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Conclusions:

- 4.11 I do not believe that development in an adjoining Borough should be the subject of a land use policy in this UDP. If it were to be mentioned in the explanatory text it would have to be in the context of development within the Borough. I have no information before me on this. However, the Council has added a new policy CD1X which makes it clear that the Council will raise objection to development in adjoining Boroughs which adversely affect views from the Chelsea Riverside.
- 4.12 Although this might have merit I have no evidence before me about shared use and do not believe that paragraph 4.2.11 should be altered unless the Council is satisfied that shared use is likely.
- 4.13 Policy CD4 is not up for review but as the objectors point out the text should reflect the latest advice, which is in RPG3b/9b. Paragraphs 4.2.3, 4.2.6 and 4.2.10 have been revised accordingly to give more detailed guidance. I see no need to repeat the more detailed provisions of RPG3b/9b now that it has been mentioned in the text. I assume that Supplementary Planning Guidance will provide the necessary detail. Paragraph 4.2.6 has also been expanded to give necessary advice about the directions affecting Cremorne Wharf.
- 4.14 I understand that the Council is to include in a revised paragraph 4.2.3, and perhaps include revised policies when it is clear what the Mayor of London's Spatial Development Plans are and how they relate to the Borough.
- 4.15 As the list of criteria in paragraph 4.2.2 is short it can be clearly described within a sentence. I do not consider it needs to be in the form of a list.
- 4.16 Policy CD1a and paragraph 4.2.6 have been expanded to reflect advice in RPG 3b/9b.
- 4.17 Although Policy CD20 is not up for review it does contain a grammatical error and the suggested change should be made.
- 4.18 In my experience Green Chains have been based on rights of way, which would not apply to the back gardens of terraced properties. The Council considers the objection relates to a suggestion for Green Corridors for wildlife, but I believe it is more than this. However, Policy CD41 protects garden space of amenity value and I believe this is adequate for the purpose.
- 4.19 As paragraph 4.2.26 refers to Public Open Space I see no reason to delete "under the control of the Council" However as suggested by the Council "and the Royal Parks Agency" should be added.
- 4.20 I found from my visits that a number of these small areas of open space are vulnerable, not just those in conservation areas. They are of particular amenity value and the Council has properly identified those forms of development that might

intrude. I do not find the paragraph 4.2.27a to be too restrictive or general. Policy CD20 clearly states the Council's concern

- 4.21 The Council has already added "swimming pools" to paragraph 4.2.27a. This makes the list more comprehensive as some swimming pools have a considerable impact on small areas of open space.
- 4.22 There is a difference of view of objectors about the policy and explanatory text dealing with Garden Squares. I find that paragraph 4.2.28 with its revisions together with Policies TR46 and LR7 elsewhere in the plan are comprehensive and with these other policies Policy CD22 is specific enough to protect garden squares. The Council is able to deal with any exceptions as they arise as the Policy does include the qualification *in order to protect their special character*.
- 4.23 The Council has incorporated the wording change suggested for criterion f) of paragraph CD7. This clarifies the Council's intention. However, the word "to" needs to be added after "direct access." I believe the revised wording of criterion f) strengthens rather than weakens the policy.
- 4.24 Although the Council's policies are intent on protecting the special character of urban areas, objectors have suggested that further areas should be included. This is a matter for the Council to consider but it seems to me that a number of those suggested are already protected by Metropolitan Open Land status because they are primarily open areas.
- 4.25 I consider local views are important in parts of the Borough. However, I do not consider a general policy attempting to protect them would be particularly helpful. Paragraph 4.3.25 makes a general statement and I believe that as proposed by the Council these vistas should be identified and followed up with Supplementary Guidance.
- 4.26 Helicopter flying is not controlled under planning legislation.
- 4.27 With regard to the interpretation under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it seems to me that although the Council is concerned about including "preserve **and** enhance", in Policies CD7 and CD84 the Council is effectively doing both in parts of the Borough. I do not share the view of the Council that because of past legal challenges relating to preserving **or** enhancing through the development control function, that this should dictate an overall approach. Many of the works which have not only preserved but also enhanced parts of the Borough could not have been achieved through the development control function alone and some may not even be achieved under planning legislation. I, therefore, see no reason to preclude "preserve **and** enhance" from these policies and the explanatory text at 4.1.3 (A)(C) and (D), and the heading at 4.2. These objections are also relevant to policies and strategies which are not up for alteration and the objections to them not duly made.
- 4.28 I understand the Council will be considering the Portobello area and other areas of

character by Supplementary Planning Guidance, which will be subject to the normal consultation process. There is nothing before me to consider at present.

- 4.29 Although I do not consider it appropriate to include the Historic Parks and Gardens on the Proposals Map, as this is not a land use map, their extent will now be included on an A4 map to enable developers and others to identify their boundaries and relate them to specific policies in the plan.

4.30 RECOMMENDATIONS:

- a) Add “to” after “direct access” to criteria f) of Policy CD7
- b) Consider whether revised text is required on the basis of the Mayor of London’s Spatial Development Plan.
- c) Correct grammatical error in Policy CD20.
- d) Substitute “and” for “or” in paragraph 4.1.3 (A), (C) and (D); in the heading of 4.2; in Policy CD7 and Policy CD84. The wording should, therefore, read “preserve and enhance” and “protect and enhance”
- e) Otherwise modify in accordance with Proposed Revisions.

Control of Development

Objections:

<i>RJ0422, RJ0424</i>	<i>CO Roberts</i>
<i>CB0272, CB0273, CB0274</i>	<i>George Law, Campden Hill Resident's Association</i>
<i>MB0086, MB0087, MB0090</i>	<i>Mr Henry Manisty</i>
<i>SK1988, SK1989, SK1990</i>	<i>Bernard Selwyn</i>
<i>KH1325 BS0972 CO1672 CP2108</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1326 BS0973 CO1673 CP2109</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1328 BS0975 CO1675 CP2111</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1330 BS0978 CO1678 CP2113</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1331 BS0979 CO1679 CP2114</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1333 BS0981 CO1681 CP2116</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1353 BS1002 CO1702 CP2136</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1354 BS1003 CO1703 CP2137</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>CH0318</i>	<i>Community Safety Team</i>
<i>FB0372, FB0373</i>	<i>FL Estates</i>
<i>GD0368, GD0369</i>	<i>Goldcrest Homes London Limited</i>
<i>LA0054</i>	<i>London Electricity</i>
<i>RI0191, RI0193</i>	<i>Ropemaker Properties Ltd</i>
<i>CM0675</i>	<i>Cadogan Estates Limited</i>
<i>NE0905</i>	<i>Mr R.Price, Northern Planning Forum</i>
<i>CG0320</i>	<i>Mr T. Childs</i>
<i>KE0283</i>	<i>Kensington Police Station</i>
<i>OE0822</i>	<i>T.E.Nodder, Oakley Street Residents' Association</i>
<i>EH3004</i>	<i>Professor A.J.Seeds Elm Park & Chelsea Park Residents' Association</i>

Issue(s)

- Strengthen Policy CD25 by changing "To seek" to "To ensure"
- Policy CD25a is too restrictive
- Need for additional description in part (d) of Policy CD25a to mention "landscape and trees"
- Policy CD25a should be applied to Conservation areas only. Policy goes beyond PPG1
- Policy CD25a should be clearer and jargon-free. Need for an urban design framework

- Policy CD27a should include specific mention of car parking
- Policy CD27a is too restrictive. Should be an 'encouraging' policy
- Criterion c) of Policy CD27a is not a planning matter
- Need to include views and vistas of Borough importance
- Add "trees and other vegetation" to paragraph 4.3.2a
- Change paragraph 4.3.2b into a list of bullet points
- Conflict between energy conservation and other policies in the plan
- Need for additional policy to require energy efficient measures, particularly solar panels as part of new developments
- Paragraph 4.3.23a should take account of existing sense of enclosure
- Replace "on site" with "on-site" in last sentence of 4.3.23a
- Policy CD30a is unnecessary. Policy goes beyond PPG1
- Policy CD30a is too vague
- Paragraphs 4.3.24 and 4.3.25 should be more specific on building height and acceptable locations
- There should be a map of areas sensitive to high buildings
- Need to refer to publication 'Secured by Design' in paragraph 4.3.32
- Need to strengthen Policy CD33 by mentioning guidance and advice
- Last sentence of paragraph 4.3.33 is contentious and unnecessary
- Need to refer to level of activity and protection of residents in Policy CD34
- Delete "material" in Policy CD34

Representations in Support:

FE0801

*Kensington & Chelsea With Westminster
Friends of the Earth*

LM0626

N.Sebag-Montefiore Ladbroke Association

*OC0406, OC0407, OC0408, OC0409 Hugh Brady, Onslow Neighbourhood
Association*

Conclusions:

- 4.31 Although the Council considers that "to seek" recognises that this Policy CD25 can be more rigorously applied in some areas than in others in my view the purpose of the policy is to ensure a high standard of design regardless of location. I believe the word ensure should be used.
- 4.32 Following considerations of views from objectors, it seems to me that the Council has now simplified the wording of both Policy CD25a and the explanatory text to make it more intelligible, and that both the text and the policy deal comprehensively with urban design. In this Borough with its wide conservation area restraints, I would expect conservation area proposal statements, Supplementary Planning Guidance or planning briefs to deal with more local matters of urban design. I do not share the view of the objector that such a policy should only apply to conservation areas as this would not accord with advice in Annex 1 paragraphs 13 and 14, PPG1 or RPG3. I believe the criteria of the policy provide positive guidance on urban design

- 4.33 . I consider by adding "trees and other vegetation" to paragraph 4.3.2a the objection would be satisfactorily dealt with, as criterion d) of the Policy 25a is not exhaustive.
- 4.34 Policy CD27a deals with all forms of subterranean development. I see no reason to specifically mention car parking.
- 4.35 Apart from the statement in paragraph 4.3.4a I have no evidence before me about the problems created by building below ground. If the Council feels it needs to take a restrictive stance on the basis of its experience I see no objection to a negatively worded policy.
- 4.36 Although I accept structural stability is of concern where it might result in the demolition of a listed building or an unlisted building in a conservation area, on balance I do not consider it to be a policy matter. I see no reason, however, why the Council's concerns should not be mentioned in paragraph 4.3.4a.
- 4.37 I have dealt with views and vistas at paragraph 4.25 above.
- 4.38 "Trees and other vegetation" have been added to paragraph 4.3.2a which would include soft landscape. As I have said above the list is not intended to be an inclusive.
- 4.39 I agree that it would be clearer if paragraph 4.3.2b were re-arranged into a series of bullet points.
- 4.40 I do not believe any statement in paragraph 4.3.2c is likely to be in any significant conflict with other policies in the plan, although on particular buildings and in particular locations, energy conservation and other material urban design matters may have to be carefully balanced.
- 4.41 Energy efficient measures such as solar panels are not a matter for a plan. If such factors of energy efficient design became enforceable I would expect them to be dealt with under the Building Regulations rather than planning legislation.
- 4.42 "On-site" has replaced "on site" in paragraph 4.3.23a. This was what was intended.
- 4.43 The objectors consider that Policy CD30a is superfluous in that not only is it unworkable because it does not give any idea how such "sense of enclosure" would be measured, it is unnecessary because other policies of the plan already adequately deal with "sense of enclosure"
- 4.44 I accept that the Council considers the proposed policy would cover a land use planning issue of local importance and that it is most unsatisfactory that an important and commonly considered planning issue should remain only obliquely addressed by other development plan policies. I have no evidence before to indicates how "sense of enclosure" was defined in past cases or on appeal but I have no doubt that it would have been an important consideration.

- 4.45 However, it seems to me that in considering "sense of enclosure" a number of related factors have to be taken into account. These include; the impact of a development on the character of its surroundings e.g: would it be unduly obtrusive by reason of its scale, height or bulk; would it infringe daylighting or sunlighting standards; would it result in the unacceptable loss of an open amenity; in effect would be it be unneighbourly. Although I consider "sense of enclosure" to be an important issue, and do not share the concern of the objectors that it would be difficult to justify, I believe that to create a separate policy on a matter which is so interlinked with other issues, would result in an over detailed plan.
- 4.46 Nevertheless, I do agree that sense of enclosure should be given greater weight in the explanatory text of plan. In my view both Policy CD25 and Policy CD25a deal with the "sense of enclosure" issue. "Sense of enclosure" is an integral part of "urban design" whether it affects the public or private domain. I recommend that Policy CD30a be deleted and that new paragraph 4.3.23a be edited and transferred under the Urban Design heading under paragraph 4.3.2a. I have suggested below a form of wording so that the paragraph concentrates on sense of enclosure, and not other related matters.
- 4.47 Policy CD31 is not proposed for change and the objection to it, therefore, is not duly made, although the explanatory text at 4.3.24 and 4.3.25 have both been proposed for alteration. From my visits throughout the area I consider the whole of the Borough is sensitive to high buildings, but would be concerned about a specific height restriction being included for this Borough although it may be appropriate in other parts of London. I believe it would end up as a target to aim for and give a misleading impression that buildings up to the height specified would be likely to be acceptable. However, all I can suggest at this stage is that the Council takes into account the Mayor of London's notification criteria on high buildings and decide whether amendment is required.
- 4.48 The document SECURE BY DESIGN has now been mentioned in paragraph 4.3.32.
- 4.49 Policy CD33 and supporting text are not up for alteration and I have no evidence before me.
- 4.50 I can only presume that the statement in paragraph 4.3.33 reflects the matters which are drawn to the Council's attention as causing some detriment to amenity. I found that objectors did accept that living in the Borough imposed its own environmental noise problems but they expected these to be controlled or mitigated where possible under planning or environmental legislation.
- 4.51 In my view revised paragraph 4.3.34 reflects the wider concerns of the objectors. However, I do not consider Policy CD34 as revised fully deals with objector's point. It would be helpful to include the words after "generated".. **by the use or activity** would.... I believe the word "material" is acceptable because a minor disturbance would not justify a refusal of planning permission.

4.52 RECOMMENDATIONS:

- a) Substitute "ensure" for "seek" in Policy CD25.**
- b) That Policy CD30a be deleted**
- c) That paragraph 4.3.23a be edited as follows and transferred under the Urban Design heading.**

"A certain degree of "sense of enclosure" will often be experienced by occupants of property. This can relate to both the public and the private domain. There may become a point where a proposal for development would result in an increase in enclosure so that it becomes an unacceptable burden on the occupiers of adjacent property. This could occur where the amount of adjoining habitable accommodation within a dwelling unit is limited, or is situated within the lower floors of buildings with openings on to light wells. Mathematical calculation to assess daylighting and sunlighting may be an inappropriate measure in these situations; on site judgement will be the best starting point for assessment."

- d) Include reference to the concern about listed buildings and unlisted buildings in conservation areas in paragraph 4.3.4a**
- e) Arrange paragraph 4.3.2b into a series of bullet points.**
- f) Add after "generated" in Policy CD34 the words "by the use or activity"**
- g) Delete criterion c from Policy CD27a**
- h) Otherwise modify otherwise in accordance with Proposed Revisions.**

Alterations and Extensions to Buildings

Objections:

<i>NE0906</i>	<i>Mr R.Price, Northern Planning Forum</i>
<i>KH1306 BS0953 CO1653 CP2090</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1307 BS0954 CO1654 CP2091</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1308 BS0955 CO1655 CP2092</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1309 BS0956 CO1656 CP2093</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1310 BS0957 CO1657 CP2094</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1361 BS1010 CO1710 CP2144</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1363 BS1012 CO1712 CP2146</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1364 BS1013 CO1713 CP2147</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1365 BS1014 CO1714 CP2148</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1367 BS1016 CO1716 CP2150</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>FB0374, FB0375, FB0376</i>	<i>FL Estates</i>
<i>GD0366, GD0367</i>	<i>Goldcrest Homes London Limited</i>
<i>RL0534, RL0544, RL0546</i>	<i>Royal Brompton & Harefield NHS Trust</i>
<i>EC0288, EC0289</i>	<i>Mark Balaam. Eardley Crescent Residents' Association</i>
<i>ED0294, ED0295</i>	<i>Jennifer Ware, Earl's Court Neighbourhood Association</i>
<i>EH0653, EH1984</i>	<i>Professor A.J.Seeds Elm Park & Chelsea Park Residents' Association</i>
<i>BE0239, BE3124</i>	<i>BT plc</i>
<i>RJ0427</i>	<i>CO Roberts</i>
<i>VB0350</i>	<i>Vodafone Ltd</i>
<i>PA0005</i>	<i>Vicky Butler, The Pembridge Association</i>
<i>RI0198</i>	<i>Ropemaker Properties Ltd</i>

Issue(s)

- Criterion (a) of Policy CD41 is too restrictive
- Need to mention harm to trees in criterion b) of Policy CD41
- Criterion (j) of Policy CD41 is too restrictive and should be deleted
- Add 'historic gap' to criterion k) of Policy CD41
- Use of 'normally' in Policy CD41
- Need for additional criterion for Policy CD41 to protect mature trees
- Delete "normally" from Policies CD42, CD43, CD44a and CD44b

- Use of the word "whose" in paragraph 4.4.13a
- Paragraph 4.4.13b needs to cross-reference to paragraph 4.3.33 and planning obligations
- Policy CD44a is too restrictive and should be deleted
- Policy CD44b should be strengthened by the deletion of "material" from criteria b) and c)
- Policy CD44b is too restrictive in relation to hospital requirements
- Need for more precise cross-reference in paragraph 4.4.18
- CD45 should be strengthened
- Policy CD45 is too restrictive. Policy goes beyond PPG8
- Not sufficient distinction between domestic and non-domestic antennae in Policy CD45
- More detail required in Policy CD45
- Add criterion to Policy CD45 to encourage the use of communal satellite dishes/antennas on blocks of flats
- Use of "material" in criterion c) of Policy CD45
- Policy CD47a is too restrictive and should be deleted

Representations in Support:

<i>CB0040</i>	<i>George Law Campden Hill Resident's Association</i>
<i>OE1969, OE1970</i>	<i>T.E.Nodder, Oakley Street RA</i>
<i>OC0410</i>	<i>Hugh Brady, Onslow Neighbourhood Association</i>
<i>SA0023</i>	<i>Mr H.Schumi</i>

Conclusions:

- 4.53 I consider that with the important grouping of buildings within the Borough it is likely to be very rare when a front extension is acceptable. I, therefore, have no objection to criterion j). However, criterion a) of Policy CD41 refers to the *general rear building line of any neighbouring extensions*. I am not sure what this is intended to mean. In certain circumstances it could relate to the building line created by previous extensions, which if built as "permitted development" might not bear a satisfactory relationship with the buildings they forms part, or to neighbouring buildings. Unless this can be clarified I believe this criterion could be deleted as other criteria in Policy CD41 impose significant restriction on rear extensions.
- 4.54 Policy CD72 should adequately deal separately with trees. Damage to trees is now mentioned in the policy and explanatory text paragraph 4.7.1 has been extended to reflect the duty of the Council under Section 197 of the Act in respect of trees.
- 4.55 The words or "historic gap" have been included in criterion k) of Policy CD41.

- 4.56 I have dealt with **normally** in the introduction chapter. I consider the word should be deleted.
- 4.57 I believe that trees are already well protected by Policy CD72.
- 4.58 I consider that paragraph 4.4.13a could be better worded by making two sentences out of the one. End the first sentence after "amenity". Start the next sentence **The significance of these lies....**Add **and** after "scene," for continuity
- 4.59 The Council has agreed that reference should be made to planning obligations in paragraph 4.4.13b.
- 4.60 I believe that the cumulative effect is too often ignored until it is too late. Policy CD44a draws attention to that concern. The policy should remain. The change to "or" from "and" would be preferable as suggested by the objectors.
- 4.61 If there were no *material* disturbance or nuisance it would be unlikely that a refusal of planning permission would be justified. I consider the word should remain in the criteria to Policy CD44b.
- 4.62 The objectors consider Policy CD44b is too restrictive since there will be many cases where extensions beyond an existing extension will be acceptable. In my experience there is far greater demand than before for external plant and equipment, not just on the larger commercial buildings, but also on smaller premises, both commercial and residential. I believe criteria (a)(b) and(c) of this policy are a logical and reasonable assessment of those instances where the Council would normally wish to refuse planning permission. They are also material considerations which the Council would need to take into account in determining a planning application. It seems to me that there might be a few occasions where because of the specific needs of a particular use, such as a hospital, one or more of the criteria would need to be set aside for other reasons, but that does not make the criteria any less necessary.
- 4.63 However, in both criterion a) and paragraph 4.4.13b fifth sentence, it does seem to me that where plant or equipment is to be added to a building that, however sympathetically located, they are alien features, and will generally cause some visual harm, however, minor. In this case It would be helpful to add the word **unacceptable** before "harm" in both the policy and the explanatory text to allow a degree of flexibility. Reference has also now been made to the area of planning obligations.
- 4.64 Paragraph 4.4.18 has been revised as suggested. This is helpful to those reading the plan.
- 4.65 Objectors both consider Policy CD45 to be too strict or not restrictive enough. One objector considers that it might not be possible for an efficient and effective hospital/medical service to comply with the criteria set out in the policy. This might exceptionally be the case. However, no policy can cover every eventuality, and because of rapidly changing technology I note that it is the intention of the Council to prepare planning guidelines on the siting and location of satellite dishes and the

apparatus connected with cable television, which will be the subject of future consultation. I consider the Council has followed national guidance in PPG8 – Telecommunications - in formulating its policy to protect the best and most sensitive environments and has revised the wording of the explanatory text accordingly. As about 70% of the Borough is covered by conservation area status there is a need for a restrictive policy. In my view the criteria are appropriate for both domestic and commercial apparatus.

- 4.66 I accept that there may be a few occasions when the special needs of a hospital would require the relaxation of the normal restrictive policy. These should be dealt with as “one off” matters when the Council would take into account other material considerations.
- 4.67 Other objectors questioned the original wording, but it seems to me that the Council’s latest revisions, which include reference to PPG8; the encouragement of communal satellite dishes on blocks of flats; and the addition of “and above rooflines” in criterion b) provide reasonable control over telecommunications apparatus.
- 4.68 As I have said above I consider the word “material” to be necessary as if there were no material harm it is unlikely planning permission would be refused.
- 4.69 From my visit I believe these artists studios have a particular character which needs to be preserved. The use is considered by the Council to be “sui generis” and a definition has been added to the Glossary to make this clear. B1 uses, as such, are not affected by this policy.
- 4.70 **RECOMMENDATIONS:**
 - a) **Reconsider criterion a) in Policy CD41.**
 - b) **Convert par 4.4.13a into two sentences. . End the first sentence after “amenity” Start next sentence The significance of these lies.....Add and after “scene,” for continuity.**
 - c) **Substitute the word “or” for “and” in Policy CD44a**
 - d) **Add the word “unacceptable” after “harm” to criterion a)**
 - e) **Add the word “unacceptable” after “harm” in the fifth sentence of paragraph 4.4.13b.**
 - f) **Otherwise modify in accordance with Proposed Revisions.**

Conservation Areas and Listed Buildings

Objections:

<i>KH1312 BS0959 CO1659 CP2096</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1368 BS1017 CO1717 CP2151</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1370 BS1019 CO1719 CP2153</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>RJ0430, RJ0431, RJ0432</i>	<i>CO Roberts</i>
<i>FB0377</i>	<i>FL Estates</i>
<i>GD0365</i>	<i>Goldcrest Homes London Limited</i>
<i>RL0535, RL0536</i>	<i>Royal Brompton & Harefield NHS Trust</i>
<i>AB0103, AB0104</i>	<i>Miss E.Arbutnot</i>
<i>LF0162</i>	<i>London Transport Planning</i>

Issue(s)

- Section does not adequately reflect PPG15
- Revert to "over" in first sentence of paragraph 4.5.1
- Include reference to a recent planning decision not being taken as a precedent
- Delete last sentence of paragraph 4.5.7
- Sixth sentence of paragraph 4.5.9 does not comply with PPG12
- Need for additional policy to relax other policies if a proposal preserves and/or restores the special character of the listed building
- Policy CD51 needs to be strengthened to ensure that buildings are not demolished
- Oppose weakening of conservation area legislation and to lobby DETR to increase control in conservation areas
- Delete "normally" from Policy CD58
- Policy CD58 should be strengthened by indicating support for restoration of missing features of listed buildings
- Policy CD58 and supporting paragraphs should mention listed underground stations and priority to maintain safe operation of these stations

Conclusions:

- 4.71 The Council will no doubt note this first objection having regard to Appendix E of PPG15 and the House of Lords Judgement. However, Policy CD57 was not proposed for alteration and is not before me.
- 4.72 I see no reason why "about" should not be used in paragraph 4.5.1 to describe the extent of the conservation area cover in the Borough.
- 4.73 The UDP is a policy document. It would not be appropriate to mention a particular planning application in the text.
- 4.74 Although some authorities attempt to maintain the façade of a building it is evident

from paragraph 4.5.7 as a whole that the Council does not support this approach, as the plan form and integrity of the building would be lost. I do not consider the sentence should be deleted.

- 4.75 This sentence refers to protection or enhancement by "rigorously applying the policies in this chapter". Although this wording is in the existing plan I do not consider it to be appropriate. Policies CD52, CD53, CD54, CD55 and CD56 provide a strong basis for protecting and enhancing a conservation area in themselves. Policies of the plan need to be balanced one against the other and no doubt the Council would apply all policies by observance of the same fair standards. I consider the words should be deleted from paragraph 4.5.9
- 4.76 The objector considers that a new policy is required to deal with those situations where there is a conflict between planning policies and a proposed change of use of a listed building. I believe that if the plan is read as a whole there are policies which provide for this flexibility. The text in the Housing Chapter explains this and paragraph 4.5.22 recognises that listed buildings which were designed for a particular use and no longer required for that purpose will be dealt with on the basis of other policies in the plan. This reflects advice in PPG15 to identify the optimum use that is compatible with the fabric, interior, and setting of the historic building. Also Policy CD60 does not resist change when the character would be preserved or restored. I do not believe an additional policy is required, as the balance between policies will already be a factor of any decisions.
- 4.77 I consider that Policy CD51 as written is sound. The Council is unable to cover every eventuality and I accept that on occasions owners do neglect listed buildings in the hope that demolition can take place. However, the Council has Compulsory Purchase powers which it is able to use if a building is in poor repair
- 4.78 Lobbying the DETR to increase control in conservation areas is not a matter for the UDP.
- 4.79 I have dealt with the argument about the word **normally** in the Introduction chapter. I have recommended it be deleted.
- 4.80 The Council has already agreed to amend Policy CD58 to mention the reinstatement of original features. I consider this to be helpful addition which may help in encouraging the replacement of missing features.
- 4.81 Policy CD58 is a general policy and does to identify individual buildings and their problems. It would not be appropriate for a UDP policy to do so.

4.82 RECOMMENDATIONS:

Delete the penultimate sentence from paragraph 4.5.9

Shopfronts and Advertisements

Objections:

AB0105

Miss E.Arbuthnot

Issue(s)

- 'Normally' in Policy CD64 provides to much flexibility

Conclusions:

4.83 I have dealt with the arguments about the word **normally** in the introduction Chapter. And earlier in this chapter. I consider it should be deleted.

4.84 **RECOMMENDATION:**

That the word “normally” be deleted.

Trees

Objections:

<i>KH1336 BS0984 CO1684 CP2119</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>SK0615</i>	<i>Bernard Selwyn</i>
<i>MB0085</i>	<i>Mr Henry Manisty</i>
<i>CB0275</i>	<i>George Law, Campden Hill Resident's Association</i>
<i>LM0628</i>	<i>N. Sebag-Montefiore Ladbroke Association</i>
<i>RJ0436</i>	<i>CO Roberts</i>

Issue(s)

- Review section in the light of Section 197 of the 1990 Act
- Add paragraph to give more detailed guidance on tree planting
- Add to last sentence of paragraph 4.7.6: "and where possible to improve it"
- Strengthen paragraph 4.7.7 by deleting "to seek"
- More grass verges on highway

Conclusions:

- 4.85 It seems to me that the section adequately encourages planting and the protection of existing trees. Section 197 has now been mentioned in the explanatory text.
- 4.86 I do not believe a UDP needs to provide detailed guidance on tree planting. This could be either done through Supplementary Guidance or an Information pamphlet based on recommended British Standards
- 4.87 The additional words have been added. This emphasises the need for improvement.
- 4.88 Paragraph 4.7.7 has been weakened by adding "seek to". As this paragraph refers to public land the Council can ensure that the stock of trees is increased, even if it is not possible to do so on all land. Delete **seek to**.
- 4.89 From my visits I do not consider that grass verges are a characteristic of much of the Borough. Also in intensely developed urban areas grass verges are difficult to maintain to a high standard and tend to look unkempt.
- 4.90 **RECOMMENDATION:**

Delete "seek to" from paragraph 4.7.7

The Natural Environment

Objections

KH1378 BS1027 CO1727 CP2160 Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)
DB0402 Dr William Dorrell

Issue(s)

- Divide Policy CD82 into parts
- Should read "settings" in Policy CD84

Conclusions:

4.91 This policy has been converted into a list of criteria and this improves clarity.

4.92 A typographical error. Should read as "settings". Amended by Council.

4.93 **RECOMMENDATION:**

Make no further modifications in response to these objections.

Planning Powers & Local Authority Activity

Objections:

<i>BO0398</i>	<i>Councillor Christopher Buckmaster</i>
<i>MB0083</i>	<i>Mr Henry Manisty</i>
<i>FE0803</i>	<i>Kensington & Chelsea With Westminster</i>
	<i>Friends of the Earth</i>
<i>KH1314 BS0961 CO1661 CP2098</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1382 BS1031 CO1731 CP2164</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1383 BS1032 CO1732 CP2165</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>CB0269</i>	<i>George Law Campden Hill Resident's Association</i>
<i>RI0201, RI0203</i>	<i>Ropemaker Properties Ltd</i>

Issue(s)

- Clear indication as to when planning briefs are required
- Policy CD87a should reflect sustainable development
- Paragraph 4.10.5c should commit the Council to place all planning obligations on the statutory planning register
- Change "request" to "require" in second sentence of paragraph 4.10.8 and cross-reference to Environment Chapter
- Need for specific policies rather than text in relation to planning obligations
- Paragraph 4.10.3 should refer to the involvement of landowners in the preparation of briefs and guidelines
- Policy CD87a should refer to Circular 1/97

Representations in Support:

RI0202, RI0213, RI0214, RI0215 Ropemaker Properties Ltd

Conclusions:

- 4.94 Briefs are usually prepared for major sites but may only be necessary where there is a complex mixed form of development. Whether a brief is necessary depends on a wide range of factors some of which are not land use matters and I consider their need should be assessed individually.
- 4.95 Sustainable development is recognised in revised paragraphs 14.3.1a and b of Chapter 14 which deals with Planning Obligations. I see no reason to repeat it in this Chapter.
- 4.96 Completed agreements are automatically entered in the Statutory Register. There is no need to mention this administrative procedure in the plan

- 4.97 Paragraph 4.10.8 has been strengthened by substituting “require” for “request”
- 4.98 The tests for planning obligations and a policy taking into account Circular 1/97 are contained in Policy M11 and revised paragraphs 14.3.1a, b, c and d of the Monitoring and Implementation Chapter 14. There is no need to repeat them in Chapter 4.
- 4.99 The procedure which the Council follows on the production and adoption of planning briefs is a detailed matter not for inclusion in the plan. I do not believe it should be included in paragraph 4.10.3. It is already mentioned briefly in paragraph 14.3.5 of Chapter 14.
- 4.100 I do not consider that Policy CD87a should specifically refer to Circular 1/97. The plan is read as a whole and the Monitoring and Implementation Chapter already mentions appropriate national guidance.

4.101 RECOMMENDATIONS:

Make no further modifications in response to these objections.

CHAPTER 13 – PLANNING STANDARDS

Transportation Standards

Objections:

<i>KH1581 BS1239 CO1843 CP2362</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1582 BS1240 CO1944 CP2363</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1583 BS1241 CO1945 CP2364</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1584 BS1242 CO1946 CP2365</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1585 BS1243 CO1947 CP2366</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1586 BS1244 CO1948 CP2367</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1587 BS1245 CO1950 CP2368</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>KH1588 BS1246 CO1951 CP2369</i>	<i>Central Planning Forum (Mr M Bach, The Chelsea Society, The Kensington Society)</i>
<i>LF0189</i>	<i>London Transport Planning</i>
<i>GF0849</i>	<i>Government Office for London</i>
<i>LK0767, LK0768</i>	<i>London Planning Advisory Committee</i>

Issue(s)

- The section needs to emphasise that all car parking standards, except disabled provision, should be expressed as maximum standards
- Section needs to reflect PPG3 and PPG13
- Rewrite first sentence of paragraph 13.5.1 to read: "Development proposals should not provide more off-street parking for vehicles and servicing for non-residential uses than the maxima specified in the Council's standards."
- Amend paragraph 13.5.2.3 to read: "The standards are all maximum standards, which means that this is the maximum that will be permitted, although lower rates, including zero provision, will be acceptable in areas of high public transport accessibility."
- Delete the second to fourth sentences of paragraph 13.5.2.4
- Amend second sentence of paragraph 13.5.2.5 to read: "With residential development its is normally desirable to provide some off street parking to supplement the restricted on-street provision."
- Delete "In all cases.." from third sentence of paragraph 13.5.2.5
- Replace "minimum requirements" with "maximum provision" in fourth sentence of paragraph 13.5.2.5
- Delete "An exception is made" from fifth sentence of paragraph 13.5.2.5 and replace "it is acknowledged that" with "no parking spaces needed may need to be provided."

- Replace last sentence of paragraph 13.5.2.5 with "In areas of high public transport accessibility (see public transport accessibility map) the Council will consider proposals for car-free housing, with no on-site car parking and occupiers sign a legal agreement to forego residents parking permits."
- Replace "allows" and add "sets a maximum of" in first sentence of paragraph 13.5.2.7
- Paragraph 13.5.2.8 needs to consider maximum standards
- Paragraph 13.5.2.8 should promote non-car access to new leisure facilities, by adopting a criteria-based approach with maximum standards
- Amend Table 5.1 to set maximum parking standards for residential development
- Include only one standard for C3 (i) and (ii) (ie no separate standard for larger units) as a scheme average
- Should use maximum standards for residential development related to public transport accessibility and proximity to town centres
- Excessive rates of provision for large flats and houses in Table 5.1
- The provision of 'car-free' housing should be strongly encouraged in those parts of the Borough with good access to public transport and local services

Conclusions:

- 13.1 The Council has revised its car parking standards. They are now expressed as maximum standards for residential as well as for A2, B1 (a) and (b) uses. References to "minimum" standards have been deleted from paragraph 13.5.2.5 and the emphasis of the paragraph changed. However, I have commented in more detail on parking provision when dealing with Policy TR46 and the explanatory paragraphs of the Transportation Chapter and have recommended that further changes be made. The new PPG13 has recently been issued and provides national guidance on standards.
- 13.2 It has been suggested that the first sentence of paragraph 13.5.1 be revised to emphasise that development proposals should not provide more off-street parking for vehicles and servicing for non residential uses than the maximum specified in the Council's standards. Although paragraph 13.5.1 already implies this as it refers to the Council's adopted standards, I believe the suggested wording is preferable and more in line with national guidance.
- 13.3 The Council has now deleted paragraph 13.5.2.3 as it is not in accordance with national guidance and is no longer necessary as it refers to both maximum and minimum standards.
- 13.4 It has been suggested that the second to fourth sentences be deleted from paragraph 13.5.2.4. On balance I see no need for this as these sentences merely recognise the problems which could arise from some developments if the maximum standards were not met. However, it would be preferable to qualify the statement by adding "**in particular locations**" after "could" to avoid giving the impression that such problems would occur in the majority of cases.

- 13.5 Paragraph 13.5.2.5 has been revised to incorporate most of the suggestions of the objectors. The paragraph now more closely accords with national guidance. I believe it would be helpful to add to the paragraph, (without deleting the last sentence which has been suggested by the objectors) to the effect that in areas of high public transport accessibility the Council will consider proposals for car free housing, with no on-site parking.
- 13.6 Paragraph 13.5.2.7 has been revised by the Council. This minor change has clarified the setting of a maximum provision.
- 13.7 Objectors consider paragraph 13.5.2.8 should include a reference to maximum standards. As this paragraph deals with uses where standard rates for parking and servicing provision would not be appropriate I am not sure that the mention of maximum standards would help. However, I consider an additional criterion (f) could be added referring to areas of high public transport accessibility.
- 13.8 Table 5.1 has been amended to set maximum parking standards for residential development.
- 13.9 The maximum standards adopted by the Council have been questioned. I have no detailed evidence before me on the reasoning behind the adopted standards other than that they are based on a varying provision as advised in PPG3. It does seem to me, however, that regardless of the maximum adopted standards these can only be used as a base. PPG3 advises that developers should not be required to provide more car parking than they, or potential occupiers, might want, nor to provide off street parking where there is no need, particularly in urban areas where public transport is available, or where there is a demand for car free housing. I believe this national guidance makes it clear what factors should be taken into account when parking provision is assessed.

13.10 RECOMMENDATION:

- a) **Modify the first sentence of paragraph 13.5.2.5 by replacing it with:**
"Development proposals should not provide more off street parking for vehicles and servicing for non-residential uses that the maximum specified in the standards adopted by the Council"
- b) **That the words "in particular locations" be added after "could" in the second sentence of paragraph 13.5.2.4.**
- c) **Add a further sentence to paragraph 13.5.2.5 "In areas of high accessibility the Council will consider proposals for car free housing"**
- d) **Add criterion (f) "the proximity to high capacity public transport" to paragraph 13.5.2.8.**

Royal Borough of
Kensington and Chelsea
Planning Service

DISTRICT
PLAN
OBSERVATIONS

Address:

8, Brunell Rd. W10

Application
Number:

82/354/RW

North
Central
South

Area:

1

Civic Design
Economic Activity
Education
Housing/Population

Leisure/Recreation
Public Services
Social Services

D.P. Officer:

Letter was a addition

This is quite a large addition, but
probably acceptable in view of the
existing neighbouring extension and
the generally large scale of the main
original property. The design
is imaginative, original yet
quite sensitive to the main building.
A welcome replacement of the existing
chaftin, conservatory. No objection
in design or construction found.
in my view.

Date and Signature:

Helena Jones 28/3/82

Top copy to Development Control case file; 2nd copy to Development Plan area file; third retained by Development Plan Officer.

82/0354

Further Details

This detached property comprises basement, ground and two upper floors, situated on the north side of Bassett Road, near Ladbroke Grove. The property contains two basement bed-sitting units, with the remainder as one dwelling. There is a small rear conservatory, which the applicants wish to replace with a two storey extension to provide living and workshop/studio accommodation (the applicant is a sculptor).

Considerations

The extension is quite substantial, having a pitched roof and full-height glazing on the western side. The Design officer considers the scheme imaginative and sensitive to the main building and matching stocks bricks and slates are to be used. The existing conservatory is extremely dilapidated.

No daylighting or overlooking problems arise, nor a significant loss of garden space. Precedents for the size of such an addition exist at Nos. 6 and 20 Bassett Road. One objection has been received, on grounds of loss of garden space and associated visual amenity, but the extension projects only 5.5 metres into a garden 13 metres deep and 13 metres wide (net loss is 13%). An approval is recommended.

E. A. SANDERS,
BOROUGH PLANNING OFFICER

MJF/RW

28 APR 1982

SCHEDULE

APPLICATION DATED: 08/03/82

REFERENCE: PV/TP/82/0354/K/10/65

Martin Hewitt Dip Arch RIBA
14 Thurleigh Road,
London, S.W.12 8UG

OFFICIAL USE ONLY
T/P 82/0354

Date of
Application: 08/03/82

Completed: 10/03/82

Revised: -

Type: Conditional

Personal
/limited: -

DEVELOPMENT

Erection of a two-storey rear extension at 8 BASSETT ROAD, KENSINGTON, W.10 as shown on submitted drawing Nos. TP/82/354, applicant's drawing Nos. 824/1 & 2.

CONDITIONS

1. All new or replacement external work shall be carried out in materials that resemble, as closely as possible, in colour and texture, those of the existing building. (C.9)
2. No plumbing or pipes, other than rainwater pipes, shall be fixed on the external faces of the building. (C.11)
3. The development to which this permission relates must be begun not later than the expiration of five years beginning with the date on which this permission is granted. (C.22)
4. All existing trees on the site shall be retained and shall be protected against damage during the course of construction work. (C.27)
5. No water tank, lift motor room or other roof structure shall be erected which rises above the level of the roof hereby approved. (C.34)

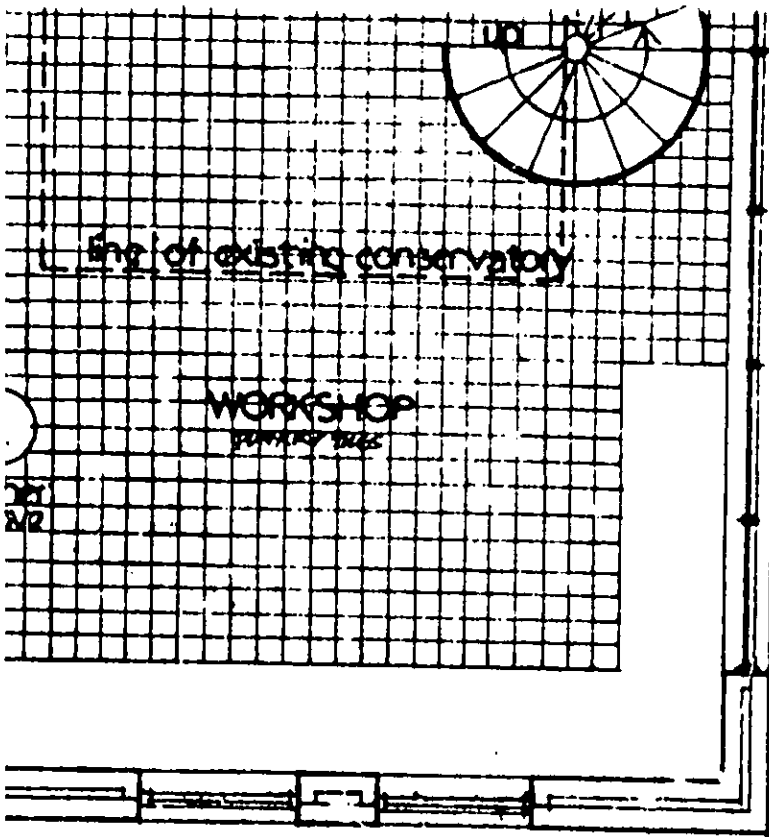
REASONS FOR THE IMPOSITION OF CONDITIONS

1. To ensure that the external appearance of the building is satisfactory. (R.5)
2. It is considered that external plumbing would seriously detract from the appearance of the building and injure visual amenities. (R.6)
3. To prevent an accumulation of permissions which have not been acted upon, and as required by Section 41 of the Town and Country Planning Act, 1971. (R.13)

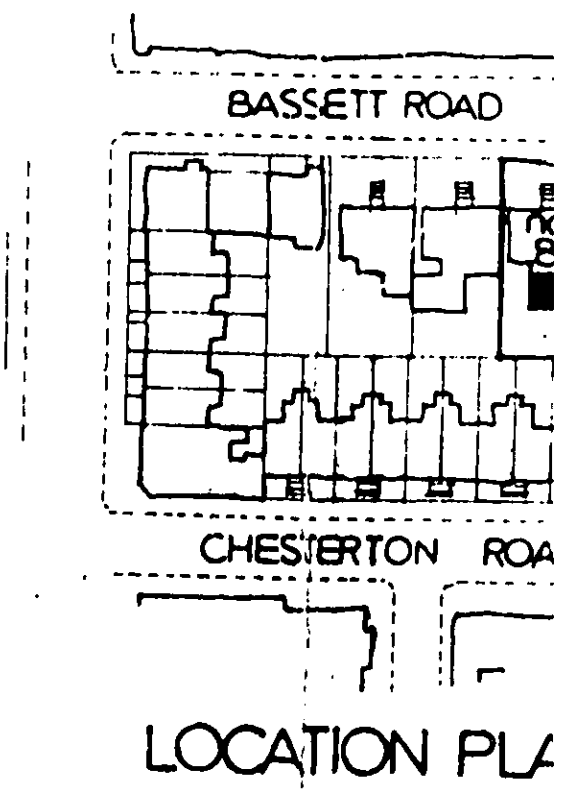
- (5)
4. To ensure the preservation and/or planting of trees as required by the Town and Country Planning Act, 1971-74. (R.18)
 5. To ensure that the external appearance of the building is satisfactory. (R.5)

INFORMATIVES

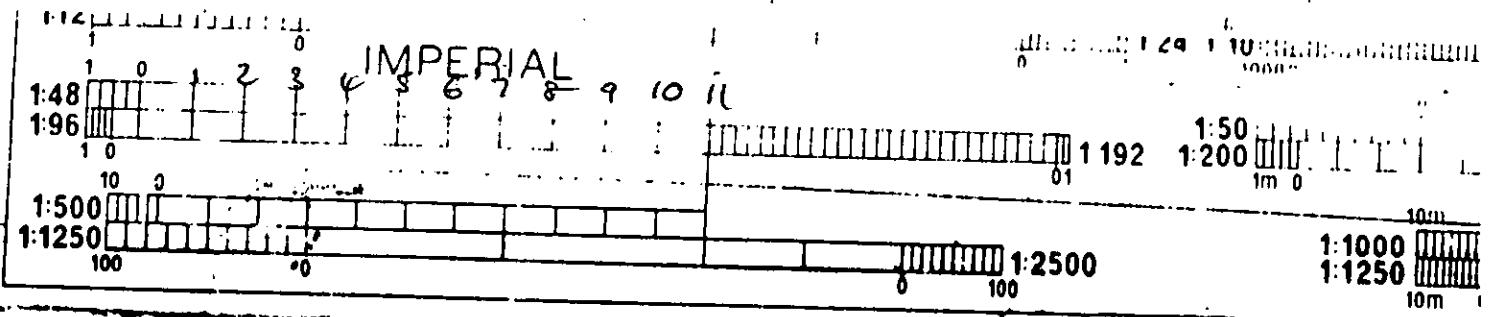
1. Your attention is invited to the provisions of the London Building Acts, 1930-39, and the By-laws in force thereunder, which must be complied with to the satisfaction of the District Surveyor (01-373-7702) (I.12)
2. This permission is given without prejudice to the Council's powers under Section 15 of the London Building Acts (Amendment) Act 1939. (as regards means of escape in case of fire) in which respect the Council's officers should be consulted at an early date. Any proposals for external fire escapes or roof walkways or safety railings will need to be the subject of a further application for planning permission. (I.13)
3. The premises subject of this permission are within a Conservation Area designated under Section 277 of the Town and Country Planning Act, 1971. The Council accordingly request that every care be taken to ensure that new external facing work and detailed elevational treatment be carried out in a manner sympathetic to the external treatment and appearance of the existing building. A schedule of detailed requirements is set out below. You should consult with the Council's Officers before commencing works, if these requirements (where appropriate) cannot be met. This is particularly so as the design and architectural detailing on many buildings is often all important to the character of a Conservation Area. Proposals for alteration, extension and other external changes must therefore be clearly indicated on drawings submitted for planning permission.
 1. The following is a schedule of items to be retained. They must not be removed or altered in any way without the prior agreement of the Council's Town Planning Department, unless their removal or alteration has been approved by the Council, either in writing or by a specific written reference on approved plans.
 - (a) roof and ridge covering
 - (b) chimney stacks and pots
 - (c) parapets
 - (d) cornices
 - (e) windows (including mullions, transoms and glazing bars)
 - (f) window jambs, reveals, soffits, sills, arches or heads
 - (g) external door reveals, architraves
 - (h) railings or balustrading to balconies and boundary walls
 - (i) boundary walls and gate piers
 - (j) decorative features or embellishments
 2. The following items of work should only be carried out after prior consultation with the Council's officers responsible both for the administration of the Town and Country Planning Acts, 1971/74, and the London Buildings Acts, 1930/39.

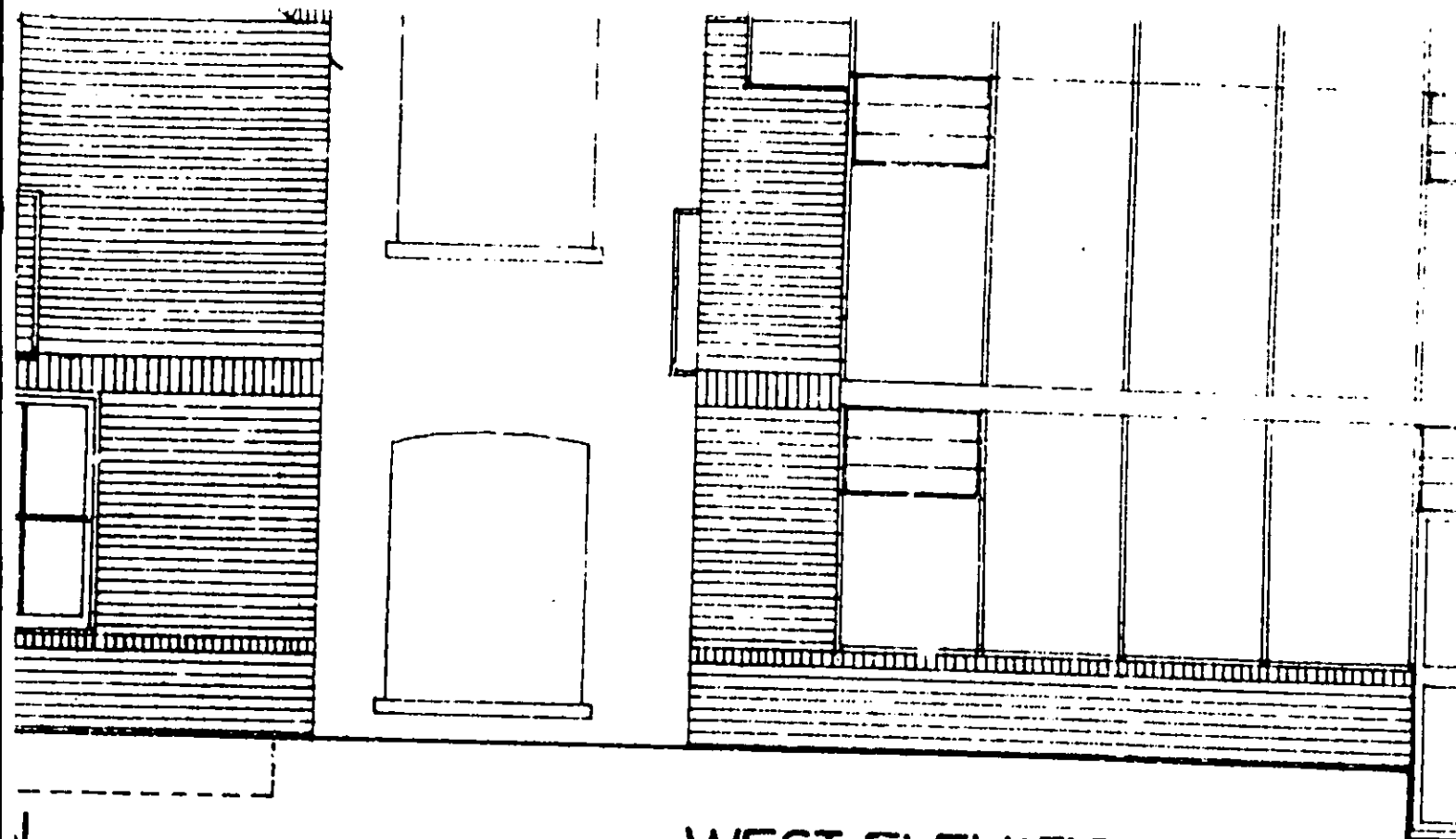


VER GROUND FLOOR

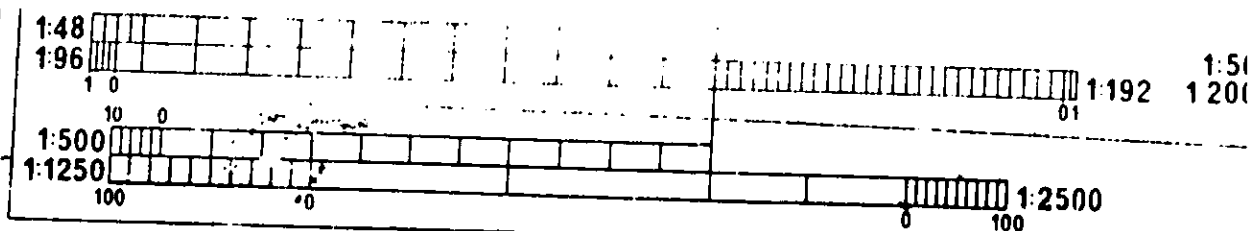


LOCATION PL

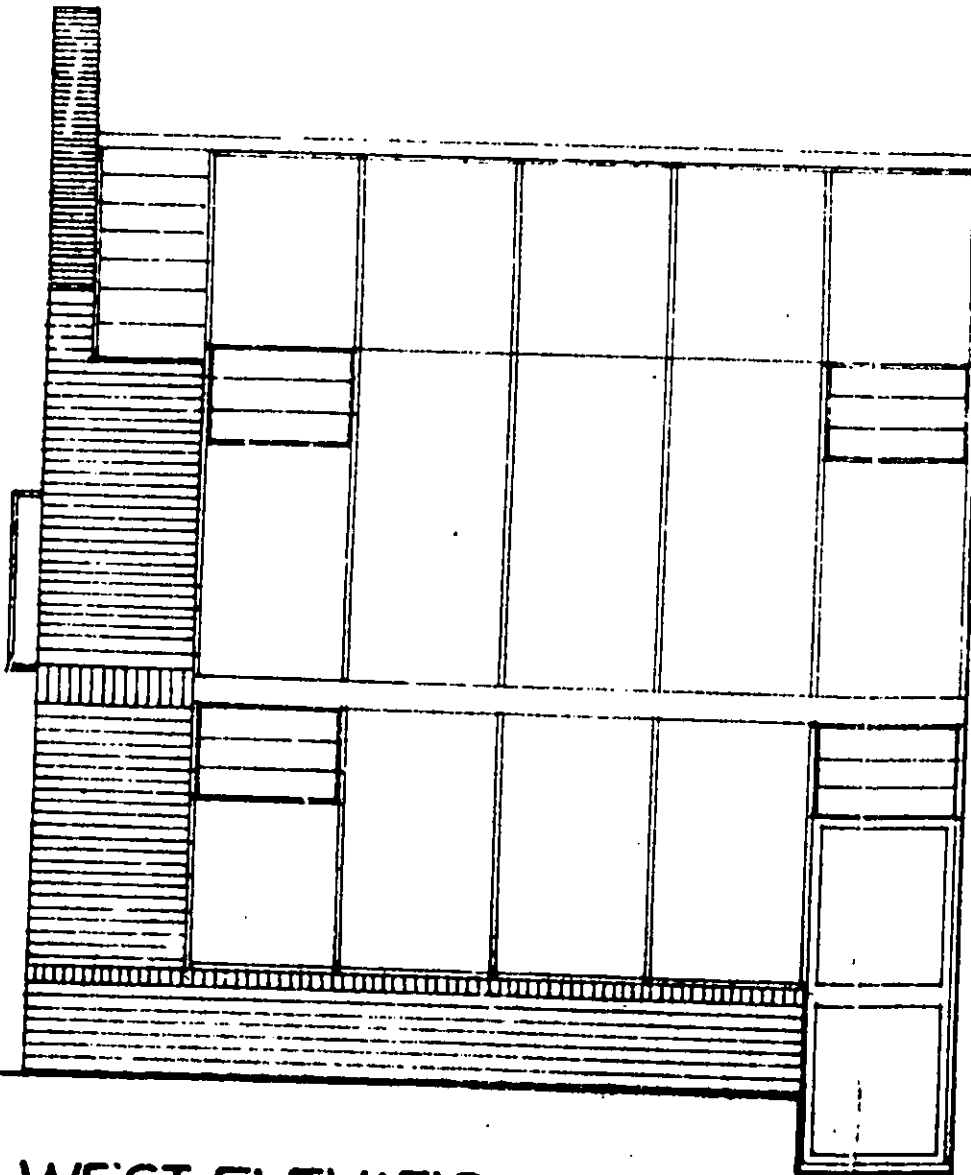




WEST ELEVATION

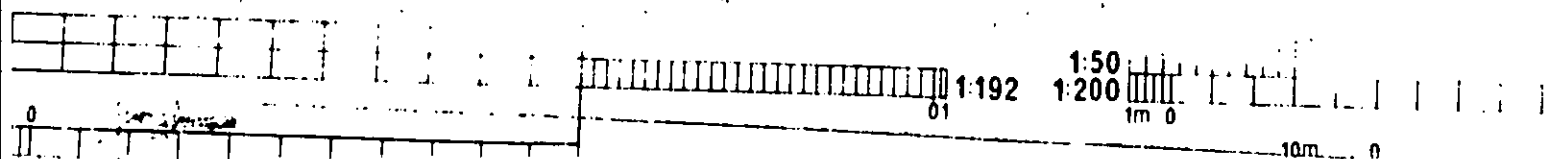


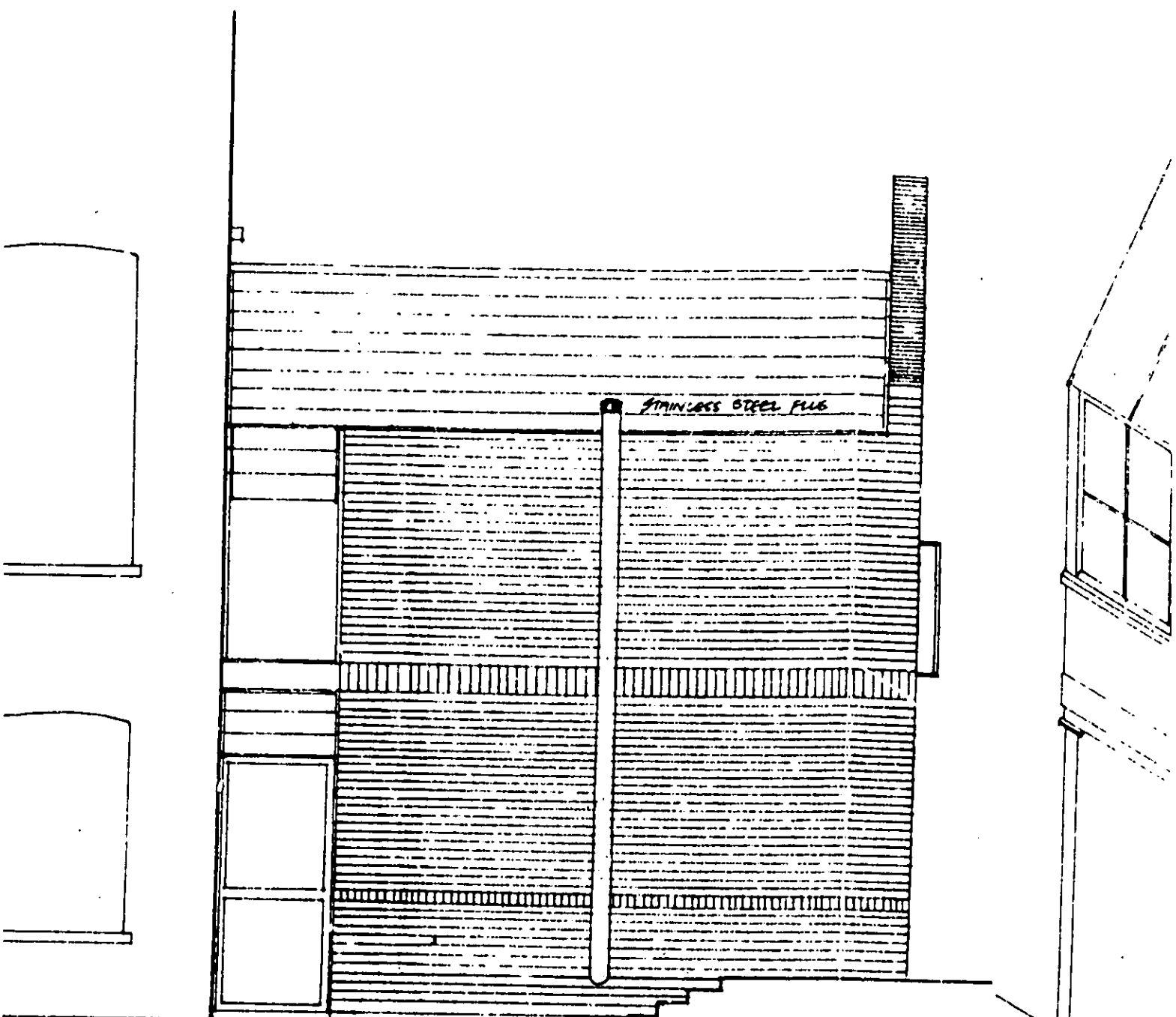
EAST ELEVATION



WEST ELEVATION

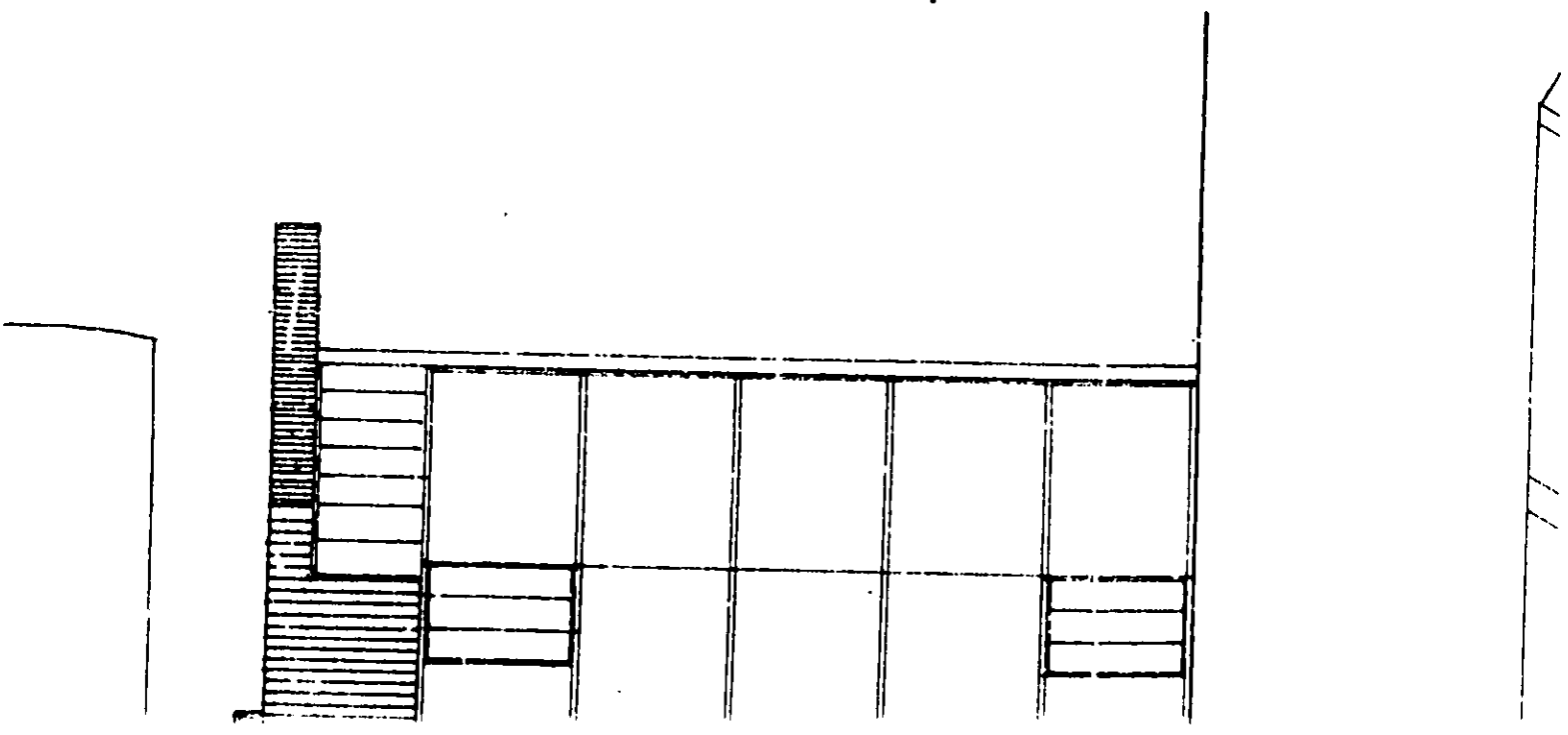
APPROVED
T.P. SUBJECT.....
27 APR 19
CONSENT REF.....





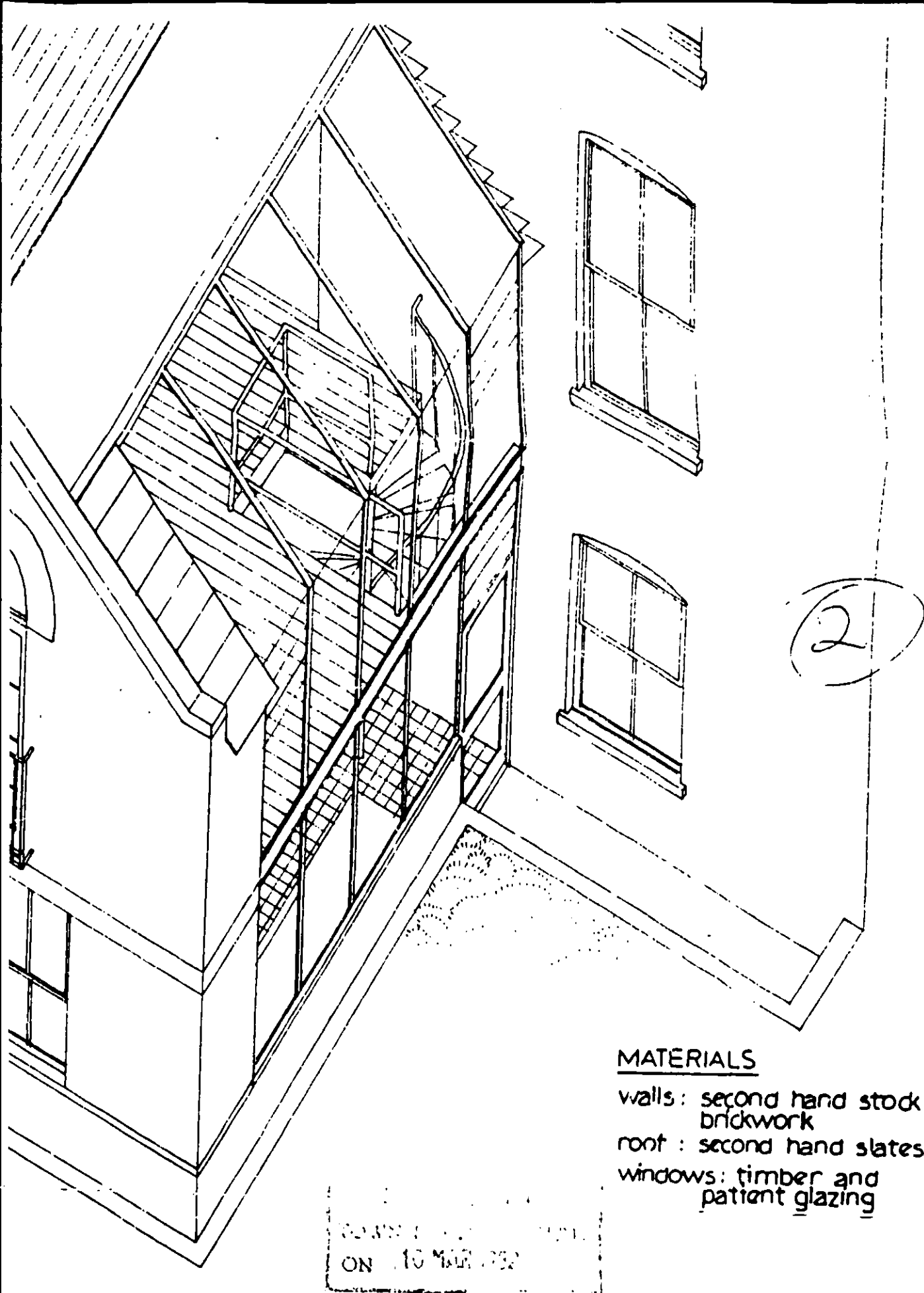
STAINLESS STEEL FLUE

EAST ELEVATION



STAINLESS STEEL FLUE

WEST ELEVATION



MATERIALS

walls: second hand stock
brickwork
roof: second hand slates
windows: timber and
patient glazing

MAR
82

8 BASSETT ROAD W10

MARTIN
HEWITT

Dip Arch RIBA

copyright reserved

SYSTEMS Urgent Needs to be ready
to deposit to morrow (WED) but if done today,
I can proceeed it. Sarah

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

Copy

~~PLANNING & CONSERVATION COMMITTEE~~
~~PLANNING SERVICES COMMITTEE~~
MEMBERS PANEL

APP NO. PP/01/00945
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

8 Bassett Road,
London, W10 6JJ

APPLICATION DATED 19/04/2001

APPLICATION REVISED 19/06/2001

APPLICATION COMPLETE 30/04/2001

APPLICANT/AGENT ADDRESS:

Guy Stansfeld,
1 Evesham Street,
London

CONS. AREA 1

CAPS Yes

ARTICLE 4 Yes

WARD C

LISTED BUILDING No

HBMC DIRECTION

N/A

CONSULTED

45

OBJ.

0

SUPPORT

0

PET.

0

RECOMMENDED PROPOSAL:

Alterations including demolition of existing basement and ground floor rear extensions, erection of basement and ground floor rear extensions, roof alterations and formation of plant room/store beneath front garden

RBK&C DRAWING NO(S): PP/01/00945 and PP/01/00945A

EX01, EX02, EX03, EX04, EX05, EX06, EX07, EX08 and
RECOMMENDED DECISION: EX09, PLO1A, PLO2A, PLO3A, PLO4, PLO5A, PLO6A,
Refuse planning permission PLO7A, PLO8A and PLO9

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

The proposed basement and ground floor rear extensions would appear out of character with the existing building and would detract from the appearance of the building and the character and appearance of the Oxford Gardens St Quenin Conservation Area.

Therefore, they are considered contrary to Council policy as stated in the UDP Chapter 4, in particular Policies CD 25, CD 41, CD 52 and CD 53.

Inf
ISI ... CD 25, CD 28, CD 30, CD 38, CD 39, CD 41, CD 52, CD 53,
CD 72 and CD 74 and the Oxford Gardens St Quenin
Conservation Area Proposals Statement

1.0 SITE

- 1.1 No 8 is located on the northern side of Bassett Road near the junction with Ladbroke Grove.
- 1.2 It is a detached house of basement and three storeys with pitched roof and original, shallow projection rear wing across approximately two thirds of the width of the rear elevation on all levels. There is also a conservatory-type extension at ground floor level in the light well ^{a glazed porch structure at basement level} adjoining the rear wing and a basement and ground floor rear extension located centrally on the rear elevation and projecting 5.45 m. into the rear garden. The latter extension presents a gabled elevation to the garden, with pitched roof. It is substantially brick faced with a large glazed area on the western side, smaller glazed area on the eastern side and traditional fenestration on the rear facade. The extension is 6.3 m. high at the gable, with side eaves 4.1 m. high and roof ~~line~~ top 5.6 m. high.
- 1.3 This Victorian property is located in the Oxford Gardens St Quentin Conservation Area. It is subject to an Article 4 Direction relating to hard surfacing of the front garden.
- 1.4 The building was last used as a maisonette and two flats but is now vacant and the inside partially gutted in preparation for conversion to a single family dwelling.

2.0 PROPOSAL

- 2.1 It is proposed to convert the property to a single family dwelling and to undertake the following external works:-
 - 2.1.1 the demolition of the existing rear basement and

- ground floor extension and replacement by a new two story structure of modern design. It would be brick faced, flat roofed with a low profile, roof light. Fenestration would consist of large areas of glazing at basement level, with smaller openings at ground floor. The roof parapets would be 5-1 m. high. rear. ^{ground floor would oversail the basement by 250mm at the sides and 350mm at the rear.}
2. The removal of the ground ^{floor} Conservatory "infill" and erection of a basement and ground floor extension in the light well. It would be of modern design, fully glazed at basement level and of brick and glazing at ground floor, with ~~glazed~~ roof light set behind brick parapets.
 3. Installation of velux roof lights to rear roof slope and glazing to roof of rear wing, set below existing parapets.
 4. Formation of a recessed dormer to the front roof slope.
 5. Excavation of plant rooms/store rooms beneath the front garden, accessible from beneath the front entrance porch and from the basement ^{light} wells.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The existing basement and ground floor rear extension was approved in 1982.

4.0 PLANNING CONSIDERATIONS

- 4.1 ~~The~~ The main issues in this case are considered to be the effect of the development upon:-
 - 4.1.1 the appearance of the building;
 - 4.1.2 the character and appearance of the Conservation Area;
 - 4.1.3 the amenity of neighbours in terms of light and privacy; and

4.1.4 trees growing on street and in the premises' rear garden.

4.2 Relevant policies are contained in the UDP Chapter 4 and include:-

CD 25 (standards of design)

CD 28 (light)

CD 30 (privacy)

CD 38 and CD 39 (roof additions and alterations)

CD 41 (rear extensions)

CD 52 (preservation or enhancement of conservation areas)

CD 53 (standards of design and compatibility with surroundings in conservation areas).

CD 72, CD 74 (resistance to loss of trees).

4.3 The property is identified in the Oxford Gardens St Quintin Conservation Area Proposals Statement as falling within Category 4 in relation to roof alterations. Accordingly the relevant policy is "No change to the front and side roof slopes, or to prominent rear roof slopes". The policy allows for rear dormers or skylights.

4.4 Conversion of the property to a single family dwelling does not in this case require planning permission.

4.5 The existing basement and ground floor rear extension is large and projects well beyond the original building line. While it incorporates non-traditional elements ie the glazing to the side wall, on the whole it is of traditional design and the roof profile, with eaves on the flank elevations minimises its bulk.

4.6 The proposed replacement extension, while lower than the existing gable end and overall roofing, is 1-3m. taller on the flank elevations and will appear bulkier than the existing structure. The

[illegible]

WHOEVER

Finished up to

4.7



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proposed design, in particular the recessed basement floor/oversailing ground floor, the size and style of window/door openings and the absence of segmental brick arches to ~~match~~ ~~the~~ window openings, is not considered to be in character with the existing building and would detract from its appearance.

The extension is considered contrary to Policy CD 41(i). The omission of glazing on the western elevation eliminate existing overlooking towards the rear garden of No 10 but is not considered so desirable as to outweigh the problem of the harm to the appearance of the building.

4.7 Similarly, the design of the basement and ground floor "infill" extension is considered to be out of character with the existing building. It would also create a ^{visually} more solid infill of the ground floor lightwell to the detriment of the building's appearance. The extension is considered to conflict with Policy CD 41(i).

4.8 Therefore, it is considered that the proposed rear extensions would detract from the appearance of the building and would be harmful to the appearance and character of the Conservation area, contrary to Policies CD 25, CD 52 and CD 53.

4.9 There is a precedent for narrow front roof recesses on other properties in Bassett Road. While the Conservation Area Proposals Statement Policy is to resist front roof alterations, it is considered that a similar feature at No 8 would not be out of character. The proposed roof recess is shown somewhat wider (on elevation but not on plan) than those elsewhere in the street. The applicant is willing to accept a condition regarding reduction in width to correspond with others in the street. Subject to such a

- condition, the front roof recess is considered consistent with Policies CD 38 and CD 39.

4.10 The rear roof alterations are considered acceptable with reference to the above policies, subject to a condition that the rooflights be low profile "conservation" style.

4.11 The excavation beneath the front garden would not be evident from outside the premises ^{and is considered acceptable in aesthetic terms.} if it would not ^{adversely affect the street trees because it would not} encroach within the 6m. exclusion zone specified by the Council's Arboriculturalist. Subject to conditions relating to method of construction and tree protection in relation to both the street trees and those adjoining the rear site boundary, no objection is raised with reference to Policies CD 72 and CD 74.

4.12 The development would not adversely affect neighbours' light.

5.0 PUBLIC CONSULTATION

5.1 45 addresses in Bassett Road and Chesterton Road were notified of the ~~dear~~ application. To date, no representations have been received.

6.0 RECOMMENDATION

6.1 ~~Grant/Refuse planning permission/Listed Building~~
~~Consent/Conservation Area Consent.~~

M.J. French

Director of Planning Services

Background Papers

The contents of file TP/9 save for exempt or
confidential information in accordance with the Local
Government (Access to Information) Act 1985.

Report Prepared By:
Report Approved By:
Date Report Approved:

PSC9 / .REP

TOWN & COUNTRY PLANNING ACT 1990

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR BUILDING

APPLICATION COMPLETE

INDON

FOR OFFICE USE ONLY

PP010945

Borough R

Registered

30 APR 2001

Fee £ 95.00

Cheque / Postal Order / Cash 102069

Receipt No. Issued 0158621

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	
	FEE (where applicable)	£ 95.00

1. APPLICANT (in block capitals)	AGENT (if any) to whom correspondence should be sent
Name ANTHONY WELDON	Name GUY STANSFELD
Address c/o 4 Grosvenor Place LONDON SW1X 7HJ	Address 1 Evesham Street LONDON W11 4AJ
Tel. No. —	Tel. No. 020 7727 0133 Ref. 670

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies

8 BASSETT ROAD
LONDON W10 6JJ

(b) Site area

387 m²

ALTERATIONS INCLUDING:

PP010945

~~ALTERATIONS TO EXISTING SINGLE PARTY DWELLING & SELF-CONTAINED FLATS INCLUDING:~~
~~SELF-CONTAINED FLATS TO BECOME PART OF LARGER FAMILY DWELLING~~
REAR EXTENSION & CONSERVATORY TO BE DEMOLISHED & RE-CONSTRUCTED; NEW PLANT ROOM & STORE BELOW EXISTING FRONT GARDEN & CAR SPACES; NEW VELUX ROOFLIGHTS TO REAR.

(d) State whether applicant owns or controls any adjoining land and if so, give its location.

No

(e) State whether the proposal involves:- State Yes or No

RECEIVED BY PLANNING SERVICES					
NEW BUILDING(S) OR EXTENSION(S) TO EXISTING BUILDING(S)	SW	SE	ENF	AO	ACK
23 APR 2001					
PLN	CON	DES	FEE		

Yes

If "Yes" state gross floor area of proposed building(s).

60 m²

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.

1 SINGLE FAMILY DWELLING

(ii) Alterations

Yes

(iii) Change of use

No

(iv) Construction of new access to a highway } vehicular pedestrian

No

No

(v) Alteration of an existing access to a highway } vehicular pedestrian

No

No

If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).

Hectares/m²

Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

(I) Outline planning permission

☐ No ☒

If "Yes" strike out any of the following which are not to be determined at this stage.

1. Siting
2. Design
3. Landscaping
4. External appearance
5. Means of access

(II) Full planning permission

☒ Yes

If "Yes" state the date and number of previous permission and identify the previous condition.

Date Number

The Condition

(III) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted.

☐ No ☒

(IV) Consideration under Section 72 only (Industry)

☐ No ☒

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

(I) Present use of buildings/land

SINGLE FAMILY DWELLINGS & 2 SELF-CONTAINED FLATS

(II) If vacant the last previous use and period of use with relevant dates.

N/A

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

DRAWINGS NO : 670/EX.01 - 09 INCLUSIVE ; 670/PL.01 - 09 INCLUSIVE.

SECTION 66 CERTIFICATE B

PHOTOGRAPHS OF EXISTING PROPERTY & SITE LOCATION PLAN

6. ADDITIONAL INFORMATION State Yes or No

(a) Is the application for non-residential development

☐ No ☒

If "Yes" complete PART THREE of this form (See PART THREE for exemptions)

(b) Does the application include the winning and working of minerals

☐ No ☒

If "Yes" complete PART FOUR of this form

(c) Does the proposed development involve the felling of any trees

☐ No ☒

If "Yes" state numbers and indicate precise position on plan

(d) (I) How will surface water be disposed of? TO EXISTING DRAINS

(II) How will foul sewage be dealt with? TO EXISTING DRAINS

(e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:

(I) Walls PAINTED STUCCO & BRICK TO MATCH EXISTING

(II) Roof AS EXISTING & SLAB ROOF TO EXTENSION

(III) Means of enclosure AS EXISTING

We hereby apply for (strike out whichever is inapplicable)

(a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith

(b) ~~Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed [Signature] on behalf of ANJNEY WELDON Date 19/4/01

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 day before the date of application, complete Certificate A. If otherwise see PART TWO of this form.

CERTIFICATE A - Certificate under Section 66 of the Town & Country Planning Act 1990. I hereby certify that:-

- *Strike out whichever is unapplicable.
1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
 3. *I have / the applicant has given requisite notice to every person other than *myself/himself who, 20 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-

(a) "Owner" means a person having freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

Name and Address of Tenant

Date of Service of Notice

Signed on behalf of Date

IF 30 DAYS BEFORE MAKING THE APPLICATION YOU ARE NOT THE ONLY OWNER OF ALL THE LAND AND HAVE SIGNED A CERTIFICATE ON PART ONE OF THE FORM THEN DO NOT COMPLETE PART TWO OF THE FORM. For definition of 'Owner' see General Notes

PART TWO TOWN AND COUNTRY PLANNING ACT 1990
CERTIFICATE UNDER SECTION 66

PP010945

PLEASE READ THE NOTES OVERLEAF BEFORE FILLING IN PART TWO.

CERTIFICATE B

I hereby certify that:

† See note (a)
to Certificate

1. I have/~~the applicant has~~* given the requisite notice to all persons, who 20 days before the date of accompanying application, were owners of any part of the land to which the application relates, viz:

Name of Owner M.S. MARR-JOHNSON Address 8 BASSETT ROAD,
LEWIS Date of Service of Notice 19th APRIL 2001

- *2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
3. I have/~~the applicant has~~ given the requisite notice to every person other than myself/himself* who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant

Date of Service of Notice

Signed [Signature] on behalf of ANTHONY WILSON Date 19/04/01

* Strike out
whichever is
inapplicable

CERTIFICATE C

I hereby certify that:

† See note (a)
to Certificate

1. (i) I am/the applicant is* unable to issue a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66 (1) of the Act, in respect of the accompanying application dated
(ii) I have/ the applicant has* given the requisite notice to the following persons who, 20 days before the date of the application, were owners of any part of the land, to which the application relates, viz:

Name of Owner Address

Date of Service of Notice

- (iii) I have/the applicant has* taken the steps listed below, being steps reasonably open to me/him* to ascertain the names and addresses of the other owners of the land or part thereof and have/has* been able to do so:

(a)

- *2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or

- *3. I have/the applicant has* been given the requisite notice to every person other than myself/himself* who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant

Date of Service of Notice

Signed on behalf of Date

(a) Insert description of steps taken.
(b) Insert name of local newspaper circulating in the locality in which the land is situated.
(c) Insert date of publication (which must not be earlier than 20 days before the application).

* Strike out
whichever is
inapplicable

CERTIFICATE D

I hereby certify that:

† See note (a)
to Certificate

1. (i) I am/the applicant is* unable to issue a certificate in accordance with Section 66 (1) (a) of the Act in respect of the accompanying application dated and have/has* taken the steps listed below, being steps reasonably open to me/him*, to ascertain the names and addresses of all the persons who, 20 days before the date of the application were owners of any part of the land to which the application relates and have/has* been unable to do so:

(a)

- (iii) Notice of application as set out below has been published in the (b) on (c) (Copy of notice as published).

- *2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or

- *3. I have/the applicant has* given the requisite notice to every person other than myself/himself* who, 20 days before the date of application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant

Date of Service of Notice

Signed on behalf of Date

(a) Insert description of steps taken.
(b) Insert name of local newspaper circulating in the locality in which the land is situated.
(c) Insert date of publication (which must not be earlier than 20 days before the application).

* Strike out
whichever is
inapplicable

TOWN & COUNTRY PLANNING ACT 1990

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR BUILDINGS

APPLICATION COMPLETE

INDON

FOR OFFICE USE ONLY

PP010945

Borough R

Fee £ 95.00

Registered

30 APR 2001

Cheque / Postal Order / Cash 102069

Date Recd

Receipt No. Issued 0158621

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	
	FEE (where applicable)	£ 95.00

1. APPLICANT (in block capitals)

AGENT (if any) to whom correspondence should be sent

Name ANTHONY WILSON

Name GUY STANFELD

Address c/o H. KOSVENOR PLACE

Address 1 ENEHAM STREET

LONDON SW1X 7HL

LONDON W11 4AJ

Tel. No. —

Tel. No. 020 7727 0133 Ref. 670

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies

8 BASSETT ROAD

LONDON W10 6JJ

(b) Site area

387 m²

ALTERATIONS INCLUDING:

PP010945

~~ALTERATIONS TO EXISTING SINGLE FAMILY DWELLING & SELF-CONTAINED FLATS INCLUDING:~~
~~SELF-CONTAINED FLATS TO BECOME PART OF LARGER FAMILY~~
~~DEMOLISHED REAR EXTENSION & CONSERVATORY TO BE~~
~~DEMOLISHED & RE-CONSTRUCTED; NEW PLANT ROOM &~~
~~STORE BEHIND EXISTING FRONT GARDEN & CAR~~
~~SPACES; NEW VELUX ROOFLIGHTS TO REAR~~

(d) State whether applicant owns or controls any adjoining land and if so, give its location.

No

(e) State whether the proposal involves:-

State Yes or No

RECEIVED BY PLANNING SERVICES					
EX IR	New building(s) or extension(s) to existing building(s)	SW	SE	ENF	AO ACK
23 APR 2001					
PLN	CON DES	FEE			

Yes

If "Yes" state gross floor area of proposed building(s).

60 m²

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.

1 SINGLE FAMILY DWELLING

(ii) Alterations

Yes

(iii) Change of use

No

(iv) Construction of new access to a highway } vehicular pedestrian

No

No

(v) Alteration of an existing access to a highway } vehicular pedestrian

No

No

If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).

Hectares/m²

Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

State whether this application is for: State Yes or No

(I) Outline planning permission

No

If "Yes" strike out any of the following which are not to be determined at this stage.

1. Siting
2. Design
3. Landscaping
4. External appearance
5. Means of access

(II) Full planning permission

Yes

(III) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted.

No

If "Yes" state the date and number of previous permission and identify the previous condition.

Date Number

The Condition

(IV) Consideration under Section 72 only (Industry)

No

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

(I) Present use of buildings/land

SINGLE FAMILY DWELLINGS & 2 SELF-CONTAINED FLATS

(II) If vacant the last previous use and period of use with relevant dates.

N/A

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

DRAWINGS NO. : 670/EX.01 - 09 INCLUSIVE ; 670/PL.01 - 09 INCLUSIVE.

SECTION 66 CERTIFICATE B

PHOTOGRAPHS OF EXISTING PROPERTY & SITE LOCATION PLAN

6. ADDITIONAL INFORMATION State Yes or No

(a) Is the application for non-residential development

No

If "Yes" complete PART THREE of this form (See PART THREE for exemptions)

(b) Does the application include the winning and working of minerals

No

If "Yes" complete PART FOUR of this form

(c) Does the proposed development involve the felling of any trees

No

If "Yes" state numbers and indicate precise position on plan

(d) (I) How will surface water be disposed of? TO EXISTING DRAINS

(II) How will foul sewage be dealt with? TO EXISTING DRAINS

(e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:

(I) Walls PAINTED STUCCO & BRICK TO MATCH EXISTING

(II) Roof AS EXISTING & SLAB ROOF TO EXTENSION

(III) Means of enclosure AS EXISTING

We hereby apply for (strike out whichever is inapplicable)

(a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith

(b) ~~Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed [Signature] on behalf of ANTHONY WELDON Date 19/4/01

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See General Notes)

If you are the ONLY owner of ALL the land at the beginning of the period 20 day before the date of application, complete Certificate A. If otherwise see PART TWO of this form.

CERTIFICATE A - Certificate under Section 66 of the Town & Country Planning Act 1990. I hereby certify that:-

- *Strike out whichever is unapplicable.
1. No person other than the applicant was an owner (a) of any part of the land to which the application relates at the beginning of the period of 20 days before the date of the accompanying application.
 2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
 3. *I have / the applicant has given requisite notice to every person other than *myself/himself who, 20 days before the date of the application was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:-

(a) "Owner" means a person having freehold interest or a leasehold interest the unexpired term of which was not less than 7 years.

Name and Address of Tenant

Date of Service of Notice

Signed on behalf of Date

PART TWO TOWN AND COUNTRY PLANNING ACT 1990
CERTIFICATE UNDER SECTION 66

PP010945

PLEASE READ THE NOTES OVERLEAF BEFORE FILLING IN PART TWO.

CERTIFICATE B

I hereby certify that:

† See note (a)
to Certificate

1. I have/~~the applicant has~~* given the requisite notice to all persons, who 20 days before the date of accompanying application, were owners of any part of the land to which the application relates, viz:

Name of Owner M.R. MARR-JOHNSON Address 8 BASSETT ROAD,
LEWIS WID Date of Service of Notice 19th APRIL 2001

- *2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or
3. I have/~~the applicant has~~ given the requisite notice to every person other than myself/himself* who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant

Date of Service of Notice

Signed [Signature] on behalf of ANTHONY WELDON Date 19/04/01

* Strike out
whichever is
inapplicable

CERTIFICATE C

I hereby certify that:

† See note (a)
to Certificate

1. (i) I am/the applicant is* unable to issue a certificate in accordance with either paragraph (a) or paragraph (b) of Section 66 (1) of the Act, in respect of the accompanying application dated
(ii) I have/ the applicant has* given the requisite notice to the following persons who, 20 days before the date of the application, were owners of any part of the land, to which the application relates, viz:

Name of Owner Address

Date of Service of Notice

- (iii) I have/the applicant has* taken the steps listed below, being steps reasonably open to me/him* to ascertain the names and addresses of the other owners of the land or part thereof and have/has* been able to do so:

(a)

- *2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or

- *3. I have/the applicant has* been given the requisite notice to every person other than myself/himself* who, 20 days before the date of the application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant

Date of Service of Notice

Signed on behalf of Date

(a) Insert description of steps taken.
(b) Insert name of local newspaper circulating in the locality in which the land is situated.
(c) Insert date of publication (which must not be earlier than 20 days before the application).

* Strike out
whichever is
inapplicable

CERTIFICATE D

I hereby certify that:

† See note (a)
to Certificate

1. (i) I am/the applicant is* unable to issue a certificate in accordance with Section 66 (1) (a) of the Act in respect of the accompanying application dated and have/has* taken the steps listed below, being steps reasonably open to me/him*, to ascertain the names and addresses of all the persons who, 20 days before the date of the application were owners of any part of the land to which the application relates and have/has* been unable to do so:

(a)

- (iii) Notice of application as set out below has been published in the (b) on (c) (Copy of notice as published).

- *2. None of the land to which the application relates constitutes or forms part of an agricultural holding; or

- *3. I have/the applicant has* given the requisite notice to every person other than myself/himself* who, 20 days before the date of application, was a tenant of any agricultural holding any part of which was comprised in the land to which the application relates, viz:

Name and Address of Tenant

Date of Service of Notice

Signed on behalf of Date

(a) Insert description of steps taken.
(b) Insert name of local newspaper circulating in the locality in which the land is situated.
(c) Insert date of publication (which must not be earlier than 20 days before the application).

* Strike out
whichever is
inapplicable



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

Room 1404
Tollgate House
Houlton Street
Bristol BS2 9DJ

Direct Line 0117-987-8927
Switchboard 0117-987-8000
Fax No 0117-987-8769
GTN 1374-

Paul Brookes Architects
The Ticket Office
Barnes Bridge
18 The Terrace
London SW13 0NP

Your Reference:

Our Reference:
T/APP/K5600/A/97/280737 &
T/APP/K5600/E/97813487/P8

Date: 20 AUG 1997

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990
SECTION 20 AND SCHEDULE 3
APPEALS BY MR ANTHONY SHARP
APPLICATION NO: TP/97/0455 & TP/97/0456

1. I have been appointed by the Secretary of State for the Environment to determine these appeals. These appeals are against the failure of the Council of the Royal Borough of Kensington and Chelsea to give, within the prescribed period, notice of their decisions on the applications for planning permission (APPEAL A) and for conservation area consent (APPEAL B) for extension of a basement flat at 94 Cambridge Gardens, London W10. I have considered the written representations made by you and by the Council and I inspected the site on 29 July 1997.

2. While the application for conservation area consent was described as being for an extension to the basement flat, it relates to the partial demolition of the existing exterior wall at basement level, in order to extend the dwelling as proposed. I have dealt with Appeal B on this basis. In this connection, the Council have drawn attention to a recent judgement in the House of Lords which affects the definition of works for the demolition of a building in a conservation area. I note the Council's view that, in the light of this decision, conservation area consent is not required in this case. You have not commented on this matter. Taking the House of Lords judgement into account, I do not consider the works required are so substantial as to be works of demolition of the building. In my view, they form part of the alterations to the building which would arise from the proposal to extend it. In the circumstances, I conclude that conservation area consent is not required for the works and, accordingly, I do not intend to proceed any further with the determination of Appeal B.



3. Turning now to Appeal A, the appeal property is unlisted and situated within the Oxford Gardens/St. Quintins Conservation Area. It is a 3-storey semi-detached house with a basement and of similar character and appearance to many others in this part of the Conservation Area, including the neighbouring properties and those immediately to the rear. Planning permission has been granted recently for an extension similar to the appeal proposal, but somewhat smaller in scale and with significant differences of detail.

4. Having visited the site and read all the representations before me, I consider that the most important issues in this case are the effect of the proposed development on the character and appearance of the building and of this part of the Conservation Area.

5. The Council have referred to relevant policies in the adopted Unitary Development Plan (UDP), relating to rear extensions, small scale extensions, conservatories, the effect of alterations on the external appearance of buildings and the surrounding area and development within the Conservation Area. I have taken these into account in reaching my decision. I have also had regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which establishes a general duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area in the exercise of planning functions. The relevant UDP policies accord with this requirement.

6. The appeal proposals comprise a number of elements: a kitchen extension with a large window on the rear elevation; an extension to the hall with patio doors onto the rear garden; a narrow extension at the side of the building and abutting the side boundary wall and internal re-arrangements to relocate a bathroom. The latter element does not appear to require planning permission in itself. The other 3 elements would have flat roofs, which would be in keeping with the existing 2-storey rear extensions on the building and its neighbours. The side extension includes formation of a new front entrance and, therefore, would be visible from the street. However, its impact in the street scene and on the appearance of the building would be very limited and, in my opinion, quite acceptable.

7. The two parts of the development which would have most impact are the kitchen extension and the patio doors. The windows of the extension have been designed to resemble the appearance of one of the windows above at first floor level. Because of their scale, this would give a striking appearance to the extension. However, the detail bears no resemblance to the other windows on the rear elevation and, having regard to the size of the extension and the windows, the extension would be out of sympathy with the existing character and appearance of the building. Moreover, the appearance of the patio doors, without glazing

bars, would be at odds both with the windows of the kitchen extension and the existing fenestration.

8. I am also concerned at the bulk of the rear extensions, having regard to the fact that they would occupy all the available width of the site from the side of the existing extension to the plot boundary and that the kitchen would extend beyond the line of the existing rear extensions on the appeal property and immediately adjacent houses. It is part of the Council's normal policy (within UDP Policy CD41) to resist proposals for rear extensions if they would extend beyond the general rear building line, or would not be visually subordinate to the parent building, or would spoil the even rhythm of rear additions. The policy also states that full width extensions will not be allowed (except in some cases at garden level). I have taken into account the large full height extension on a property nearby in Cambridge Gardens to which you have referred, but I consider nonetheless that the proposals would extend beyond the line of existing rear extensions in the immediate vicinity and because of their scale and appearance they would not be visually subordinate to the parent building.

9. Because of the secluded setting of the building, I am not convinced that the even rhythm of existing rear additions or the fact that the extensions occupy all the available width of the site are matters of particular significance in this case and in other respects I see no conflict with Policies CD41 or CD42. These conclusions are reflected in the subsequent decision of the Council to grant permission for somewhat smaller extensions. Nevertheless, for the reasons I have given, I am satisfied that the proposals do not conform with UDP Policy 41 and would be harmful to the appearance of the building, in conflict with Policy CD44.

10. The effect of the proposals on the character and appearance of the Conservation Area would be limited, since very little of the development would be seen from any public viewpoint. Nevertheless, the character and appearance of a conservation area is not restricted to the public domain. Those parts which, normally, are visible only to local residents may contribute significantly to its character and appearance from their point of view. I note that no representations have been received from any existing resident, but this fact should not override the planning principles. In this connection I attach particular significance to Policy CD56, relating to the cumulative effects of small scale developments. It is not suggested that the appeal proposals would serve as a precedent for other proposals, but the immediate area to the rear of properties in Cambridge Gardens, Oxford Gardens and St. Mark's Road has not been subject to substantial change and the buildings retain much of their original character. It is important to guard against change which would not contribute to preserving and enhancing this character. In my view the appeal proposals would not meet these objectives and, accordingly would conflict with UDP Policy CD52.

11. I have given careful thought to all the other matters raised in the representations which you and the other parties have made, including your argument that the appeal proposals are of significantly better quality than the extensions now granted planning permission, but none of these have convinced me that I should come to any other conclusions.

12. For the above reasons and in exercise of the powers transferred to me, I hereby dismiss Appeal A and refuse to grant planning permission for the development proposed.

Yours faithfully,

A handwritten signature in dark ink, appearing to read 'C.D. Cockshaw', written in a cursive style.

C.D. COCKSHAW BA MRTPI

Inspector

Mr D. Shottland,
The Planning Inspectorate,
3/07 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

our ref DPS/OLN/SW/PP/01/00945

your ref APP/KS600/A/01/1070716 Mrs S. Welden

Dear Sir T+CRA1990
8 Bassett Rd, W10

I refer to the appeal by the Bell Cornwall Partnership on behalf of Anthony Welden against the Council's decision dated 26th June 2001 to refuse planning permission for alterations including the demolition of the existing basement and ground floor rear extensions, erection of basement and ground floor rear extension, roof alterations and formation of plant room ~~extension~~ / store beneath the front garden garden at the above address.

The Report to the Members' Panel (copy enclosed), together with the following additional comments and enclosures, form the Council's Statement of Case relating to this Appeal.

The character of the Appeal Premises and Surrounding Area
The appeal site is described briefly at paragraphs 1.1-1.4 of the above Report. The Oxford Gardens St Quentin Conservation Area Proposals Statement (C.A.P.S), enclosed with my letter of 16th August 2001, includes a Townscape Analysis of the Conservation Area at Chapter 2. The Appeal premises are located within an area identified as District B. The C.A.P.S. describes the architectural character of this

deposit period commenced on 10 January 2001. The VDP proposed Alterations Chapter 1-4 were sent out in January - February 2001. The VDP proposed Alterations Chapter 1-4 were sent out in January - February 2001.

part of the Conservation Area at page 11 and illustrates the text with a photograph of No 8 Bassett Road and its neighbour No 10 entitled "Grandiose villas: Bassett Road."

The rear of No 8 and its neighbours are more modest in design than the fronts. They are brick faced but lack the stucco decorative elements which embellish the fronts. They largely retain the original fenestration consisting of timber framed vertically sliding sash windows set beneath brick arches. There are a few non-original additions beyond the main rear building line, including that at No 8 itself. However, these generally draw on design elements of the original buildings rather than contrast with them.

with my letter of 16th August. The Inspector's Report was published in July (^{extract} ~~copy~~ enclosed) and is under consideration.

Proposed Alterations of particular relevance to this appeal are identified below. Policy CD25 is amended to include reference to materials (U.D.P.P.A. p.44). Policy CD41 is amended to relate to all extensions except roof additions ~~etc~~ (ibid p.57). Policy CD56 is amended and ~~relocated~~ renumbered Policy CD44a (ibid p.60) so ~~that~~ as to apply throughout the Borough rather than in Conservation Areas only. The introductory paragraph to Policies CD52 and CD53, paragraph 4.5.9 (ibid p.65) stresses the importance of views from other buildings and gardens. This amendment is a clarification of, and replacement, of UDP paragraph 5.12 (U.D.P. p.60).

// With reference to "Rear and side extensions" the C.A.P.S. refers to the problem of "allowing a good architectural relationship between the proposal, the existing building and its neighbours". The relevant policy states that proposals will not be permitted "if they would compromise architectural character." (C.A.P.S. p.20)

// Concerning windows, the CAPS refers to the predominance of double hung timber sashes in the Conservation Area, with two or four panes. (C.A.P.S. p.22). Replacement by casements is considered "wholly inappropriate" and metal or plastic frames "aesthetically speaking, disastrous". The relevant policy states:

"The timber framed sash is the only really suitable design and should always be used for replacement or repair during conversion or restoration work."

(3)

Legislation and Central Government Policy
and S.70(2)

Attention is drawn to S.54A of the 1990 Act and the related advice contained in Planning Policy Guidance: General Policies and Principles (PPG1) Paragraph 40. In particular that applications which are not in accordance with relevant policies in the Plan should not be allowed unless material considerations justify granting permission.

Attention is also drawn to the Planning, Listed Buildings and Conservation Areas Act 1990 concerning the duties imposed by Sections 71 and 72. The Council's Conservation and Development policies and the publication of the ~~Oxford Gardens~~ ~~St. Quintin~~ Conservation Area ~~Proposals~~ Statement are consistent with the ~~the~~ requirements of ~~of~~ S.71.

PPG1 identifies Design as one of the themes underpinning the Government's approach to the planning system (Paragraph 3). It emphasises the importance of good design (Paragraph 15) and states that applicants should be able to demonstrate how they have taken account of relevant policies and supplementary design guidance (Paragraph 16). It states that local planning authorities should reject poor designs "which may include those inappropriate to their context, for example those clearly out of scale or incompatible with their surroundings" (Paragraph 17). PPG1 supports the promotion or reinforcement of local distinctiveness. Particularly where this is supported by clear plan policies or supplementary design guidance and states that particular weight should be given to the impact of

In addition, Sections 10 and 11 require authorities considering applications for planning permission to have regard to the need for world heritage sites and the desirability of

Reasons for Refusal

These are explained at section 4 of the Members' Panel Report. The following additional comments ^{amplify} ~~may clarify~~ the Council's case.

Following amendment of the original submission, the Council does not object to the proposed alterations to the front and to the main roof, subject to the imposition of conditions (see Report paragraphs 4.9-4.11). Thus the Council's objections to the development are confined to alterations to the rear basement and ground floor of the building as stated in the Reason for Refusal (Enclosure 1).

The Council is concerned with

(a) the increase in ^{apparent} bulk of the extensions, and

(b) their detailed design.

Concerning (a), the existing rear basement and ground floor extension was approved in 1982, well before the adoption of the current policies. It is considered to be of a size which is unlikely to prove acceptable ~~nowadays~~ nowadays. Accordingly, the Council is concerned that any replacement ^{does} not ^{appear} of greater bulk than the existing. The flank walls of the proposed rear extension would be 1m taller than the existing (NB: not 1.3m. as stated in paragraph 4-6 of the Report - see second page of Council's letter dated 9.7.2001 which accompanies this letter as Enclosure 4). It is considered that this would add to the appearance of bulk of the rear extension to the detriment of the appearance of the building. // Further, the drawings are ambiguous as to whether the projection of the rear addition would be increased. Drawing 670/EX1 and /PLO1A indicate that the footprint of the basement would be the same as existing. Drawing 670/EX2 and PLO2A show the projection of the ground floor to be increased by approximately 400 mm. This proposed increase in projection is ~~also~~ also shown ~~as Data~~ by comparison of the existing and proposed side elevations (670/EX-8 and /PLO8A). However, the profile of the existing building shown dotted in Drawing PLO7A and PLO8A indicate that the new extension would not exceed existing parapet corbelling.

Concerning (b), the detailed design, paragraph 4-6 of the Report identifies those elements which are considered unsympathetic to the existing building. In essence, the large, blank window and door openings are at odds with the characteristic vertically proportioned openings and timber framed sliding sash windows of the original building; the ~~proposed~~ ground floor of the rear extension, overstealing

the lower storey on three sides, is an incongruous and alien introduction; and the absence of brick arches to the window apertures will compound the ~~contrast~~ unfortunate contrast between the Victorian architecture of the main building and the stark modern appearance of the replacement extension.

// The Council has similar concerns about the appearance of the ~~proposed~~ proposed basement and ground floor "wings" extension on the left hand side of the rear elevation, which, it is considered, would not be compatible with the character of the existing building. Furthermore, it would replace a lean-to type structure of light weight appearance by a "heavier", more solid looking structure with taller rear facade. This is considered inappropriate given that the Council normally resists infills of ^{recessed} "light well" areas on rear elevations in order to preserve the "rhythm" of articulated rear elevations which are often a characteristic feature of Victorian buildings (see ~~for~~ UDP Policy CD 41(f)).

// ~~The~~ The proposed development is considered to detract from the appearance of the existing building and so harm the character of the conservation area. Accordingly, it is considered contrary to UDP policies as stated in the Reasons for Refusal (Enclosure 1). In addition, the development would be contrary to Council policy ~~as~~ stated in the Oxford Gardens C.A.P.S. as described above.

^{Related Appeal Decision}
// Attention is drawn to an ~~related~~ appeal decision relating to a rear basement extension at No 14 Cambridge Gardens, W10, ^(Enclosure 6 and 7). This property is within the same part of the Conservation Area as No 8 Bassett Road. The Council refused permission because of inappropriate bulk, location and detailed design. The Inspector's comments, in dismissing the appeal are of ^{relevance} ~~interest~~ to the current

appeal. At paragraph 7 he comments:-

"... the detail bears no resemblance to the other windows on the rear elevation and, having regard to the size of the extension and the windows, the extension would be out of sympathy with the existing character and appearance of the building. Moreover, the appearance of the patio doors, without glazing bars, would be at odds with the windows of the kitchen extension and the existing fenestration."

He also refers, at paragraph 10, to the importance of "private" viewpoints ~~and the~~ in the conservation area and to the cumulative impact of small scale developments.

Observations upon the Grounds of Appeal These are addressed in turn below.

1. The Council does not agree that the ~~new extensions~~ would appear less obtrusive than the existing proposed development "will create a more congruous form of development than exists at present". The extensions will appear bulkier and their design would be less sympathetic to the existing building, to the detriment of visual amenity.
2. The Council does not agree that the proposed extensions would appear less obtrusive than the existing. Both the rear extension and "infill" extension involve raising the new walls above existing eaves levels. Also, there is ~~some~~ ambiguity concerning ~~whether~~ how the rearward projection of the rear extension would compare with the existing building, as stated above. Overall, the extensions would appear more ~~re~~ prominent and visually obtrusive than the existing and are considered inappropriate.
3. The development does not comply with Policy CD41(i) because of the unsympathetic design. While the policy allows for possible exception at basement level, such latitude is not considered appropriate here given the ~~lower ground~~ ~~also~~ basement is actually at garden level,

not subterranean and that the rear extension in particular provides well with the open garden.

4. ~~As already stated~~, The removal and replacement of the existing rear extension is considered acceptable in principle but the ~~scale and detailing of the proposed~~ ~~proposed~~ replacement ~~proposed in~~ ~~the current scheme~~ is not.

Suggested conditions

A list of suggested conditions accompanies this letter as Enclosure 7.

Conclusion

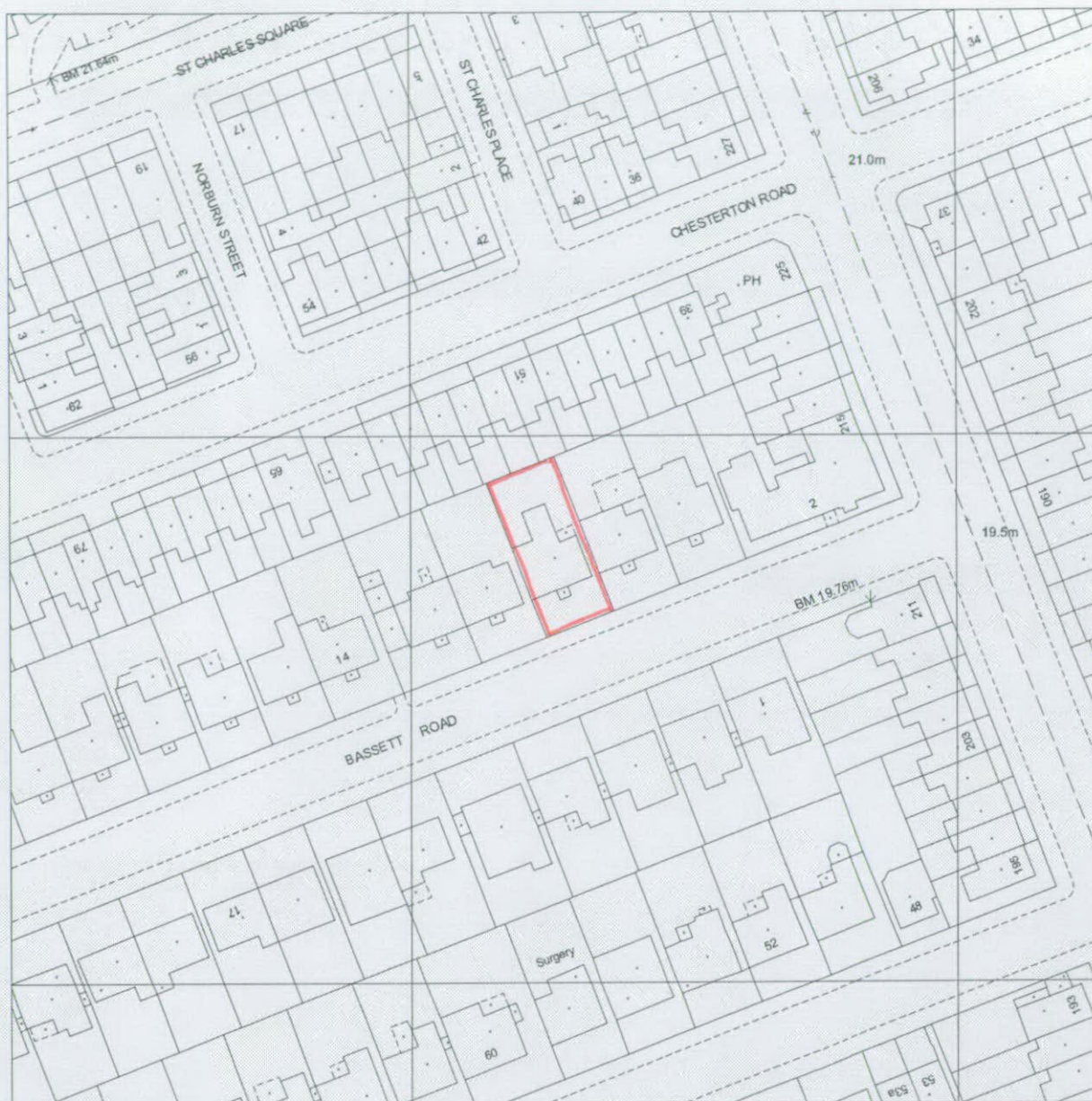
The proposed development is considered unacceptable for the reason stated in the Council's decision dated 26th June 2001. It would be contrary to the Council's Unitary Development Plan Policies and the Oxford Gardens Conservation Area Proposals Statement. It is also considered to conflict with government guidance. It is considered that the development would cause demonstrable harm to interests of acknowledged importance, namely visual amenity and the character and appearance of the Conservation Area. Accordingly, the Council respectfully requests that the appeal is dismissed.

YF
D Taylor
Area Planning Officer
for the GDPC

Enclosures

1. Location Map
2. ~~UDP Inspector's Ref~~ Planning Refusal dated 26.6.01
3. UDP Inspector's Report (extracts)
4. Letter dated 9.7.01.
5. Appeal decision dated 20.8.97
6. Extract of drawings relating to the above
7. List of suggested conditions

PP010945

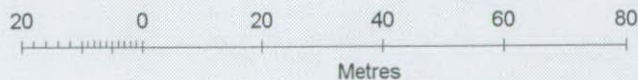


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**8 BASSETT ROAD, LONDON
W10 6JJ**

PP010945

Centre coordinates : 524126mE 181577mN

National Grid sheet reference at centre
of this Siteplan: TQ2481NW.

Supplied by : National Map Centre Tel 020 7222 2466
Serial Number : 670286



Siteplan

Symbols and depiction

Boundary Information

County/Region Island Boundary	---
District/London Borough Boundary	---
Parish/Community Boundary
Electoral Division/Ward Boundary	----
Parliamentary Constituency or Euro Const Boundary	----
Boundary Merging Change Symbol	o—o
Boundary Post, Boundary Stone (BP, BS)	*



Vegetation

Non-Coniferous Trees	Nc
Non-Coniferous Trees (Scattered)	Nc (scat)
Non-Coniferous Trees (Positioned)	
Coniferous Trees	C
Coniferous Trees (Scattered)	C (scat)
Coniferous Trees (Positioned)	
Orchard	Orch
Coppice/Osiers	Cop
Rough Grass	RG
Heath	Heath
Scrub	Sc
Saltings/Marsh/ Reeds	Marsh
Vegetation Limits	---

Areas (Rural survey mapping only)

Areas Parcel No (published)	4226
-----------------------------	------

Buildings

Roofed Structure/ Glasshouse	
Upper Level of Communication	

Others

Spot Height	*
Bench Mark	←
Triangulation Station	△
Pylon/Flare Stack/ Lighting Tower	⊠

Flow Arrow	---
------------	-----

Mean High Water	---
-----------------	-----

Mean Low Water	---
----------------	-----

General Detail	---
----------------	-----


Underground Detail	---
--------------------	-----

Overhead Detail	---
-----------------	-----


Tramway/ Narrow Gauge Railway	---
----------------------------------	-----


Standard Gauge Railway	---
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Point Fixture (e.g. Letterbox)	*
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Water Feature	
---------------	-------------------------------------------------------------------------------------

Water	Water
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Archway	
---------	-------------------------------------------------------------------------------------

Non-Roman Antiquity	
---------------------	-------------------------------------------------------------------------------------

Ornament

Rock	Rock
------	------

Inland Rock (Scattered)	Rock (scat)
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Shingle	Shingle
---------	---------

Mud	Mud
-----	-----


Inland Boulders	Bo
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Inland Boulders (Scattered)	Bo (scat)
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Coastal Boulders	Boulders
------------------	----------

Sand	Sand
------	------

Slope	
-------	---------------------------------------------------------------------------------------

Coastal Slope	
---------------	---------------------------------------------------------------------------------------

Cliff	
-------	---------------------------------------------------------------------------------------

Scree	Scree
-------	-------

Common Abbreviations

Boundaries Information

ED Boundary	Electoral Division
Ward Boundary	Ward
Boro Const Bdy	Constituency
Euro Const Bdy	(County Borough or European)
Und	Undefined
CB	Centre of Bank
CD	Centre of Ditch
CR	Centre of Road
CS	Centre of Stream
Def	Defaced
FF	Face of Fence
FW	Face of Wall
SR	Side of River
TB	Top of Bank
TKH	Track of Hedge
RM	Root of Hedge

Other Information

Chy	Chimney
EL P	Electricity Pole or Pole
ETL	Electricity Transmission Line
FB	Foot bridge
FS	Flagstaff
GP	Guide Post
GVC	Gas Valve Compound
LB	Letter Box
Mem	Memorial
MHW	Mean High Water
MLW	Mean Low Water
NTL	Normal Tidal Limit
P	Post or Pole
PC	Public Convenience
PH	Public House
PO	Post Office
PW	Place of Worship
TCB	Telephone Call Box
Tk	Tank or Tank
(um)	Unmade
W	Well





THE ROYAL BOROUGH OF KENSINGTON & CHELSEA

TOWN HALL · KENSINGTON · LONDON W8 4SQ

L. E. HOLMES, F.I.M.T.A., F.C.A., F.C.W.A., F.R.V.A., *Town Clerk & Chief Executive Officer*

TELEPHONE 01 - 927 3464 EXT. 34

WHEN APPLYING PLEASE QUOTE The reference number shown on the reverse

T.P.C.

CI!

7

7 NOV 1972

Dear Sir(s)/Madam,

Town and Country Planning Act, 1971
Town and Country Planning General Development Order, 1963 (as amended)
Permission for development (Conditional)

The Borough Council hereby permit the development referred to in the Schedule overleaf, subject to the conditions set out therein and in accordance with the plans submitted, save in so far as may otherwise be required by the said conditions.

This permission does not purport to convey any approval, consent, permission or licence under any Acts, Byelaws, Orders or Regulations other than those quoted above, and nothing herein shall be regarded as dispensing with compliance therewith or deemed to be an approval, consent, permission or licence thereunder.

Your particular attention is drawn to the provisions of the London Building Acts, 1930-1939 and the Byelaws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address, in case of doubt, may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting the land or the rights of any persons entitled to the benefits thereof.

In accordance with the provisions of Article 5B of the Town and Country Planning General Development Order, 1963 (as amended), your attention is drawn to an applicant's rights arising from the refusal of planning permission, or the grant of permission, subject to conditions, as follows:—

- (1) If the applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State for the Environment in accordance with Section 36 of the Town and Country Planning Act, 1971, within six months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Secretary of State for the Environment, 2 Marsham Street, London, SW1P 3EB.) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements of the provisions of the development order, and to any directions given under the order. (The statutory requirements include Sections 70 and 77 of the Town and Country Planning Act, 1971.)
- (2) If permission to develop land is refused or granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Common Council, or on the Council of the county borough, London borough or county district in which the land is situated, as the case may be, a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part IX of the Town and Country Planning Act, 1971.
- (3) In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Town and Country Planning Act, 1971.

Yours faithfully,

Town Clerk.



OFFICE COPY
SCHEDULE

(C12)

RFC/JMC/TP.4,429/857A.

Date of Application: 17th August, 1972 (Amended 15th September, 1972).

Plans Submitted No: TP.7,745/2B.

Development:

The erection of a rear extension at ground floor and first floors at NO. 4 BASSETT ROAD, KENSINGTON, W.10., and the conversion of the premises into 4 two-bedroom flats and 2 one-bedroom flats as shown on submitted drawings Nos. TP. 7,745/2B, your drawings Nos. 81/2B and 3A.

CONDITIONS:

1. All new ~~external~~ finishes shall be carried out in materials to match the existing facing work.
2. The development to which this permission relates must be begun not later than the expiration of 5 years beginning with the date on which this permission is granted.

REASONS FOR THE IMPOSITION OF CONDITIONS:

1. To ensure that the external appearance of the building is satisfactory.
2. To prevent an accumulation of permissions which have not been acted upon, and as required by Section 41 of the Town and Country Planning Act, 1971.

INFORMATIVES:

1. The Works Manager, Central Depot, 143A Walmer Road, London, W10 4PQ (01-229 9092) should be consulted about refuse storage accommodation.
2. Your attention is invited to the provisions of the London Building Acts, 1930-39, and the Byelaws in force thereunder, which must be complied with to the satisfaction of the District Surveyor (01-373 7702).
3. This permission is given without prejudice to the Council's powers under the London Building Acts, 1930-39, (as regards means of escape in case of fire), in which respect the Council's officers must be consulted at an early date.

Messrs. Tomlinson & Cons,
42 Mays Hill Road,
BROMLEY,
Kent.
BR20 HT

WEST ELEVATION

[illegible]

49° 6.7"

New members
 to receive
 card

— 100 —

Enslin, J.

5/2000 Type

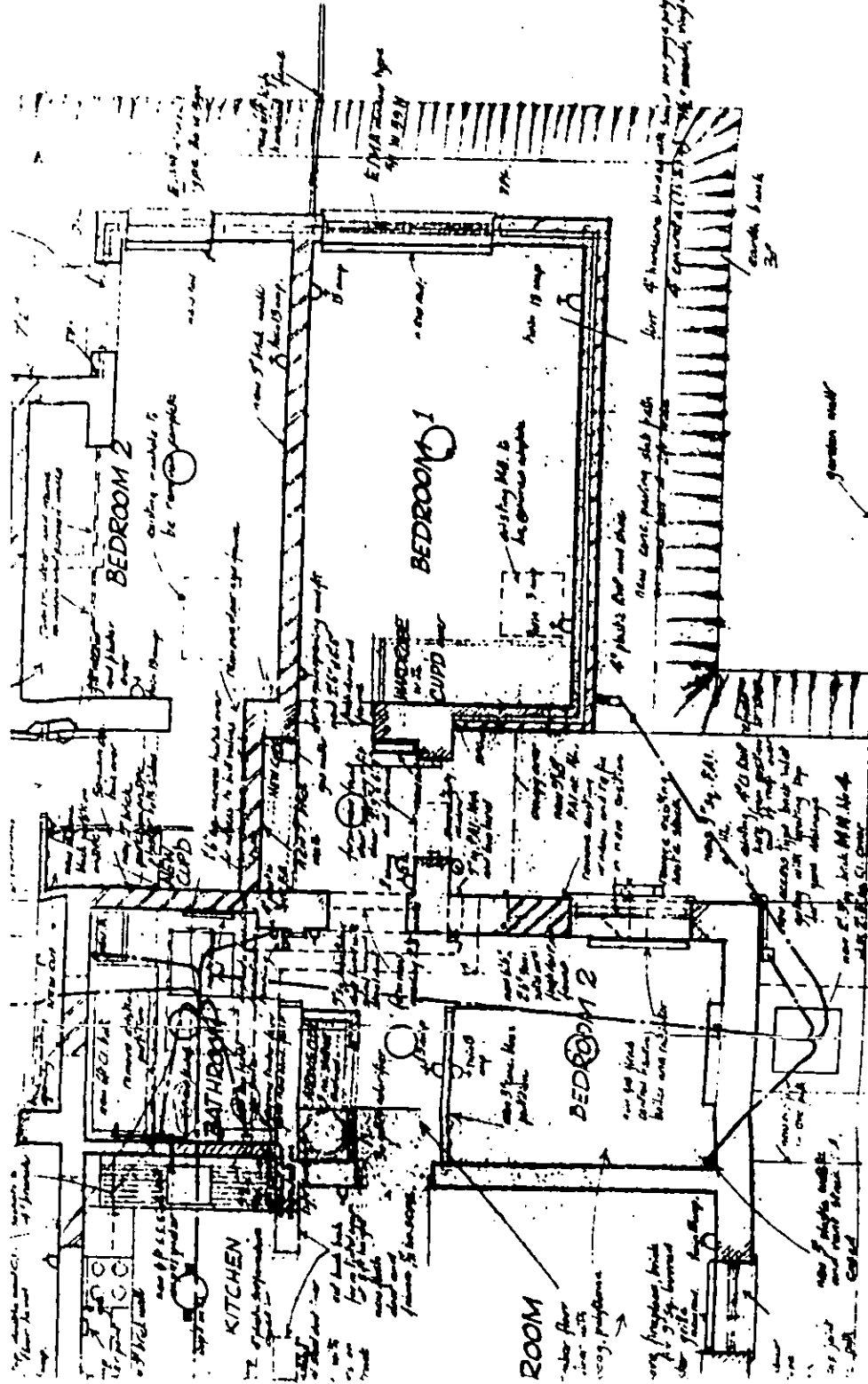
Enslin, J.

5/2000 Type

Upper WM 15-15
DO and MD3 data

NOTED
FOR ENTRY
1-11-2002

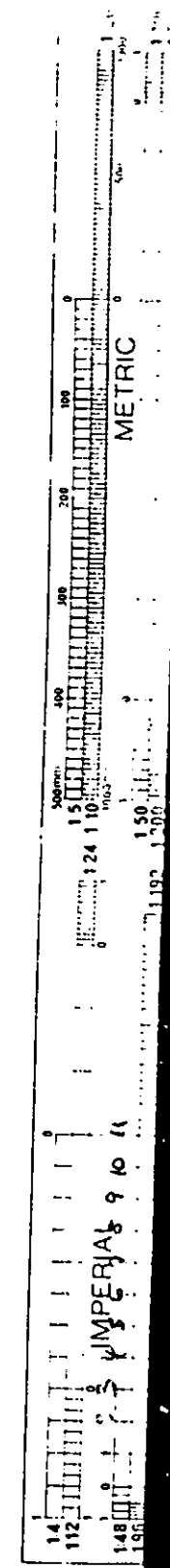
[illegible]



EAST
FLAT

**FIRST FLOOR
PLAN**

- A. Answered to two parts to suit K.C. Council. 19.3.72
B. Second and third floor roof flats awarded to Mrs.
164.4 ft in bedroom, stairs, other common areas



RBKC ARBORICULTURAL OBSERVATIONS			
Address	Application No.	DC Officer	Date of Obs
8 Bassett Road, W10	PP/01/0945	S.W.	13/6/01
Development		Obj.	No Obj.
Development to front and rear		Yes	
Status of Tree(s):			
C.A. No. (if any)	T.P.O. No. & Details (if any)	Tree Work Applications	
Comments:			


The proposal to extend the property under the front garden is likely to harm or cause the loss of two mature London Plane trees situated on the pavement outside the property. The trees are owned by the Council and form part of an avenue of Plane trees, which line both sides of Bassett Road.

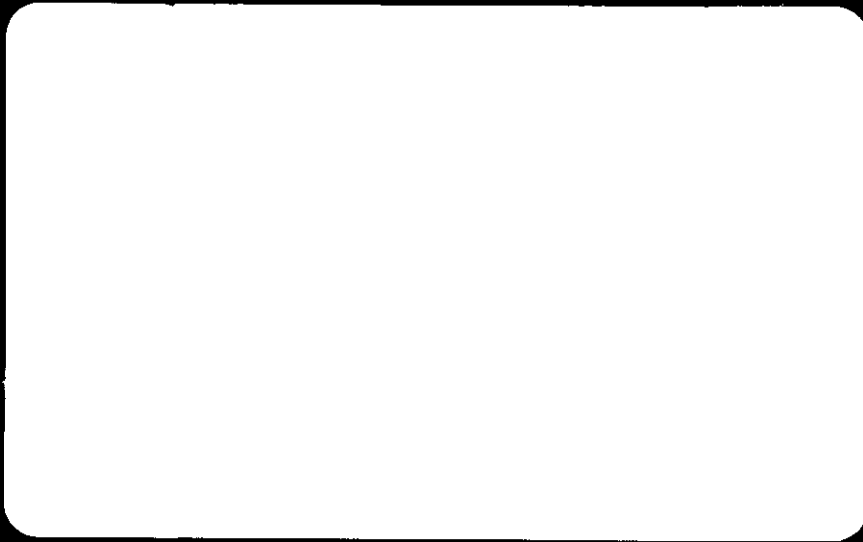
These are large trees, which form a significant component of the streetscape. As individual trees and collectively as part of the avenue they afford a considerable amenity to the area.

British Standards 5837:1990 recommends that for trees of this size, age and condition that no disturbance to the trees rooting zone should be permitted less than 6 metres from the centre of the trunk. I would point also point out that the trees rooting zone is restricted on one side by the depth of the carriageway foundation.

The development to the rear of the property appears to be at least five metres from the plane trees located adjacent to the rear garden boundary wall. BS5837: 1990 recommends that fencing to protect the rooting zone must be positioned not less than 4.5 metres from the centre of the bases of the trees. No disturbance to the soil or the storage of materials would be permitted within the protected area.

I therefore object to the proposed development for reason that it may result in the loss of two mature London Plane trees and it is therefore contrary to UDP policy CD72

Signed:  Date: 13.6.01



**THE
BELL
CORNWELL
PARTNERSHIP**
CHARTERED TOWN PLANNERS



RECEIVED
14 SEP 2001

Town & Country Planning Act, 1990 - Section 78
Appeal Ref: APP/K5600/A/01/1070716

Appeal by Mr A Weldon
Site at: 8 Bassett Road, London W10 6JJ

**WRITTEN REPRESENTATIONS
ON BEHALF OF THE APPELLANT**

**Against the Refusal of Permission for alterations including
demolition of existing basement and ground floor rear extensions, erection of
basement and ground floor rear extensions, roof alterations
and formation of plant room/store beneath front garden
at 8 Bassett Road, London W10**

Written Representations prepared by:

The Bell Cornwell Partnership
Oakview House
Station Road
Hook
Hampshire
RG27 9TP

Job No: 3546
Ref: PP/01/00945/CHSE
Date: September 2001

Telephone: 01256 766673
Fax: 01256 768490
email: kstewart@bell-cornwell.co.uk

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APPENDICES

1 INTRODUCTION

1.1 This appeal is made by Mr A Weldon against the decision of the Royal Borough of Kensington and Chelsea to refuse planning permission on 26th June 2001 (application No. PP/01/00945/CHSE) for alterations to the existing dwelling including the demolition of the existing basement and ground floor rear extensions, erection of basement and ground floor rear extensions, roof alterations and formation of plant room/store beneath front garden at 8 Bassett Road, London W10.

1.2 The application was refused for the following reason:

"The proposed basement and ground floor rear extensions would appear out of character with the existing building and would detract from the appearance of the building and the character and appearance of the Oxford Gardens St. Quintin Conservation Area. Therefore, they are considered contrary to Council policy as stated in the Unitary Development Plan Chapter 4, in particular Policies CD25, CD41, CD52 and CD53."

1.3 This statement sets out the details of the application at appeal, and provides an analysis of relevant policies, followed by the Local Authority's assessment of the application and the reason for refusal. The statement will then assess the reason for refusal in detail.

2 BACKGROUND INFORMATION

I. Site Description

- 2.1 The appeal site is a detached building, located on the northern side of Bassett Road. A Site Location Plan is included in **Appendix 1**.
- 2.2 The building was previously used as a maisonette with two flats at basement level, but is now vacant and the inside is partially gutted in preparation for conversion to a single family dwelling.
- 2.3 The building is four storeys in height (including the basement) and contains an existing four storey rear "wing" which extends approximately two-thirds the width of the dwelling. To the east of this rear wing is an existing ground floor conservatory, with an open area underneath (at basement level). A lean-to also projects out at basement level (from the base of the conservatory). A basement and ground floor pitched roof rear extension is also located in the middle of the property, extending some 5.4 metres in depth from the existing rear "wing".
- 2.4 The walls of this extension are finished in a combination of brick and glazing, with the majority of glazing located along the western side of the extension, and overlooking the private garden area of No. 10 Bassett Road. The pitched roof is also fully glazed.

this is not a rear wing; but rather the original staggered building line which is typical for a no. of the properties in the area, e.g. 10 Bassett Rd.

II. Surrounding Development

- 2.5 Surrounding development comprises a combination of detached dwellings to the east and south (fronting Bassett Road), semi-detached dwellings to the west (also fronting Bassett Road) and a row of terraces to the north (fronting Chesterton Road).
- 2.6 Among the adjoining buildings to the east and west, a number of these have existing rear extensions (refer photographs in **Appendix 2**). No 6 Bassett Road has an existing basement and ground floor flat roof rear extension, which is of the same depth and approximate height as the proposed extension. Further east, at No. 4 Bassett Road, is an existing basement, ground and first floor rear extension, which extends across almost the full width of the dwelling.
- 2.7 To the north and west a number of other rear extensions of varying scales, but predominantly with flat roofs.

could we check these?

III. Relevant Planning History

- 2.8 There has been one previous planning application relevant to the current proposal. This was for the erection of a two storey rear extension, which was granted consent on 28th April 1982, under application No. TP/82/0354.

3 THE APPEAL PROPOSALS

3.1 The application No. PP/01/00945/CHSE was validated by the Royal Borough of Kensington and Chelsea on 19th April 2001. The application as determined comprises a site location plan, along with the following Drawings:

- 670/EX01 Existing Lower Ground Floor Plan
- 670/EX02 Existing Ground Floor Plan
- 670/EX03 Existing First Floor Plan
- 670/EX04 Existing Second Floor Plan
- 670/EX05 Existing Attic Plan
- 670/EX06 Existing Cross Section
- 670/EX07 Existing Rear Elevation and Section
- 670/EX08 Existing Side Elevation
- 670/EX09 Existing Front Elevation
-
- 670/PL01A Proposed Lower Ground Floor Plan
- 670/PL02A Proposed Ground Floor Plan
- 670/PL03A Proposed First Floor Plan
- 670/PL04 Proposed Second Floor Plan
- 670/PL05A Proposed Attic Plan
- 670/PL06A Proposed Cross Section
- 670/PL07A Proposed Rear Elevation and Sections
- 670/PL08A Proposed Side Elevation
- 670/PL09 Proposed Front Elevation

3.2 The proposal is for alterations to the existing building, including the following:

- Demolition of the existing basement and ground floor pitched roof rear extension.
- Erection of a replacement basement and ground floor flat roof rear extension.
- The removal of the ground floor conservatory from the rear eastern corner of the dwelling along with its adjoining lean-to, and its replacement with a basement and ground floor extension to extend in line with the existing rear "wing".
- Formation of a recessed dormer to the front roof slope.
- The installation of velux rooflights to the rear roof slope along with glazing to the to the roof of the rear "wing", to be set behind the existing brick parapets.
- Formation of plant room/store beneath front garden and accessible from beneath the front entrance porch and from the basement light wells.

It is also proposed to convert the property to a single family dwelling, however Officers have confirmed in their Report that this does not require planning permission.

4 ANALYSIS OF RELEVANT PLANNING POLICIES

I. The Statutory Development Plan

- 4.1 The statutory development plan is the Royal Borough of Kensington and Chelsea Unitary Development Plan, which was adopted on 28th August 1995. The UDP is currently under review with the First Deposit Plan published for consultation in August 1999, followed by the Second Deposit Plan in January 2000. The emerging plan was reviewed with pre-inquiry changes in April 2000, followed by the Inquiry in January 2001. The Inspector's Report into the Inquiry was published in July 2001.
- 4.2 The site is located within the Oxford Gardens St. Quintin Conservation Area. The Officers' Report to the Members panel states that the site is also subject to an Article 4 Direction relating to hard surfacing of the front garden.
- 4.3 Within the adopted UDP there are a number of policies relevant to the proposal, namely:-
- ▶ **Policy CD25** - Standards of Design
 - ▶ **Policy CD28** - Sunlight and Daylight
 - ▶ **Policy CD30** - Privacy
 - ▶ **Policy CD38 and CD39** - Additional Storeys and Roof Level Alterations
 - ▶ **Policy CD41** - Rear Extensions
 - ▶ **Policy CD52 and CD53** - Development in Conservation Areas
 - ▶ **Para. 5.4 states:** - *"The (Conservation Area Proposal) Statements will set out detailed guidance to interpret and elaborate on development control policies set out in the Plan. Such detailed guidance will be applied to all relevant planning applications."*
 - ▶ **Policy CD72 and CD74** - Resistance to loss of Trees

- 4.4 Within the Public Inquiry Version of the emerging UDP (incorporating the pre-inquiry changes of April 2000), a number of changes have been made to the above policies, and are relevant to the proposal. These have been described further below in Section 5.

II. Other Material Considerations

- 4.5 The Oxford Gardens St. Quintin Conservation Area Proposals Statement (CAPS) was approved in 1990. The statement provides guidance on roof alterations and rear extensions.

5. MAIN CONSIDERATIONS

5.1 The Officers' Report to the Members Panel of 20th June 2001 lists the main considerations as follows:

- (1) The appearance of the building;
- (2) The character and appearance of the Conservation Area;
- (3) The amenity of neighbours in terms of light and privacy; and
- (4) Trees growing on-street and in the premises' rear garden.

The first two matters above represent different considerations. The first relates to the impact of the proposal on the appearance of the building itself (regardless of whether it is in a Conservation Area), whilst the second relates to the impact of the proposal on the character and appearance of the Conservation Area.

*— simply
it is a
building
in a
cons. Area
cannot
disregard
it.*

5.2 We agree with the above list, and each of these will now be discussed in detail, dealing first with the policies relevant to issue, the Council's position on each policy and our assessment of the issue.

Appearance of the Building

5.3 Policy CD25 aims "To seek 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."

5.4 Within the emerging UDP, the only changes to this policy have been the inclusion of the reference to "materials" (Public inquiry version) after the word "bulk", and the word "seek" being changed to "ensure" (Inspector's Report).

5.5 Policy CD41 states:

"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).*

- 5.6 The Public Inquiry version of the emerging UDP adds two more scenarios to the above list, however these relate to front building lines and important gaps, and are therefore not of relevance to the current proposal.
- 5.7 The Local Authority argue that the proposed replacement rear extension will be bulkier than the existing structure and that its design is not considered to be in character with the existing building, mainly due to aspects of design such as the proposed oversailing ground floor, the size and style of window/door openings and the absence of brick arches to window openings.
- 5.8 The design of the rear "infill" extension at basement and ground floor level (towards No. 6 Bassett Road) was also considered to be out of character with the existing building, creating *"a visually more solid infill of the ground floor lightwell to the detriment of the building's appearance."*
- 5.9 With regard to policy CD41, the Panel Report states that the proposal is contrary only to Section (i) of the policy.
- 5.10 In response to this, we argue that the existing extension is not in character with the original dwelling in terms of any of the following:

- It has a pitched roof;
- There is extensive glazing at ground floor level;
- The brick archway over the rear doorway;
- The external spiral staircase leading into the rear garden area; and
- The existing ground floor conservatory to the east of the rear extension is completely glazed along all walls and roof, and is also is not in keeping with the character of the building.

Such details of design do not exist anywhere on the original rear elevation, nor on any buildings in the vicinity of the subject site.

and
we do
not
object
to its
removal
as the
design
is less
jarring
with the
late C19
character
of the block
than the
current
design.

5.11 By comparison, the proposed rear extension is of a high standard of design and is in keeping with the existing building as follows: *and black is white ...*

- The bulk of the extension, including the shape of the windows, has retained the rectilinear pattern emphasising the vertical dimension of the existing dwelling; *disagree*
- It is visually subordinate to the original building; *disagree*
- It represents a significant improvement over the existing rear extension, in that it has a flat roof. *disagree*
- The overall amount of glazing has been reduced, and is now mostly confined to the basement level. *Then it's not really and. well it has a lot of brick walls it brings other problems.*

5.12 The footprint, height and overall volume of the proposed rear extension is lower than the existing rear extension, and will therefore be less obtrusive. A comparison of the existing and proposed extension is shown on the submitted Drawing No. 670/PL07A, where the broken line indicates the outline of the existing extension. Although the proposed extension is slightly higher at the side eaves, the proposed ridge height is much lower. When viewed from the rear garden area, with similar adjoining rear extensions in the background, the proposal will look completely appropriate, and more so than the existing extension. *disagree*

5.13 Drawing No. 670/PL07A also shows a comparison between the location of the existing and proposed side walls. It can be seen that the proposal will have a reduced floor area and therefore lower overall volume than the existing rear extension. *Is it? It is the wall it strikes the eye first, the ridge beyond is less evident*

5.14 The proposed rear extension will be finished in brickwork at basement and ground level, with the majority of new glazing being contained to the basement level, where it will be less visible. *only very slightly and only at the LG level, not the more visible upper ground level.*

5.15 The proposal is therefore compatible with the scale, height, bulk and character of the existing dwelling and surrounding area, and will create a more congruous form of development than exists at present. *= brick bunker look floating on glass.*

5.16 With regard to Policy CD41, which relates specifically to proposals for rear extensions, the Panel Report states that the proposal does not comply with section (i) of this policy only. This section states:

- "(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)." *disagree*

5.17 The character, proportion, scale and detail are more compatible with the existing

building than the existing rear extension. The overall level of glazing has been reduced, and the majority has been restricted to basement level, where it will be least visible. To compare the existing and proposed ground levels, which will be the most visible component of the proposal, the design of the proposed scheme is a vast improvement over the existing situation which contains a range of inappropriate styles and finishes and is completely out of character with the existing building.

See above
comment

5.18 The proposal is therefore considered to comply with Policies CD25 and CD41 of the adopted and emerging UDP.

o'yes

5.19 Policy CD38 relates to additional storeys and roof alterations, and indicates those circumstances in which planning permission will be refused. The Council does not object to the appeal proposal with regard to the roof alterations. The subject building is not of the type listed in sections (a) to (h) of this policy, and the proposal thus satisfies Policy CD38.

→ I was not the one in
our main reason for refusal.
= N/A

5.20 There are no changes to this policy proposed in the emerging UDP.

5.21 Policy CD39 seeks "Normally to permit additional storeys and roof level alterations in the following circumstances:

N/A

(a) Where the character of a terrace or group of properties has been severely compromised by a variety of roof extensions and where infilling between them would help to re-unite the group; and

note

(b) The alterations are architecturally sympathetic to the age and character of the building."

of

5.22 Within the emerging UDP (Public Inquiry Version), a slight amendment has been made to the end of subsection (b) to this policy, with the addition of the words "and would not harm its appearance."

space

5.23 The proposal includes the addition of velux rooflights to the rear roofslope, some of which will not be seen due to their setback behind the rear brick parapet. Paragraph 4.10 of the Panel Report confirms that "The rear roof alterations are considered acceptable with reference to the above policies (Policies CD38 and CD39)."

N/A

5.24 Along the front roof slope, it is proposed to insert a recessed dormer. The Panel Report (in paragraph 4.9) confirms that while the Conservation Area Proposals Statement Guidance is to resist front roof alterations, there is a precedent for narrow front roof recesses on other properties in Bassett Road, and provided the proposed roof recess is narrowed to correspond with others in the street, "the front roof recess is considered consistent with Policies CD38 and CD39."

N/A

Conservation Area

5.25 Policy **CD52** seeks *"To ensure that any development in a Conservation Area preserves or enhances the character or appearance of the area."*

5.26 Policy **CD53** seeks *"To ensure that all 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.

5.27 Within the emerging UDP, no changes are proposed to either of the above adopted policies.

5.28 Within the Oxford Gardens St. Quintin Conservation Area Proposals Statement (1990), the property is identified as falling within Category 4 in relation to roof alterations. This category specifies *"No change to the front and side roof slopes, or to prominent rear roofslopes."* The policy allows for rear dormer windows and skylights. ✓/A

5.29 The Council do not in fact assess the scheme against the character or appearance of the Conservation Area as a whole.

5.30 The existing rear extension is of poor design quality and contributes little to the Oxford Gardens St. Quintin Conservation Area. Although in general, more attention to detail is required for alterations and extensions which will be visible from the street front (or another public place), the Conservation Area Proposals Statement also requires rear extensions to have a *"good architectural relationship between the proposal, the existing building and its neighbours."* ✓

5.31 The design of the proposed rear extension does not replicate the existing Victorian detail, however it does complement the design of the existing dwelling, and more so than the existing rear extension. When viewed in the context of nearby dwellings and existing rear extensions in the Oxford Gardens St. Quintin Conservation Area, the design of the proposal is much more in keeping with the character and appearance of the Conservation Area than the existing extension. *sample* ?

5.32 The removal of the existing rear extension and its replacement with the proposed scheme will therefore not only preserve the character and appearance of the *??*

Conservation Area but will also enhance it, as required under Policy CD52.

Amenity

- 5.33 Policy CD28 seeks "Normally to resist development which significantly reduces sunlight or daylight enjoyed by existing adjoining buildings and amenity spaces." *overlooking was*
- 5.34 Policy CD30 seeks "To require development to be designed to ensure sufficient visual privacy of residents and the working population." *N/A*
- 5.35 There are no changes proposed to either of the above adopted policies in the emerging UDP. *not*
- 5.36 In terms of daylight, paragraph 4.12 of the Panel Report confirms that "the development would not adversely affect neighbours' light." *part*
- 5.37 The proposed rear extension is to extend to the same depth as the existing extension, and its roof ridge is lower than the existing. In addition, it is almost a 10 metre perpendicular distance from the nearest adjoining rear extension at No. 6 Bassett Road. *of N/A*
- 5.38 The Panel Report, in paragraph 4.6 states that "The omission of glazing on the western elevation eliminate (sic) existing overlooking towards the rear garden of No. 10 ...". *re can*
- 5.39 There is currently a high degree of overlooking from the ground floor of the existing rear extension, into the rear private garden of No. 10 Bassett Road. This is due to the large amount of glazing (floor to ceiling) along two-thirds of the ground floor of the western side wall of the extension (which is elevated above natural ground level at the rear of the site). *for refusal*
- 5.40 The proposed extension will remove this glazing in preference for a solid brick wall which will therefore eradicate the existing overlooking problems from the extension, thereby greatly improving the visual privacy experienced by the adjoining property at No. 10 Bassett Road. *N/A*
- 5.41 The Panel Report stated, in paragraph 4.6, that "The omission of glazing on the western elevation eliminate (sic) existing overlooking towards the rear garden of No. 10 but is not considered so desirable as to outweigh the problem of the harm to the appearance of the building."
- 5.42 The level of overlooking currently experienced is unusually high, and if an application for the existing extension were looked at under current standards it would be likely to be refused on privacy grounds alone. The removal of such an existing overlooking problem is extremely desirable, at least for the adjoining *N/A*

residents (and any future residents).

- 5.43 In our judgement, significant weight should be attached to that improvement in its own right. We judge the appearance of the proposal to be in keeping. If the Inspector disagrees and regards the design as not compatible, in our opinion any such variance would be relatively minor, relying more on a question of style than of character, proportion, scale and materials. In that event we believe the improved privacy should be afforded at least equal weight to any concern over the impact of the appearance of the proposed style. *interesting!*

Trees

- 5.44 Policy CD72 seeks "To resist development proposals that would result in an unnecessary loss of trees." This policy has been altered in the emerging UDP (Public Inquiry version) to read: "To resist development proposals that would result in unnecessary damage or loss of trees."
- 5.45 Policy CD74 seeks "To resist the loss of trees unless they are dead, dying or potentially a public danger, causing an actionable nuisance or, exceptionally, when removal is required in a replanting scheme." There are no changes proposed to this policy in the emerging UDP.
- 5.46 The excavation beneath the front garden has the potential to affect the existing street trees, however Officers note that it does not encroach within the 6 metre exclusion zone specified by the Council's Arboriculturist (as illustrated on Drawing 670/PL01A), and no objection is therefore raised with reference to Policies CD72 and CD74.
- 5.47 In summary, then, the Local Authority argue that the proposed front and rear roof alterations, along with the formation of the plant room/store beneath the front garden have been accepted by Officers'. The proposal was also considered acceptable in terms of any impact to adjoining residents of daylight and privacy. The Officers' report agreed that the proposal will remove the existing overlooking of the adjoining property at No. 10 Bassett Road, thereby improving the privacy levels experienced by these residents. The concern lies in the design of the proposed rear extensions and their impact on the character and appearance of the Conservation Area. *how many more times he says that?*

- we do* 5.48 In our assessment, they are incorrect in their analysis of the appearance of the building, they do not address what is the prevailing character of the Conservation Area, and their concern is principally therefore that they do not like the style of the proposed rear extension. We assess it to be more in keeping with both the existing building and the other extensions to be found in the Conservation Area. We also think the improved privacy is of significant importance in making an overall assessment of the proposals. *we disagree as it does appear why.*

6 CONCLUSIONS

6.1 In summary, then, the following arguments are put forward for the proposal:

- (1) The design of the proposed rear extension is very much in keeping with both the existing building and rear extensions in the vicinity of the site.
- (2) The proposal is compatible with the scale, height, bulk and character of the existing dwelling and surrounding area, and will create a more congruous form of development than exists at present.
- (3) The removal of the existing extension and its replacement with the proposed scheme will also preserve and enhance the character and appearance of the Oxford Gardens St. Quintin Conservation Area.
- (4) The proposal will result in the removal of a large area of glazing which will thereby eradicate the existing overlooking of the adjoining property at No. 10 Bassett Road, and greatly improve the privacy and amenity of this property.

6.2 It has been shown that the proposal complies with all of the policies cited as reasons for refusal in the decision notice, and that the proposal complies fully with the Royal Borough of Kensington and Chelsea Unitary Development Plan, 1995 (including any emerging alterations) as well as the Oxford Gardens St. Quintin Conservation Area Proposals Statement (1990).

6.3 No other material considerations outweigh that policy compliance, and for the above reasons, we therefore respectfully ask that the appeal be allowed and permission be granted for alterations to the existing dwelling including the demolition of the existing basement and ground floor rear extensions, erection of basement and ground floor rear extensions, roof alterations and formation of plant room/store beneath front garden at 8 Bassett Road, London W10 under Application No. PP/01/00945/CHSE.

a very
weak
statement

APPENDICES

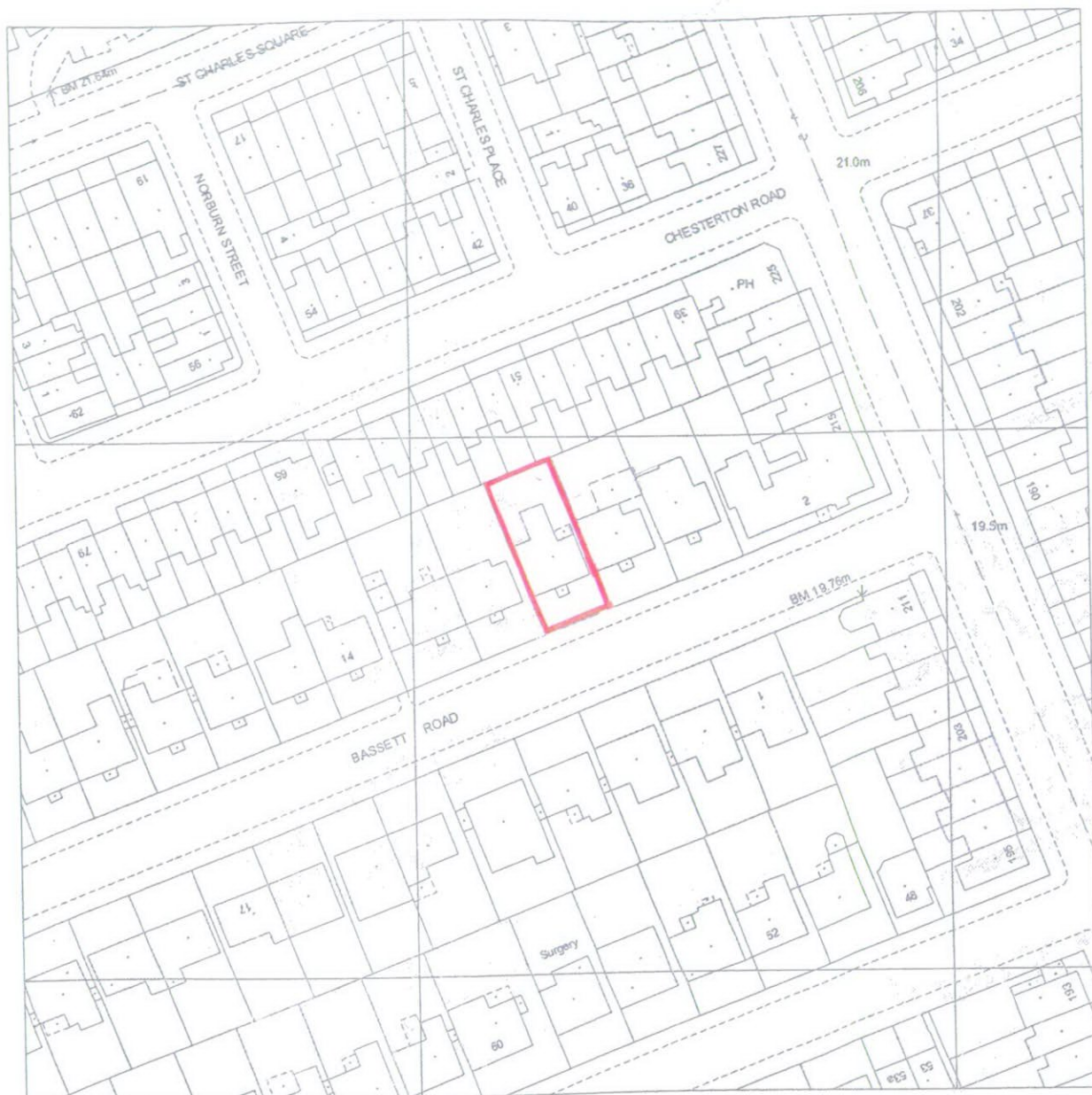
Appendix 1 BCP 1 - Site Location Plan

Appendix 2 BCP 2 - Photographs

APPENDICES

APPENDIX

1



Title:

8 Bassett Road, London, W10

THE BELL CORNWELL PARTNERSHIP
CHARTERED TOWN PLANNERS

OAKVIEW HOUSE STATION ROAD HOOK HAMPSHIRE RG27 9TP
TEL: (01256) 766673 FAX: (01256) 768490 bcp@bell-cornwell.co.uk



Site Location Plan

Scale:

1:1250

Job:

3548

Plan No:

BCP. 1

Drawn:

JH

Date:

Sept 2001

Checked:

KS

Date:

2/9/01

APPENDIX

2



Title: 8 Bassett Road, London, W10

View from ground floor rear extension looking west towards No. 10 Bassett Road.

Drawn: JH

Date: Sept 2001

THE BELL CORNWELL PARTNERSHIP
CHARTERED TOWN PLANNERS
 OAKVIEW HOUSE STATION ROAD HOOK HAMPSHIRE RG27 9TP
 TEL: (01256) 766673 FAX: (01256) 768490 bcp@bell-cornwell.co.uk



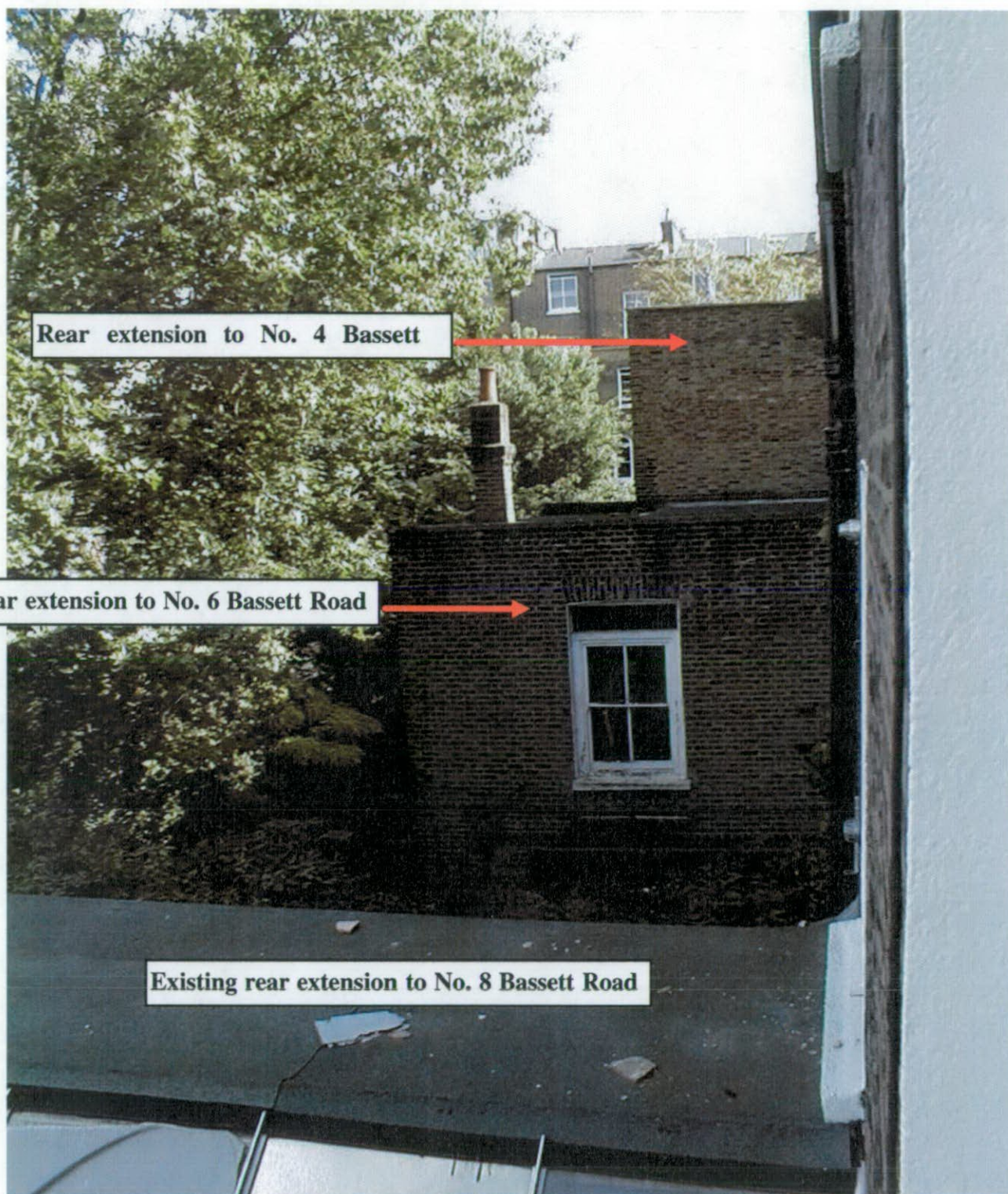
Scale: NTS

Job No: 3548

Plan No: BCP.2a

Checked: KS

Date: 12/9/01



Title:

8 Bassett Road, London, W10

View from first floor window of No. 8 Bassett Road looking east.

THE BELL CORNWELL PARTNERSHIP
CHARTERED TOWN PLANNERS

OAKVIEW HOUSE STATION ROAD HOOK HAMPSHIRE RG27 9TP
TEL: (01256) 766673 FAX: (01256) 768490 bcp@bell-cornwell.co.uk



Scale:

NTS

Job:

3548

Plan No:

BCP. 2b

Drawn:

JH

Date:

Sept 2001

Checked:

KS

Date:

12/9/01



Title:

8 Bassett Road, London, W10

View from No. 8 Bassett Road looking west.

THE BELL CORNWELL PARTNERSHIP
CHARTERED TOWN PLANNERS

OAKVIEW HOUSE STATION ROAD HOOK HAMPSHIRE RG27 9TP
TEL: (01256) 766673 FAX: (01256) 768490 bcp@bell-cornwell.co.uk



Scale:

NTS

Job:

3548

Plan No:

BCP. 2c

Drawn:

JH

Date:

Sept 2001

Checked:

KS

Date:

12/9/01

Evolution Design Concept 3.

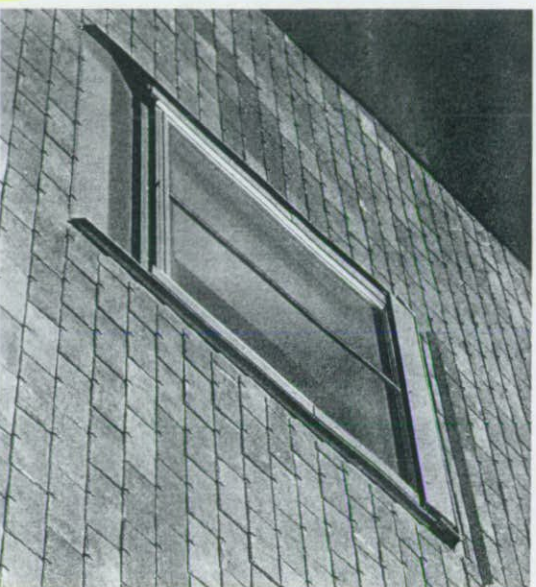
VELUX roof windows are

characterised by their versatility. Not only are they capable of meeting most requirements but they are aesthetically pleasing to the eye, both internally and externally.

By combining standard roof windows with special recessed flashings (EDN or EDJ) they can be adapted for more specialised applications in order to comply with conservation or listed building requirements.

For more details on the VELUX Conservation Roof Window System (which is available in special colours), please contact the VELUX Technical Department on 01 592 77 8250 (in Ireland – call 00 3531 848 8775).

SPECIALIST REQUIREMENTS



The VELUX Conservation Roof Window System (comprising a standard VELUX roof window, EDN or EDJ recessed flashing plus vertical glazing bar) achieves near-flush fitting in either slate or tiled roofs.

CONSERVATION ROOF WINDOW SYSTEM

For projects where near-flush roof windows are required VELUX has developed special EDN and EDJ recessed flashings (see page 23 for full details).

These can be used with any standard roof window (GGI, GHL, GGU and GPL) to produce a recessed installation.

Both flashings and windows are available in all standard sizes allowing a wide choice of options.



CONSERVATION ROOFLIGHTS

With polyurethane frame, anodized aluminium sash and external vertical glazing bar, GVA and GVT Conservation Rooflights have been designed with respect for traditional buildings and are ideal for replacing old cast iron rooflights.

The GVA is a top-hung rooflight whilst the GVT (0091) is a side-hung version designed for emergency escape applications. Both units are supplied with integral flashings to ease installation.

CONSERVATION ROOF WINDOW SYSTEM

To calculate the price of a Conservation Roof Window System simply add up the costs of its three components: VELUX Roof Window (see relevant price page) + recessed flashing (see page 23) + vertical glazing bar (from £27.50 excl. VAT).

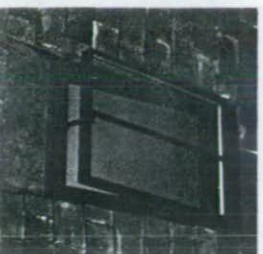
Prices for special colours can be obtained on application.

CONSERVATION ROOFLIGHTS

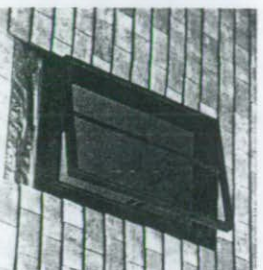
External sash size (nominal w x h) cm	Delivery time in working days (from receipt of order at VELUX)		
GVA 0091 Top-hung, standard insulating unit with glazing bar*	2 Days	198.30	46 x 61
GVT 154 0091 Side-hung, standard insulating unit with glazing bar*	2 Days	233.00	56 x 98
		236.60	
		278.00	

PRICE LIST 01.03.99 **BOLD PRICES – EXCLUDE VAT** LIGHT PRICES – INCLUDE VAT

*U=3.5 W/m²K for complete installed window



GVA – Conservation
Rooflight



GVT (0091) – Conservation
Escape/Access Rooflight



GPL – Emergency
Escape/Access Roof Window

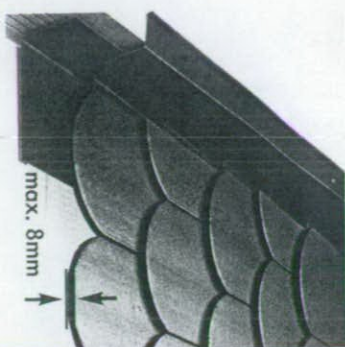


GVT (0059) – Emergency
Escape/Access Rooflight

FLASHINGS - IMPROVED DESIGN FEATURES

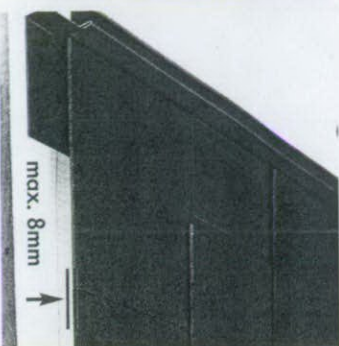


NEWLY DEVELOPED FOR
PLAIN TILE
INSTALLATION



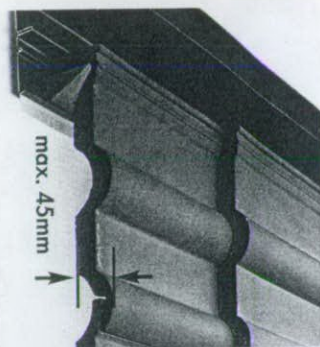
EDL

Flashing for installing one roof window into a flat roofing material up to 8mm thick. Maintenance-free grey aluminium as standard. For roof pitches from 15° to 90°.



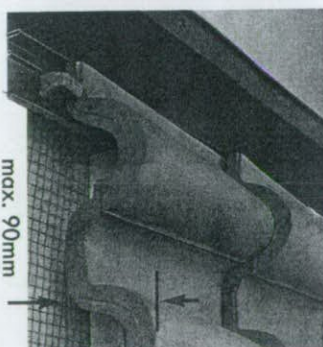
EDN

Flashing for recessed installation of one roof window in flat roofing material up to 8mm thick. Maintenance-free grey aluminium as standard. For roof pitches from 35° to 90°. A "Coupled" version of EDN is also available.



EDZ

Flashing for installing one roof window in flat or profiled roofing material up to 45mm in profile. Maintenance-free grey aluminium as standard. For roof pitches from 20° to 90°.



EDH

Flashing for installing one roof window in flat or profiled roofing material up to 90mm in profile. Maintenance-free grey aluminium as standard. For roof pitches from 15° to 90°.



EDP

Flashing for installing one roof window in plain tiles. Maintenance-free grey aluminium as standard. For roof pitches from 25° to 90°.

FLASHINGS FOR ROOF WINDOWS

External frame size (nominal w x h) cm	Delivery time in working days (from receipt of order at VELUX)								
SIZE REF. (Previous size codes in brackets)									
EDL 0000	2 Days	21.28	22.98	26.38	25.53	27.23	28.09	32.34	30.64
Flashing for slate up to 8mm thick.		25.00	27.00	31.00	30.00	32.00	33.00	38.00	36.00
EDN 0000	2 Days	36.60	47.66	51.91	49.36	43.40	57.87	61.28	57.02
Recessed flashing for slate up to 8mm thick.		43.00	56.00	61.00	58.00	51.00	68.00	72.00	67.00
EDZ 0000	2 Days	24.68	26.38	29.79	28.94	31.49	33.19	36.60	35.74
Flashing for tiles up to 45mm in profile.		29.00	31.00	35.00	34.00	37.00	39.00	43.00	42.00
EDH 0000	2 Days	29.79	30.64	34.89	34.89	37.45	37.45	42.55	43.40
Flashing for tiles up to 90mm in profile.		35.00	36.00	41.00	41.00	44.00	44.00	50.00	51.00
EDP 0000	2 Days	36.60	47.66	51.91	49.36	43.40	57.87	61.28	57.02
Flashing for plain tiles up to 15mm thick.		43.00	56.00	61.00	58.00	51.00	68.00	72.00	67.00

PRICE LIST 02.04.01 BOLD PRICES - EXCLUDE VAT LIGHT PRICES - INCLUDE VAT Flashings also available in titanium zinc, pre-patinated zinc, copper and a wide range of colours to match the roof window finish. For further details



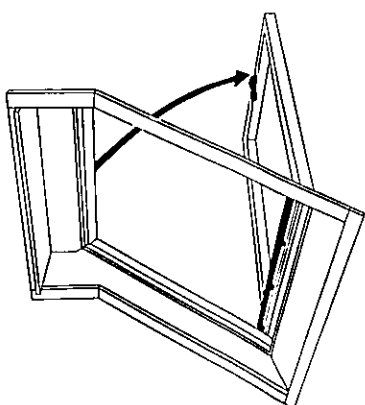


GPU TOP-HUNG POLYURETHANE FINISH

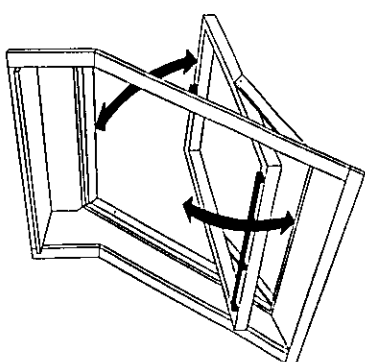
The GPU window's wooden core is encased within moulded polyurethane and finished with a maintenance free, white polyurethane varnish.

The window's hard, resilient surface finish allows for easy wipe-cleaning. As with all VELUX roof windows, the GPU also features a centre pivot function to allow cleaning of the outer pane from within the room.

Installation is possible for roof pitches between 20° and 55°, or up to 65° with the use of special springs.[†]



Opening is assisted by powerful but gentle springs in one single action to an angle of 45°.



The control bar is located at the top of the window and provides full rotation of the sash for cleaning.

GPU TOP-HUNG WHITE POLYURETHANE ROOF WINDOWS

External frame size (nominal w x h) cm	Delivery time in working days (from receipt of order at VELUX)	SIZE REF.	66 x 118	78 x 118	78 x 140	114 x 118
STANDARD VARIANTS (Previous size codes in brackets)			F06 (206)	M06 (306)	• M08 (308)	S06 (606)
GPU 0059 Top-hung, EVERfinish, THERMO-STAR™ glazing (U=1.5 W/m²K*)	2 Days		254.47	268.94	289.36	309.79
			299.00	316.00	340.00	364.00
GPU 0034 Top-hung, EVERfinish, obscure inner glazing, toughened low-E outer glazing (U=1.5 W/m²K*)	7 Days		249.36	257.87	283.40	302.98
			293.00	303.00	333.00	356.00
GPU 0073 Top-hung, EVERfinish, PROTEC-STAR (U=1.5 W/m²K*)	7 Days		315.74	327.66	357.45	405.11
			371.00	385.00	420.00	476.00

PRICE LIST 02.04.01 **BOLD PRICES – EXCLUDE VAT** LIGHT PRICES – INCLUDE VAT

• M08 (308) meets emergency escape/access requirements. Refer to pages 20/21 for further details.

† Special springs must be specified at the time of ordering.

* U value relates to complete installed window

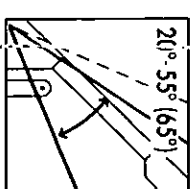
VELUX®

FLASHINGS
See Page 24

PROTEC-STAR GLAZING DETAILS
See Page 29

VENETIAN BLINDS
See VELUX blinds brochure

GPU INSTALLATION PITCH



(65°) with the use of special springs.[†]



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