planning & Conservation



PP002594

Rear Elevation – Existing.

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EX DIR	HDC	N	C	SW	SE	ENF	AD ACK		
6 NOV 2000									
APPEALS	IO	REC	ARB	FWD PLN	CON DES	FEEs			

DELEGATED
22 MAR 2001
REFUSAL

Rear Addition – Existing.

PP002594



2



28 KENSINGTON PARK ROAD LONDON W11



Rear Elevation – Existing.



Rear Addition – Existing.

R.B.K.C PLANNING

Received 21 SEP 2001

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AOACK N C SW SE APPEALS
IO REC ARB F.PLAN CON.DES



Rear elevation existing – lower ground floor.



Rear extension to adjoining property.

R.B.K.C PLANNING

Received 21 SEP 2001

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Received 21 SEP 2001

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AOACK N C SW SE APPEALS
IO REC ARB F.PLAN CON.DES

8

10

12

14

16

18

20

22

24

26

28
(blue
bungalow
alarm)

26

28

30



Appeal under s.78 Town and Country Planning Act, 1990

**Mr and Mrs David Mizen
28, Kensington Park Road
London W11**

Written Representations

LPA ref. PP/01/00337

R.B.K.C PLANNING

Received 21 SEP 2001

**Ex Die HDC TP CAC AD CLU
AOACK N C SW SE APPEALS
IO REC ARB F.PLAN CON.DES**

**Jennifer McGrandle B.Sc.MRICS MRTPI
27 Courtnell Street
London W2 5BU**

1. The Appeal Site

1.1 This comprises a 4-storey Victorian terraced house in single family occupation at Notting Hill Gate, W11. Plan 1 is a site plan scale 1:1250. Attached also are Photographs 1 - 5, of which Photograph 1 is a composite photograph of the rear elevation; the remaining photographs show the rear elevation of the appeal site and other properties in the terrace.

1.2 Along the front elevation of the terrace - Nos. 8 /30 (even) Kensington Park Road - Nos. 8/10 and 28/30 each form at either end of the terrace a corresponding pair of houses one brick proud of the remainder of the terrace Nos. 12/26 (even). However, there has never been a corresponding "book end" on the rear elevation, which is the material elevation for this appeal. This is because of the tapering garden of No. 8 (see Plan 1). A large post-1948 rear extension at No. 12, for which no planning records exist, now effectively terminates the terrace here when viewed from any point northwards (see Photograph 2).

1.3 The rear elevation of the appeal site is visible only from the building at the rear, a former GPO training centre now converted into flats.

2. The Proposal

2.1 The proposal is for the demolition of an existing 3-storey rear extension comprising wcs on 3 levels and its replacement with a slightly larger 3-storey rear extension comprising a cloakroom at ground floor level, a bathroom at first floor level and a basement utility room/larder. Proposed dimensions are :

2.3m depth
7.3m width (half the plot)
8.5m height (unchanged from existing)

as seen on Plans 0006.02A and 03A.

2.2 The existing 3-storey extension comprises the original 2-storey extension - as can still be seen at No. 22 - plus a third storey added pre-1948, possibly in the 1930s (see Photographs 3 and 4).

2.3 A planning application for "replacement of rear addition to single family dwelling with larger rear addition" was submitted on 9.2.01.

2.4 Seventeen addresses were circulated and there were no objections. This included the Ladbroke Association who stated in writing that they had no objection. Although apparently they subsequently retracted this verbally, they did not feel strongly enough to put their change of view in writing before the application was considered by the Council. The appropriate evidence before this appeal is therefore the Association's letter of 2 March 2001 which is attached as Appendix 1.

2.5 The planning application was refused on 22 March 2001. The ground of

refusal was:

"The proposed rear addition is considered by virtue of its size, bulk and location to be detrimental to the character and appearance of the property, the terrace it is located within and the Conservation Area, and therefore, is contrary to the Council's policies which seek to maintain and enhance the character and appearance of the Borough and its Conservation Areas, as stated in the Council's Unitary Development Plan, in particular Policies CD41, CD52 and CD53."

An informative to the refusal stated that Policies CD28, CD30, CD41, CD52 and CD53 were taken into account in reaching the decision.

3.0 Development Plan

3.1 The appeal site is situated administratively within the Royal Borough of Kensington and Chelsea. The statutory development plan is the Kensington and Chelsea UDP 1995 which is currently being reviewed. Extracts are attached as Appendix 2. The appeal site is unlisted but included within the Ladbroke Conservation Area which was designated in 1976. The Conservation Area Proposals Statement which is of course non-statutory but nevertheless a material consideration is attached as Appendix 3.

3.2 The Proposals Map of this statement, which was published in 1976 and updated in 1989, shows that the terrace of Nos.8 -30 (even) Kensington Park Road is annotated as :

"Roof extensions: Category 1".

The rear elevation of the terrace is not annotated although there are many rear elevations within the conservation area which are annotated. Those annotated are "Important rear elevations" which can be seen, unlike the appeal site, from public vantage points such as communal gardens.

3.3 In the case of rear elevations which are not annotated, the Conservation Area Statement says (p.24):

"In other cases proposals for rear extensions will be treated sympathetically where they accord with the guidance set out in the District Plan and do not result in the loss of garden space. Detailed criteria for this kind of development is to be included in the Unitary Development Plan now in preparation."

4.0 Planning considerations

4.1 The appeal proposal is for a modest 3-storey extension, occasioned by the need to install a bathroom. The proposed extension is no bigger than is necessary to meet the requirements for a standard size bath and is identical in terms of depth and width to that permitted (but not yet built) at No. 22 in 1998. In terms of height, it is identical to the present extension at the appeal site.

4.2 In accordance with the guidance in the Ladbroke Conservation Area Proposals Statement, no roof extensions have been permitted in the subject terrace 8 -30 (even) Kensington Park Road. By contrast, many rear extensions

have been permitted here since conservation area designation in 1976 and these are set out in Appendix 4. From this appendix it can be seen that 2- and 3- storey rear extensions have been permitted (and built) at Nos:

10
16
22 (not yet built)
26

together with a full-width single-storey extension at No. 30.

In addition there are three post -1948 3-storey rear extensions at Nos:

12
20
24

for which no planning records exist. A copy of the officers' report for the most recent permission, given in 1998 for No. 22, is attached as Appendix 5.

4.3 Each of the background planning policies set out in the informative to the notice of refusal will now be examined.

CD28

"Normally to resist development which significantly reduces sunlight or day-light enjoyed by existing adjoining buildings and amenity spaces."

4.4 Comment. The proposal involves no significant reduction in sunlight or day-light . This was not a factor raised in the officers' report or the ground of refusal.

CD30

"To require development to be designed to ensure sufficient visual privacy of residents and the working population."

4.5 Comment. The proposal involves no loss whatsoever of visual privacy, in contrast to the loss of visual privacy occasioned to the appellants by the erection of the rear extension at No. 26, permitted in 1984 (see Photograph 5). This factor was not raised in the officers' report, nor in the ground of refusal nor in the case of the permission at No. 22.

CD41

"Normally to resist proposals for rear extensions if:

- (a) The extension would extend rearward beyond the general rear building line of any neighbouring extensions;
- (b) The extension would significantly reduce garden space of amenity value or spoil the sense of garden openness when viewed from properties around;
- (c) The extension would rise above the general height of neighbouring and nearby extensions , or rise

to or above the original main rear eaves or parapet;

(d) The extension would not be visually subordinate to the parent building;

(e) On the site boundary, the extension would cause an undue cliff-like effect or sense of enclosure to neighbouring property;

(f) The extension would spoil or disrupt the even rhythm of rear additions. Full width extensions will not usually be allowed (except in some cases at garden level);

(g) The adequacy of sunlight and daylight reaching neighbouring dwellings and gardens would be impaired or existing below standard situations made significantly worse;

(h) There would be a significant increase in overlooking of neighbouring properties or gardens

(i) the detailed design of the addition, including the location or proportions or dimensions of fenestration or the external materials and finishes, would not be in character with the existing building (some exception may be allowed at basement level).

4.6 Comment. Items b), c), d), e), i) do not apply and items g) and h) have already been commented upon.

Item a). It is accepted that the extension would extend 0.5m beyond that of No. 30. However, there is no "general rear building line" in the terrace as can be seen from the 1:1250 extract and the composite photograph.

Item f). There is no even rhythm of rear additions as can be seen from the composite photograph. Note the full-width extensions on either side of the appeal site at Nos. 26 (two levels) and 30 (garden level).

CD52

"To ensure that any development in a conservation area preserves or enhances the character or appearance of the area."

4.7 Comment. There is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve (*South Lakeland District Council v SSE.1992*). While the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

4.8 It is submitted that in assessing "the character or appearance of the area" it is the visual impact of the proposal upon the whole of the rear elevation of the terrace which needs to be examined, not the impact of the proposal just upon the neighbouring property, No. 30.

4.9 The rear elevation of the terrace would originally have included a series of paired or matching extensions of dimensions as at No.22. The composite Photograph 1 shows that the rear elevation is now a hotch-potch. Nearly all the original extensions have been demolished, to be replaced by a myriad of unsympathetic extensions down the length of the terrace, no more so than the unorthodox 2-storey conservatory with roof terrace over at No. 26. Further, the integrity of the rear elevation of No. 30 has been impaired by the addition of both a side extension and a full-width rear extension, as shown on Photograph 1. Moreover, where planning permission has been granted (Nos. 10,16,22,26,30) this

has been since conservation area designation in 1976. It is the rear elevation of the terrace with these extensions which comprises the character or appearance of the conservation area at the appeal site and it is against these extensions that the appeal proposal must be judged. The Council would have had a stronger case had Nos. 28/30 been one of a pair of matching terminal features at either end of the terrace, as on the front elevation. But they are not. They might even have had a case had the rear elevation of No.30 mirrored that of No. 28. But it does not and indeed No.30 has been the subject of extensive alteration as can be seen from Photograph 1 . It is submitted that the proposal, identical in depth and width to that permitted at No. 22 in 1998, when viewed in the context of the whole length of the rear elevation, leaves the character and appearance of the conservation area unharmed.

CD53

To ensure that development in conservation areas is to a high standard of design and is compatible with:

- a) character, scale and pattern;
- b) bulk and height;
- c) proportion and rhythm;
- d) roofscape;
- e) materials;
- f) landscaping and boundary treatment

of surrounding development

4.10 Comment. The proposal is compatible - as best it can be - with all these features of the surrounding development. It has been designed to be subordinate to the main house.

5.0 Conclusion

5.1 The appeal proposal is a modest extension to provide up to date facilities for a single family dwelling house. The fundamental planning consideration in this appeal is whether the proposal would harm the character or appearance of the conservation area. It is submitted that the proposal would cause no material harm to the terrace and the conservation area and that planning permission should be granted.

A	B	C	D	E	F	G	H	I	J
1					28 Kensington Park Road				Appendix 4
2									
3									
4	Kensington Park Rd	p.p.	Ref.	Proposal		Depth x width (m) (m)	Ht. (m)	Comments	
5									
6									
7									
8	26			3-storey, rear extension		2.3 x 3.00	8.45		
9									
10									
11				s/s, rear extension					
12	30	23/3/72							
13									
14									
15	26	6/8/84, 8/4/0994		Erection of 2- storey, rear extension with roof terrace		1.5 x full width of plot			
16									
17									
18									
19									
20	22	20/4/98, 98/0040		3-storey, rear extension & conservatory		2.3 x 3.00	7.95		
21									
22									
23									
24	16	10/2/78, 77/1428		Rear exn. on basement, ground & 1st floor		2.2 x half width of plot			
25									
26									
27									
28	10	23/4/92, 92/0068		Erection of new rear extension & basement, ground & 1st floor levels				Replacement of existing 3-storey utilities block	
29									
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33									
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41									
42									
43									
44									
45									
46									
47									
48									
49									
50	24			3-storey rear exn.				Erected post-war No planning records	
51									
52									
53									
54	20			3-storey, rear exn.				Erected post-war, No planning records	
55									
56									
57									
58	12			3-storey, rear exn.				Erected post-war, No planning records	
59									
60									
61	tapering at 1st floor level								

R.B.K.C PLANNING

Received 21 SEP 2001

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TOWN PLANNING
07 FEB 2001
RECEIVED

REVISIONS
A omit conservatory; modify basement layout of turret 17.11.01.

DELEGATED
22 Jan 2001
REVISED

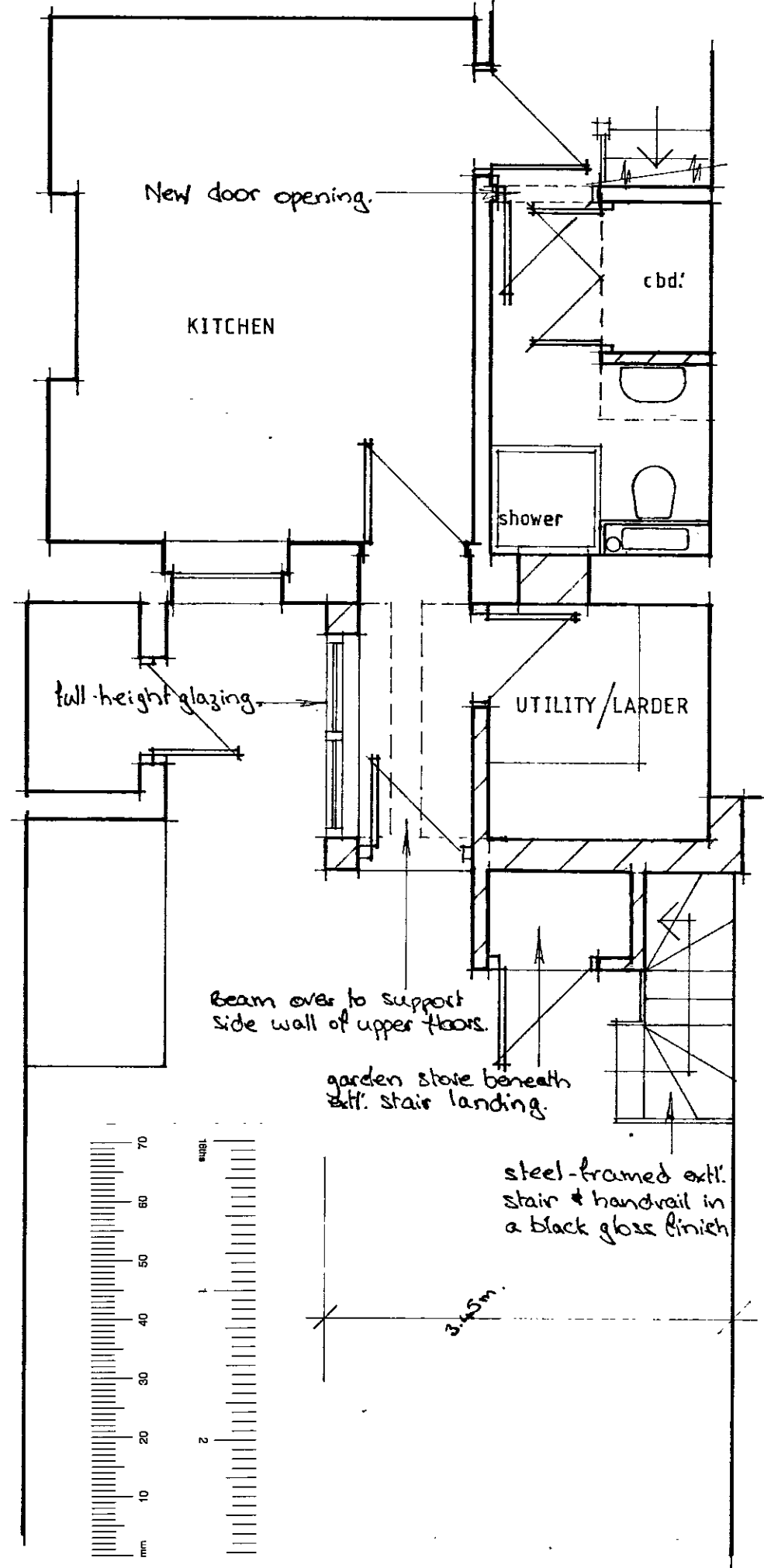
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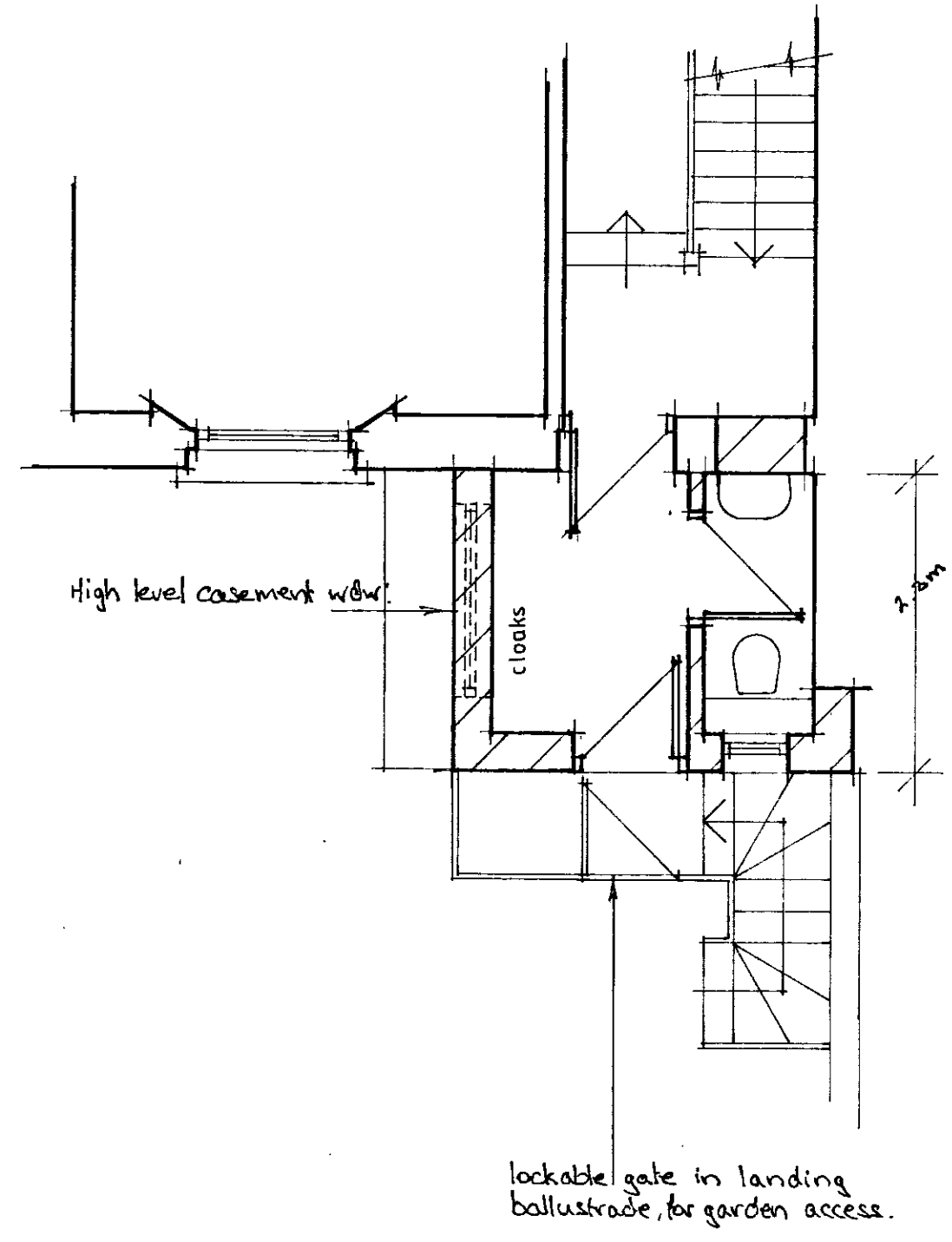
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PART BASEMENT, GROUND &
FIRST FLOORS PROPOSED

SCALE- 1 : 50 DATE-30.09.00.

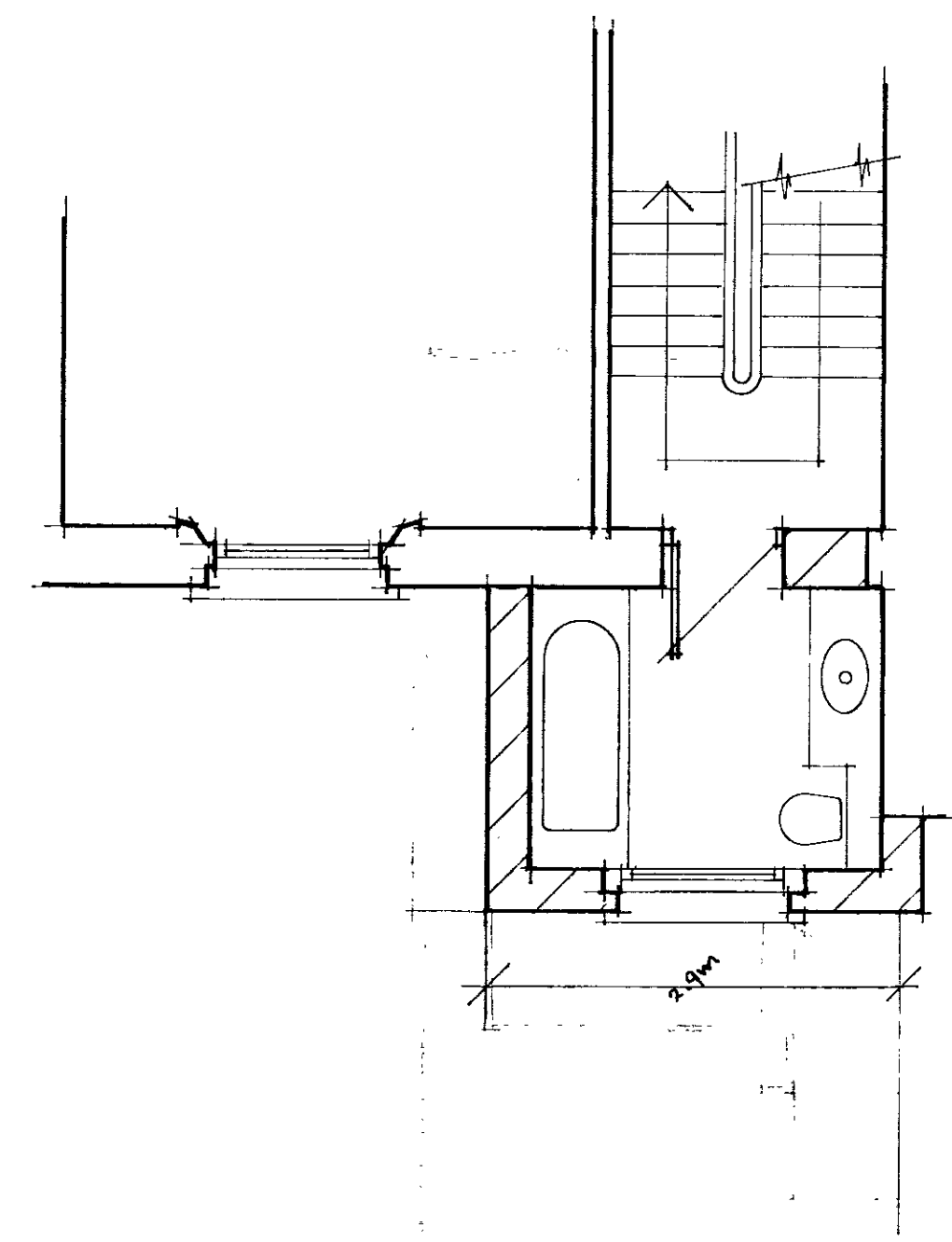
DWG. No. 0006.02.A REV.



BASEMENT



GROUND FLOOR



FIRST FLOOR

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EXISTING



PROPOSED

White-painted timber double-hung sash.

Rear addition in 2nd hand stock brickwork.

White-painted timber casement window.

Timber panelled door, part glazed.

External steel stair, black gloss finish.

Framed, ledged & braced door to garden store.

New external door, 1/2-glazed, black gloss finish.

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16.07.00
REVISAL

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TOWN PLANNING
07 FEB 2001
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REVISIONS

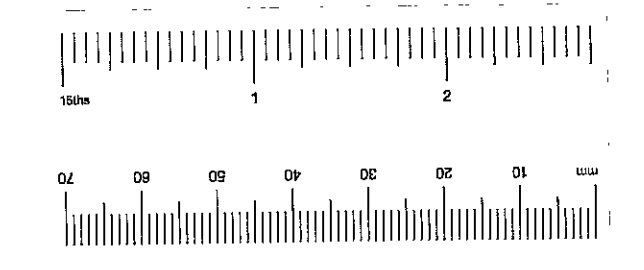
A omit conservatory; modify basement layout of turret 27.1.01.

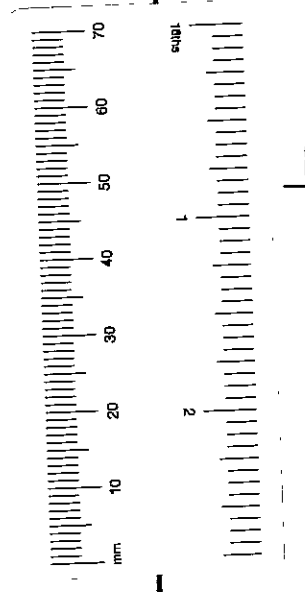
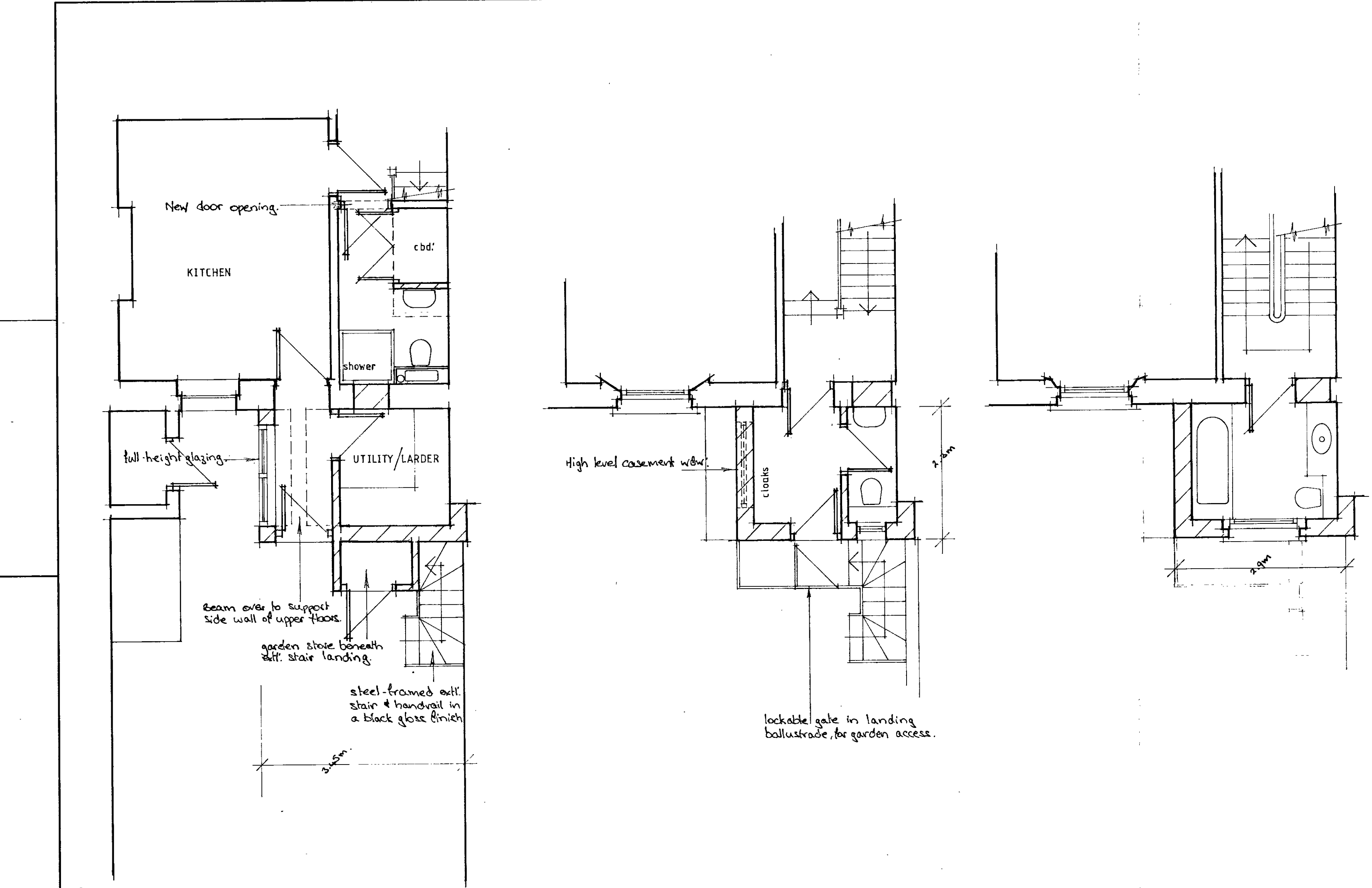
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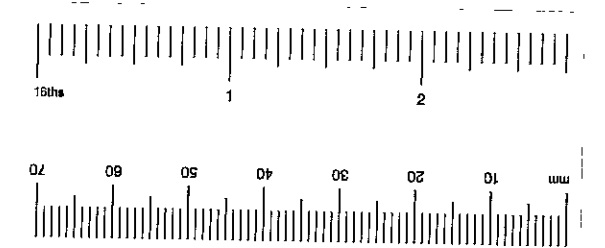
DRAWING TITLE
REAR ELEVATION.

SCALE - 1 : 50 DATE - 16.07.00.
DWG. No. 0006. 03 A REV.





BASEMENT



GROUND FLOOR

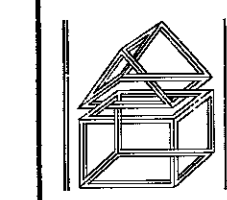
FIRST FLOOR

NOTES
DO NOT SCALE
REPORT ANY ERRORS OR OMISSIONS TO ARCHITECTS
DIMENSIONS TO BE CHECKED ON SITE BEFORE FABRICATION.

RECEIVED
TOWN PLANNING
17 FEB 2001

REVISIONS

- A omit conservatory; modify basement layout of turret. 27.1.01.



DAVID MAYCOX & Co.
Building Surveyors • Designers
121 Cat Hill, East Barnet, Herts. EN4 8HR
Tel: 0181-441 9900 Fax: 0181-441 9980

PROJECT

28, KENSINGTON PARK ROAD,
LONDON W.11. PP010337

DRAWING TITLE

PART BASEMENT, GROUND &
FIRST FLOORS PROPOSED

SCALE - 1 : 50

DATE - 30.09.00.

DWG. No. 0006.02.A

REV.

NOTES
DO NOT SCALE
REPORT ANY ERRORS OR OMISSIONS TO ARCHITECTS
DIMENSIONS TO BE CHECKED ON SITE BEFORE FABRICATION

A.B.K. & C.
TOWN PLANNING
07 FEB 2001
RECEIVED

REVISIONS
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PROJECT
28, KENSINGTON PARK ROAD,
LONDON W.11. PP010337

DRAWING TITLE
REAR ELEVATION.

SCALE - 1 : 50 DATE - 16.07.00.

DWG. No. 0006. 03 A REV.



EXISTING



PROPOSED

white-painted timber double-hung sash.

Rear addition in 2nd hand stock brickwork.

white-painted timber casement window.

timber panelled door, part glazed

External steel stair, black gloss finish.

Framed, ledged & braced door to garden store.

New external door, 1/2-glazed, black gloss finish.

