

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

Dismissed at
Appeal

PLANNING SERVICES COMMITTEE 19/10/1999 APP NO.PP/99/01353/CHSE/27
AGENDA ITEM NO. 2134

ADDRESS

15 Holland Park Road,
Kensington, W14 8NA

APPLICATION DATED 30/06/1999

APPLICATION COMPLETE 05/07/1999

APPLICATION REVISED N/A

APPLICANT/AGENT ADDRESS:	<u>CONSERVATION</u>	Holland Park	<u>CAPS</u>	Yes
	<u>AREA</u>			
Vale Garden Houses, Melton Road, Harlaxton, Grantham, Lincs. NG32 1HQ	<u>ARTICLE '4'</u>	Yes	<u>WAR</u>	Holland
			<u>LISTED BUILDING</u>	NO
			<u>HBMC DIRECTION</u>	N/A
	<u>CONSULTED</u>	29	<u>OBJECTIONS</u>	5
	<u>SUPPORT</u>	0	<u>PETITIO</u>	0

Applicant Mrs P. Prach

PROPOSAL:

Erection of rear ground floor conservatory.

RBK&C Drawing No(s): PP/99/01353

Applicant's drawing(s) No(s). 3Q - 2696/1E

RECOMMENDED DECISION: Refuse planning permission

REASONS FOR REFUSAL

1. **The proposed conservatory will result in a loss of garden space and amenity to adjoining residents, which is of considerable local value, as endorsed by the recently approved Art 4(i) Direction.**
2. **The proposed development would, if granted, create a dangerous precedent for similar additions, to the detriment of the character and appearance of this part of the Holland Park Conservation Area.**

1.0 THE SITE

- 1.1 No. 15 is an end of terrace property which fronts onto Holland Park Road. It is not listed but is situated within the Holland Park Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a half-width rear conservatory at ground floor level.

3.0 PLANNING HISTORY

- 3.1 Planning permission was refused earlier this year for the erection of a full-width rear conservatory at ground floor level.
- 3.2 On 14th September 1999, an Article 4(i) Direction was approved by the Secretary of State for the Environment with regard to 9A and 11-17 (odd) Holland Park Road, 2-24 (even) St. Mary Abbots Terrace and 24-30 (even) Melbury Road. This Direction withdrew Permitted Development rights relating to 'The erection of an extension to the rear of a dwelling house or the enlargement of the rear of the dwelling house'. This Direction came into effect on 24th September 1999.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main consideration with regard to this proposal relates to design and impact on the character and appearance of the Conservation Area.
- 4.2 Policies CD52 and CD53 of the Council's Unitary Development Plan relate to conservation areas and should be taken into consideration in this case. Policy CD42 relates to conservatories and is also considered to be relevant.
- 4.3 It is proposed that a half-width conservatory is erected at rear ground floor level. It would project rearwards by 2500mm and would have a floor area of 7.25 square metres.
- 4.4 No. 15 is a relatively modest property with a small garden. Any extension to this property would intrude into the small garden area and bring about a change in the external appearance and thereby the visual character of this area.
- 4.5 It is considered that the proposed conservatory would detract from the amenities of neighbouring residential properties.
- 4.6 The previous application which was refused earlier this year was considered too large and overly dominant for a house and garden of this scale. It was also considered that the detailed design was overly ornate and ostentatious for the unassuming and simple character of this property. Whilst the current proposal represents an improvement on the previous scheme, it does still intrude into the garden area, and detrimentally affects the character of this group of houses.
- 4.7 It is also proposed that a new door with sidelights is installed in the rear ground floor elevation. Whilst

there is no objection to this element of the proposal, it forms part of the larger application and cannot be separated.

5.0 PUBLIC CONSULTATION

5.1 Twenty-nine neighbouring properties on Holland Park Road were consulted with regard to this proposal. Five letters of objection have been received, including one from Councillor The Lady Hanham, a nearby resident.

5.2 Councillor The Lady Hanham states:

"I am writing to object to the construction of any building in the rear garden of 15 Holland Park Road on two grounds:-

1. It cannot but affect those who live in the adjacent property. It would still be tall enough to be obvious from the next door property and would thus encroach upon their right to privacy.

2. I object in principle to the construction of any extension to this building, on the grounds that if it is allowed it will set a precedent for the future.

All the properties which are currently awaiting an Article 4 Direction and which have been identified by your department for this purpose have small, but attractive gardens. This amenity plays an enormous part of the setting of Leighton House and the other Victorian houses on the North side of Holland Park Road. The possibility of the hotch potch of glass extensions coming about as a result of a precedent being set would, in my view, be extremely detrimental to this part of the conservation area."

It is considered that this proposal could result in some loss of privacy to neighbouring residential properties. The conservatory would be located at ground floor level and is set away from the boundary with the adjoining property to the South by 2.6 metres.

This proposed conservatory would represent the first extension in this group of properties, and it is considered that it would have a detrimental impact on the character of the Conservation Area by virtue of its size and loss of garden space. It is considered that the cumulative effect of such structures would cause considerable harm to the character and amenity.

5.3 Areas of concern from other neighbouring residents with regard to this proposal are as follows:

5.3.1 The proposal would spoil the garden and generally detract from the character of the area. The gardens are too small for extra buildings. The proposal would result in the loss of trees and shrubs and a sense of spaciousness. Views onto the rear gardens would be disrupted and neighbours would look onto bricks, mortar and glass. "Surely Planning Acts were devised and enacted in order to protect just such a loss of character of land as this."

No. 15 is a modest sized property with a small garden. It is considered that it would result in a loss of garden area and in a significant reduction in the sense of space between the properties within the neighbourhood.

5.3.2 The proposal would spoil the elegance and distinctiveness of this area and would cause unpleasantness for neighbouring houses.

It is considered that the proposed conservatory would have a detrimental impact on the character of the Conservation Area by virtue of its size, location and design.

5.3.3 Although it is a small version of the first application, it is still a very solid building.

The proposed conservatory is lightweight in appearance by virtue of the dominance of glazed areas. It is considered, however, that this structure would have a detrimental impact on the character of this property and Conservation Area.

5.3.4 If this second proposal for a conservatory gets permission it is going to set a precedent for similar buildings within the neighbourhood.

This proposed conservatory would represent the first extension in this group of properties. It is considered that it would have a detrimental impact on the character of the Conservation Area by virtue of its size, location and design. Similarly, it is considered that the cumulative effect of such modest structures would cause harm in these terms to the area.

5.3.5 Loss of privacy.

It is considered that this proposal could result in a loss of privacy to neighbouring residential properties. The conservatory would be located at ground floor only and is set away from the boundary with the adjoining property by 2.6 metres.

6.0 RECOMMENDATION

6.1 Refuse planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file PP/99/01353 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

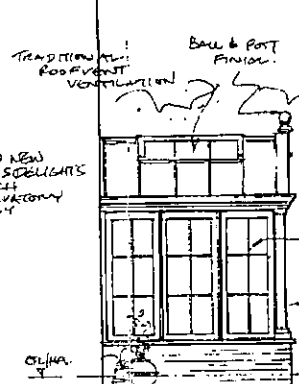
Report Prepared By: MJF
Report Approved By: MJF
Date Report Approved: 08/10/1999

PSC9910/MJF.REP

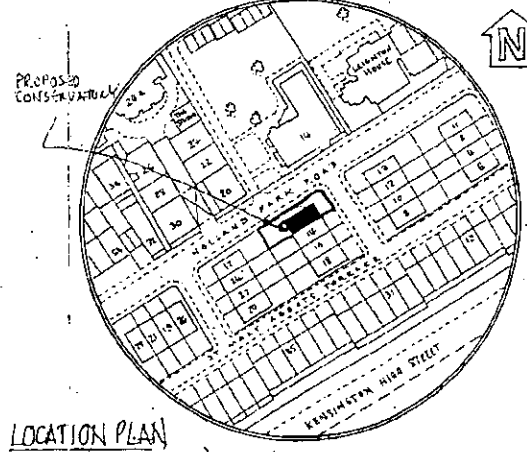
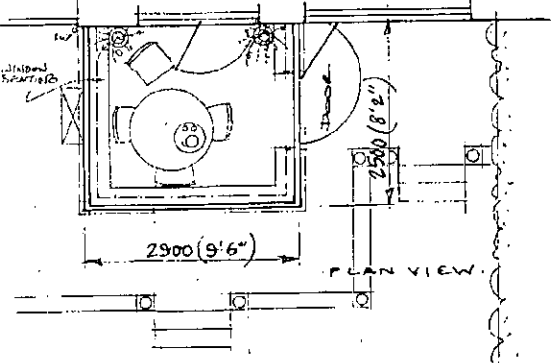
1:5 6 100mm 200 300 400 500
 1:50 6 1m 2 3 4 5



FRONT ELEVATION



SIDE ELEVATION



PP991353

REFUSED BY PLANNING SERVICES CITEE
 19 OCT 1999
 REFUSAL REF.



VALE GARDEN HOUSES LTD
 MELTON ROAD, HARLINGTON, N. GRANTHAM, LINCEN. SHIRE NG32 1HQ
 TEL 01476 564133 FAX: 01476 574555

R.B.K. & C. TOWN PLANNING
 1 JUL 1999
 RECEIVED

NOTE
 BASEWORKS ARE TO BE SET OUT ONLY TO FOUNDATION DRAWINGS CONTRACTORS AND ERECTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE WORK COMMENCES
 THIS DRAWING ITS DESIGN AND APPLICATION TO SITE AND ITS COMPONENTS REMAINS THE PROPERTY OF VALE GARDEN HOUSES LTD AND MAY NOT BE REPRODUCED IN ANY WAY WITHOUT PRIOR CONSENT

AMENDMENTS: DATE:

CLIENT
 MRS. P PRACH
 PROJECT
 15, HOLLAND PARK ROAD LONDON.

SCALE 1:50 DATE JUNE '99

DRAWN SJB CHECKED

DRAWING CONCEPT FIVE.

DRAWING NUMBER A30-2696/1E

PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

THE ROYAL
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

Vale Garden Houses,
Melton Road,
Harlaxton,
Grantham, Lincs.
NG32 1HQ

Switchboard: 0171-937-5464
Direct Line: 0171-361-2776
Extension: 2771
Facsimile: 0171-361-3463
21 OCT 1999



KENSINGTON
AND CHELSEA

My Ref: PP/99/01353/CHSE/27/2134
Your Ref: 11299/C607

Please ask for: Central Area Team

Dear Sir/Madam,

FILE COPY

TOWN AND COUNTRY PLANNING ACT, 1990

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER, 1988

REFUSAL OF PERMISSION TO DEVELOP (DP2)

The Borough Council in pursuance of their powers under the above mentioned Act and Order, hereby REFUSE to permit the development referred to in the under-mentioned Schedule as shown in the plans submitted. Your attention is drawn to the enclosed Information Sheet.

SCHEDULE

DEVELOPMENT: Erection of rear ground floor conservatory.

SITE ADDRESS: 15 Holland Park Road, Kensington, W14 8NA

RBK&C Drawing Nos: PP/99/01353

Applicant's Drawing Nos: 3Q - 2696/1E

Application Dated: 30/06/1999

Application Completed: 05/07/1999

Application Revised: N/A

REASON(S) FOR REFUSAL OF PERMISSION ATTACHED OVERLEAF

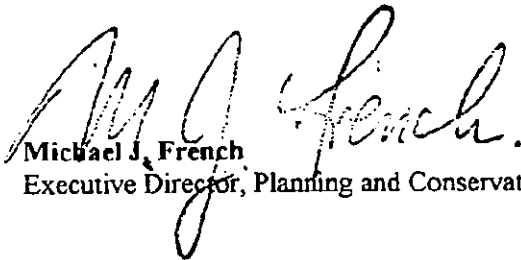
REASON(S) FOR REFUSAL:

~~24A~~

245

1. The proposed conservatory would result in a loss of garden space and amenity to adjoining residents, which is of considerable local value, as endorsed by the recently approved Art 4(i) Direction.
2. The proposed development would, if granted, create a dangerous precedent for similar additions, to the detriment of the character and appearance of this part of the Holland Park Conservation Area.

Yours faithfully,


Michael J. French
Executive Director, Planning and Conservation