

ROYAL BOROUGH OF KENSINGTON & CHELSEA

RECOMMENDATION
ADOPTED.

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APPROVED BY
PLANNING SERVICES COMMITTEE
07 JUN 1999
CONSERVATION

PLANNING SERVICES COMMITTEE APP NO. TP/98/1905/G/16
08/06/1999 AGENDA ITEM NO. 6091

ADDRESS

EARL'S
COURT
TELEPHONE
EXCHANGE,
BOLTONS
PLACE,
KENSINGTON,
S.W.5

APPLICATION DATED 07/10/1998

APPLICATION COMPLETE 12/10/1998

APPLICATION REVISED 19/04/1999

APPLICANT/AGENT ADDRESS:

Biscoe Associates,
85 Cadogan Gardens,
London, SW3 2RD

CONSERVATION AREA Boltons CAPS Yes

ARTICLE '4' No WARD Redcliffe

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 57 OBJECTIONS 9

SUPPORT 1 PETITION 0

Applicant BT Property

RECOMMENDED PROPOSAL:

Demolition of existing telephone exchange and the construction of three dwelling houses with basements and attached garages behind a private service road with access from Boltons Place.

RBK&C Drawing No(s): TP/98/1905, TP/98/1905/A and TP/98/1905/B

Applicant's drawing(s) No(s): 0119/S/001, 002, 003, 004, 005, 0119/P/300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310 and TOWN255(08)301/R00

RECOMMENDED DECISION:

- (1) Grant planning permission;**
- (2) Grant consent under Section 184 of the Highways Act 1980 for the construction of a vehicular pavement crossover.**

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

1. **The development hereby permitted shall be begun before the expiration of five years from the date of this permission. (C001)**
Reason As required by Section 91 of the Town and Country Planning Act 1990, to avoid the accumulation of unexercised Planning Permissions. (R001)
2. **The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Local Planning Authority. (C068)**
Reason - The details are considered to be material to the acceptability of the proposals, and for safeguarding the amenity of the area. (R068)
3. **Full particulars of the method(s) by which all the existing trees on the site are to be protected during building and other operations on the site shall be submitted to, and approved in writing by, the local planning authority before the development commences, and the protection so approved shall be provided before the commencement of the development and maintained for the duration of building and other operations on site (C021)**
Reason - To ensure that the trees are adequately protected, to safeguard their contribution to the amenity of the area (R021)
4. **Full particulars of the following shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:**
 - (a) the materials to be used on the external faces of the building(s);
 - (b) any proposed walls, fences, or railings;
 - (c) the sizes, proportions and design of the dormer windows. (C011)*Reason - The particulars hereby reserved are considered to be material to the acceptability of the development, and the local planning authority wishes to ensure that the details of the development are satisfactory. (R011)*
5. **All planting, seeding and turfing, forming part of the approved details of landscaping, shall be carried out in the first planting and seeding season following the first occupation of the development or the completion of the development whichever is the sooner and any trees or plants which, within a period of 5 years from the completion of the development, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives its written consent to any variation (C018)**
Reason - To protect the amenity of the area (R018)

6. **The landscaping proposals hereby approved shall be carried out in full within 3 months of the date of occupation of the buildings the subject of this permission, or such longer period as shall be agreed in writing by the local planning authority (C019)**
Reason - To screen the development in order to protect the amenity of the area (R019)
7. **The garage accommodation hereby permitted shall be available at all times for car parking and shall not be adapted for living, commercial, or other purposes. (C028)**
Reason - To protect the amenity of the area (R028)
8. **No demolition pursuant to this permission shall commence until a contract for the carrying out of the building operations hereby permitted has been completed. (C069)**
Reason - To ensure a satisfactory standard of external appearance, and to safeguard the visual amenity of the area. (R069)
9. **Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A-F of the Town and Country Planning General Development Order 1995, no external alterations shall be carried out or extensions constructed to the premises the subject of this permission without the prior approval in writing of the Local Planning Authority. (C070)**
Reason - To preserve the character and appearance of the conservation area and the amenities of neighbouring properties.
10. **The roof slope of the building hereby permitted shall be clad in natural slates, and so maintained. (C073)**
Reason - To preserve the character or appearance of the Conservation Area / To protect the character and appearance of the building which is statutorily Listed (R073)
11. **The windows shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To ensure a satisfactory standard of appearance (R075)
12. **The conservatories hereby permitted shall be timber framed, white painted, and so maintained. (C076)**
Reason - To ensure a satisfactory standard of external appearance (R071)
13. **No water tank, lift motor room, or other roof structure, shall be erected which rises above the level of the roof hereby approved. (C077)**
Reason - To safeguard the appearance of the building / terrace / area (R077)
14. **No additional plumbing or pipes other than rainwater pipes shall be fixed on the external faces of the building without the prior written approval of the**

local planning authority (C085)

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

15. **The two easternmost windows at first, second and third floor levels in the south elevation of the southernmost house and the two easternmost windows at first, second and third floor levels in the north elevation of the northernmost house hereby permitted shall be constructed using only obscured glazing, and shall be so maintained (C092)**
Reason - To safeguard the amenity of neighbouring property, and in particular to prevent overlooking (R091)

INFORMATIVES

- | | |
|----|-----|
| 1. | I10 |
| 2. | I39 |
| 3. | I09 |
| 4. | I11 |
| 5. | I23 |
| 6. | I30 |
| 7. | I31 |
| 8. | I21 |

1.0 THE SITE

- 1.1 The application relates to a site measuring approximately 55 metres square located on the east side of Boltons Place. It is currently occupied by a three storey flat roofed brick building used as a telephone exchange. This is set back ten metres from the site frontage and some 17 metres from the southern boundary of the site. The building extends to the full depth of the site and is set in from the northern boundary by 4 metres at the front and 10 metres at the rear. The front part of the gap on the southern side of the building is occupied by a car park at the rear of which are several trees and shrubs.
- 1.2 To the south and set at an angle to the site boundary is No.1 The Boltons, a Grade II Listed, three storey-plus-basement semi-detached villa with a white stucco frontage. Planning permission and Listed Building consent were granted in September 1998 for external alterations, erection of a conservatory and other works in connection with the amalgamation of Nos.1 & 2 into a single dwelling. The northernmost element of No.1 consists of a ground and first floor side extension which is partly chamfered along the site boundary.
- 1.3 To the east are the communal gardens of the mansion blocks at 1-9 Cresswell Gardens. To the north are residential properties fronting Old Brompton Road and the recently refurbished residential building fronting Boltons Place known as Bladon Lodge.
- 1.4 The building occupying the site is unlisted and lies within the Boltons Conservation Area.

2.0 PROPOSAL DETAILS

- 2.1 Conservation Area Consent is sought to demolish the existing building. Planning Permission is sought to construct three detached houses of identical design each having the appearance of a three storey plus basement property with accommodation in the roofspace.
- 2.2 The accommodation created in each house would consist of a sub-basement swimming pool and changing area; a basement games room, kitchen and staff flat; ground floor reception rooms, garage and rear conservatory; three bedrooms at first and second floor levels and four at third floor within the roofspace.
- 2.3 The houses would present a front elevation of 10.6 metres width to Bolton Gardens and would be 26 metres deep at ground floor level with an additional

5.5 metre conservatory projection. The upper floors would be 23.4 metres deep.

- 2.4 The external appearance would be of rusticated stucco on the ground floor, stock brickwork with stonework detailing at first and second floor levels and a mansard roof in natural slates at third floor level.
- 2.5 The front elevations would be set back 14 metres from the Boltons Place frontage behind a front service road. The existing front boundary wall and vehicular crossover at the northern end would be retained, with a second gateway and crossover being created 16 metres from the southern boundary of the site. Each house would have a private rear garden of 16-17 metres depth into which the conservatory would project from the centre of the rear elevation. The upper floors would be set a further three metres from the rear boundary.
- 2.6 The main entrance to each house would open from a port cochere on the south side of the property through which vehicles could pass into a single storey attached garage located to the rear and projecting from the south elevation. The port cochere of the two northern houses would be linked to the property on the south side as would the garages at the rear. The south elevations would feature a light well to the rear of the main entrance. A section of the north flank walls set back from the frontage would rise to full height accommodating the main staircase, a chimney and lift overrun.
- 2.7 A full landscaping scheme has been submitted as part of the scheme featuring hard and soft surfaces, formal and informal planting areas and a combination of retention and replacement of on-site trees.
- 2.8 A unilateral undertaking has been offered by the applicants to ensure that all construction traffic will enter and leave the site from the north via Old Brompton Road and Boltons Place and will not use The Boltons as a thoroughfare.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The existing telephone exchange building was constructed in 1939 on the site of a detached house 'Sidmouth Lodge' which was demolished in 1934.

4.0 PLANNING CONSIDERATIONS.

- 4.1 The principal considerations in this case are the return of the site to residential use, the physical appearance, bulk and landscaped context of the proposed houses in relation to the street scene, the amenities of neighbouring properties, the character and appearance of the Conservation Area and the impact on the

setting of the listed buildings to the south and west.

- 4.2 The return of the site to residential use is considered to accord with the objectives of Unitary Development Plan Policy H2 which seeks the development of land for residential use where a satisfactory residential environment can be achieved, land is not required for social or community facilities, or there would be no loss of commercial floorspace unless it gives rise to environmental problems. The Conservation Area Proposals Statement (CAPS) for The Boltons refers to the exchange building as 'controversial' recognising it as an anomaly sited between No.1 The Boltons and Bladon Lodge. It is considered to give rise to environmental problems in that its appearance is detrimental to the character and appearance of the area and it generates commercial traffic movements on the periphery of the centrepiece of the Conservation Area. The building has a net floor area of some 400sqm and was designed to accommodate state of the art direct dialling equipment some 50 years ago. The technology which now performs the same function requires a fraction of the space and the site and building are no longer needed for operational purposes by British Telecom.
- 4.3 The removal of the incongruous building and the creation of residential dwellings with private rear gardens is considered to constitute a positive enhancement of the residential environment and the conservation area which accords with the objectives of Unitary Development Plan Policies CD49, which encourages environmental improvements in Conservation Areas, and H7 which seeks the provision of outdoor space in new residential development.
- 4.4 The three houses are designed as substantial and opulent family homes, each having 22 habitable rooms. On a site of 0.3 hectares (0.74a) this implies a density of 220 habitable rooms per hectare (89hrpa) falling within the definition of 'lower density' set out in paragraph 3.13 of the Unitary Development Plan. This meets the requirements of Unitary Development Plan Policy H10 which requires such family housing normally to be of lower density.
- 4.5 Unitary Development Plan Policy CD51 commits the Council to resisting demolition of buildings in Conservation Areas unless they make no positive contribution to the character or appearance of the area, they are in a condition which precludes refurbishment, or no satisfactory scheme for redevelopment has been approved. The existing building, as stated previously, is referred to as 'controversial' in the Boltons CAPS and is considered to be incongruous and detrimental to the area, particularly in view of its bulk and depth. Its one positive contribution to the surrounding area is the presence of a gap on the south side affording views of the adjacent listed building and through an area of tree growth to buildings to the east. The function of this gap will be further discussed in the context of the replacement scheme. The removal of the existing building in favour of a suitably designed replacement is however considered acceptable in principle in relation to the requirements of this policy.

4.6 Unitary Development Plan Policies CD52 & CD53 seek to ensure that new development in Conservation Areas is of a high standard of design, compatible with its surroundings and contributes to the preservation or enhancement of those areas. The proposed development consists of three villas, joined at ground floor level by port cocheres, which in elevation have less bulk than either Bladon Lodge to the north or the main properties of The Boltons to the south. Their design is of classical derivation and they are set on a similar building line to Bladon Lodge. They are greater in depth than both Bladon Lodge and No.1 The Boltons. However, this aspect must be considered against the existing building which extends to the full depth of the site, and the maintenance of a visual gap between the southernmost house and No.1 as well as the creation of two new visual gaps between the three houses.

4.7 The Boltons is the centrepiece of the conservation area and consists of paired Italianate villas of grand scale set around an oval shaped garden and church. There are clear and defined gaps between the existing exchange building and No.1, and the corresponding house opposite (No.16) and Bousfield Primary School. The existing gap between the southern boundary and the flank wall of the exchange is some 17 metres wide. However, this is closed visually when viewed from The Boltons by the combination of the depth of the building and the tree and shrub growth at the rear of the car parking area. The Boltons CAPS states:

"In view of the general nature of the Area's special character, that of villas set amidst gardens, which is relatively unusual in a Borough principally composed of terraces of one kind or another, the gaps between buildings are especially important, and should normally be preserved. These gaps also give rise to views - long or short - across, into and out of the gardens and open spaces of the area, and these views should not be interrupted..."

The accompanying 'Critical gaps' map identifies the gap between No.1 The Boltons and the site boundary as critical (this would be unaffected by the development), and identifies the application site as having a critical open boundary permitting open views from east to west. The need to preserve these views and the effect of the gap, must be balanced against the advantages of enhancement of the area and creation of new gaps between the proposed buildings.

4.8 The application currently under consideration has been revised in order to increase the gap on the southern side and the sense of openness between the new and existing buildings. The main flank wall of the southernmost house would be located 8.5 metres from the boundary whilst the south western corner of the building would be 12.5 metres back from the road frontage (2.5m further back than the exchange building). At the rear, the main rear wall has been brought forward at first floor level and above, by three metres from its originally proposed position. Whilst the port cochere and garage would be

located in this gap, it is considered this would not affect the perception of space between the buildings. The resulting impact of reduced depth of buildings in combination with the proposed planting of trees and shrubs, is therefore considered to preserve adequately the function of the gap as well as improving the view of No.1 The Boltons from the north.

- 4.9 The detailed design approach is that of a restrained form of Kensington Italianate which neither seeks to compete with or copy the grand villas to the south or reflect the terraced appearance of the Bladon Lodge buildings to the north. The use of brick elevations with stucco on the ground floor places the elevations lower in the design hierarchy of buildings in the surrounding area in a similar fashion to houses in Tregunter Road, The Little Boltons and Bolton Gardens.
- 4.10 Therefore, the design approach of the proposal is considered satisfactory in relation to Unitary Development Plan Policy CD25 and to adequately address the preservation and enhancement of the Boltons Conservation Area as required by Policies CD52 and CD53.
- 4.11 The maintenance, albeit in a different configuration, of a visual gap between the development and No.1 The Boltons in the context of this proposal is considered to preserve adequately the setting of the listed building as required by Unitary Development Plan Policy CD61.
- 4.12 In response to the notification of the application for consent to demolish, the officer of English Heritage criticised the design and dimensions of the proposed houses, drawing particular attention to their depth, and the lack of roofs and chimneys, and stating they would be out of character with the area failing to preserve characteristic views and gaps. In response to the revised proposal, which sought to address these and other points raised by residents, it is commented that the proposal constitutes an overdevelopment which lacks an understanding of the features of the conservation area, the narrowing of the gaps between the proposed houses which results from the new layout worsens the situation on the site, and that, although the addition of roofs improves the appearance of the buildings, the mansard dormer windows are too large and too numerous. These applications are not subject to the formal direction of English Heritage. As set out in the above paragraphs, the depth of the buildings is considered to constitute an improvement over the existing situation with the exchange building and the widening of the gap between the southernmost house and No.1 The Boltons in the revised plans is considered significant and of greater importance than the gaps between the individual houses. With regard to the dormers, their size and spacing is the subject of a condition making it a reserved matter. The General view of the English Heritage Officer, that buildings in this area are contained within generous settings, is incorrect. Plot sizes and gaps are often quite small. The development in its amended form is considered acceptable in the context of the area and its surroundings and to satisfy the requirements of the Unitary Development Plan in these respects.

- 4.13 Unitary Development Plan Policy CD30 requires development to be designed to ensure sufficient visual privacy of neighbouring residents. The south-east elevation of the exchange building has three rows of windows facing No.1 The Boltons with the rearwardmost being 14 metres from the rear boundary. The southernmost of the new houses would have upper floor windows 21 metres from the rear boundary at their nearest point. The rearward pair at first, second and third floor levels would be to bathrooms and secondary bedroom windows and would have a close relationship with the angled rear elevation and garden of No.1. It is therefore recommended that a condition is imposed requiring obscure glazing to these windows. The exchange building has third floor windows which are at their nearest point, 25 metres from the rear of properties in Old Brompton Road and Cresswell Gardens. The nearest windows in the upper floors of the proposed houses would be 30-44 metres from these properties. Therefore, there is not considered to be any likelihood of harmful overlooking on this side of the site. Windows in the north elevation of the proposed house adjacent to Bladon Lodge are either secondary bedroom, bathroom or stairwell windows. Most would face the blank flank wall of Bladon Lodge, the exception being the rearwardmost pair at first, second and third floors which would be some 13 metres from the rear elevation of No.185 Old Brompton Road. It is recommended these should also be subject to a condition requiring obscure glazing. This arrangement is considered satisfactory in relation to Unitary Development Plan Policy CD30.
- 4.14 With regard to the impact on sunlight and daylight, the proposed houses would be well separated from The Boltons to the south and Cresswell Gardens to the east. The sunlight and daylight experienced by properties in these areas would not therefore be affected. The south facing elevation of No.185 Old Brompton Road, which is divided into twelve flats, currently has the aspect of the 12-13 metre high exchange building across much of its width at a distance of some 22 metres, and experiences overshadowing from the four storey element in the southern part of Bladon Lodge in the early part of the day. The main flank wall of the proposed house would be 13 metres away (Some 7 metres closer). However, the rear wall would be set 19 metres from the rear boundary of the application site and the building would project only 3-4 metres eastward of Bladon Lodge. Therefore, it is considered the aspect and available sunlight and daylight at the rear of this property would not be adversely affected. The development is consequently considered to meet the requirements of Unitary Development Plan Policy CD28.
- 4.15 The Transportation Officer comments that each garage in the scheme is of just under 5m width and is of sufficient size to accommodate two cars which is adequate in relation to Unitary Development Plan Policy TR46. The turning head incorporated into the service road in the southernmost corner allows vehicles to enter and leave the site in forward gear. Its dimensions are sub-standard and may involve some backward and forward movements to clear the adjacent shrubs however this would be entirely within the site and would

not affect the highway. The proposed second vehicular entrance would result in the loss of two meter bays on Boltons Place. In view of the provision of six off-street spaces within the site for the residential units this is considered acceptable.

- 4.16 The applicants have submitted an Arboriculturists' assessment of the site identifying a combination of mature and self-seeded trees on and off the site. It concludes that of the 14 specimens which would be removed to accommodate the development, only one, a London Plane situated in the gap between the exchange building and 1 The Boltons, is a significant Grade A tree. Following consultation with the Council's Arboriculturist, the applicants have submitted a full landscaping scheme showing retention of existing trees, planting of four substantial specimens in the frontage area between the boundary wall and the service road, two in the rear gardens of the northern and southern houses, and 27 specimen shrubs, 10 of which would be in the gap on the south side of the site. The proposed arrangement is considered acceptable in relation to Unitary Development Plan Policies CD72 and CD73 which resist the unnecessary loss of trees and encourage the planting of trees in new development and in relation to the landscaping requirements of CD53.
- 4.17 In order to address concerns in relation to the use of surrounding roads by construction traffic, the applicants have offered a unilateral undertaking which would commit all construction traffic to gain access to and leave the site via Boltons Place and Old Brompton Road to the north. Subject to satisfactory details of terms this is considered appropriate in the context of a major development scheme and is supported by Unitary Development Plan Policy TR16 which opposes proposals which encourage unnecessary traffic to use minor roads.

5.0 PUBLIC CONSULTATION

- 5.1 Fifty seven letters of notification were sent to properties in Old Brompton Road, Boltons Place, Cresswell Gardens and The Boltons. To date ten replies have been received.
- 5.2 The Boltons Association comment that their overall impression is favourable but suggest the houses cover a high proportion of their respective plots to the detriment of garden space, and that in keeping with the surroundings it would be preferable if the houses had pitched roofs.
- 5.3 The West London Architectural Society comment that the layout does not reflect the geometry of The Boltons or attempt the transition from the oval to the straight, the houses are of exceptional depth with awkward external spaces and do not respect the adjoining buildings, the lack of roofs and chimneys is alien to the surroundings and the detailing of the buildings should follow high quality 'correct' classical design principles.

5.4 Other respondents suggest the provision of adequate parking is unclear from the plans, the second point of access should be deleted and the retained meter bays converted to residents' spaces, overlooking and loss of trees would result, the floor area should not exceed that of the existing buildings, the houses should be further from the rear boundary, elevations should be in brick, adequate planting should be included, existing boundary walls should be retained, neighbouring properties should be protected from the effects of demolition, three houses are too many and should be reduced to two.

5.5 One letter supports the scheme.

Since the receipt of these representations, revised plans have been submitted which increase the width of the gap on the south side of the site, set the main rear wall above ground level 2.6 metres further from the rear boundary, introduce pitched mansard roofs and chimneys to the houses and detail the elevations in a more subdued classical style and in brickwork rather than the white stucco shown in the initial drawings. The revisions, which are considered to address the points raised in relation to architectural matters, have been the subject of renotification. No responses have been received to date. As set out at 4.3 and 4.8 above, the spaces around the buildings and the provision of rear gardens is considered acceptable in the context of this development, the issue of overlooking is discussed at 4.13 of this report and considered to be adequately addressed by the proposal subject to satisfactory conditions. The proposed combination of tree retention and planting is considered acceptable as set out at 4.16 and the Transportation Officer considers the parking and access arrangements to be satisfactory.

6.0 RECOMMENDATION

- 6.1 (1) Grant Planning permission;
(2) Grant consent under Section 184 of the Highways Act 1980 for the construction of a vehicular pavement crossover.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

List of Background Papers:

The contents of file TP/98/1905 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.

Report Prepared By: JT
Report Approved By: PK/LAWJ

Date Report Approved: 01/06/1999

PSC:99:06:JT.Rep