

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL

APP NO. PP/00/02898
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

William Hill, 67 London, W10 6AW
Barlby Road,

APPLICATION DATED 12/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 18/12/2000

APPLICANT/AGENT ADDRESS:

J.C. Evans,
Project
Manager,
William Hill Org.,
Greenside House,
50 Station Road,
Wood Green, London
N22 7TP

CONS. AREA Oxford Gardens CAPS Yes

ARTICLE '4' Yes WARD St. Charles

LISTED BUILDING NO

HBMC DIRECTION

CONSULTED OBJ.

SUPPORT PET.

RECOMMENDED PROPOSAL:

RBK& C DRAWING NO(S):

RECOMMENDED DECISION:

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APP NO. PP/00/02898/ MNW

MEMBERS' PANEL

ADDRESS

William Hill, 67 Barlby Road,
London, W10 6AW

APPLICATION DATED 12/12/2000

APPLICATION COMPLETE 18/12/2000

APPLICATION REVISED N/A

APPLICANT/AGENT ADDRESS:

J.C. Evans, Project
Manager,
William Hill Org.,
Greenside House,
50 Station Road, N22 7TP

CONSERVATION AREA Oxford
Gardens CAPS Yes

ARTICLE '4' Yes WARD St. Charles

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 7 OBJECTIONS 2

SUPPORT 0 PETITION 0

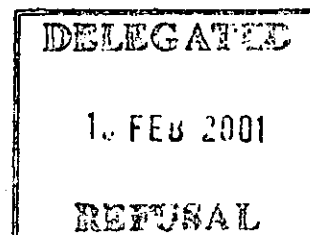
Applicant William Hill Org.,

PROPOSAL:

Installation of air conditioning condensers on side wall at rear.

RBK&C Drawing No(s): PP/00/02898
Applicant's Drawing No(s): PROV/LW/EXT/112133/03E

RECOMMENDED DECISION: Refuse planning permission



REASONS FOR REFUSAL

The proposed three air conditioning condensers are considered by virtue of their location and function to be detrimental to the residential amenity of the neighbouring residential properties and the character of the Conservation Area, and therefore, are contrary to the Council's policies which seek to maintain the residential amenity of neighbouring residential properties and maintain and enhance the character of the Borough's Conservation Areas, as stated in the Council's Unitary Development Plan in particular Policies CD25, CD34, CD52 and CD53.

INFORMATIVE

You are advised that a number of relevant policies of the Unitary Development Plan were used in the determination of this case, in particular, Policies CD25, CD34, CD52 and CD53. (I51)

1.0 SITE

- 1.1 The property is a two storey, and of terrace building located on the west side of Barlby Road, close to its junction with Dalgarno Gardens.
- 1.2 The ground floor of the premises is in use as a betting office with the upper floor providing residential accommodation.
- 1.3 The property is not a Listed building but is located within the Oxford Gardens/ St. Quintin Conservation Area.

2.0 PROPOSAL

- 2.1 The application seeks to site 3 air conditioning condenser units on the side wall of the premises at ground floor level.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The Council granted Planning Permission on 22 December 2000, for the erection of single storey extension at the rear with a new metal staircase to the first floor and the installation of a new shopfront.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main consideration that has to be addressed is the effect the proposed air conditioning condenser units will have upon the character and appearance of the property and the Conservation Area and the amenity of local neighbouring residential premises.
- 4.2 The Council when considering the original submission for the rear extension that was granted Planning Permission on 22 December 2001, requested that the 3 air conditioning units that were shown on the original drawings were removed, which the applicant undertook prior to planning permission being granted.
- 4.3 The proposed air conditioning units are now the subject of this current application.
- 4.4 The rear addition granted Planning Permission by the Council was for the purpose of increasing the floor area of the betting office at ground floor level. The rear addition extends along the flank elevation of the premises approximately 1200mm from the boundary fence between it and No. 65 Barlby Road which is a residential property divided into two self-contained flats. The application proposes to site the 3 air conditioning units on the flank elevation of the recently approved rear addition.
- 4.5 It is considered that the amenity of the adjoining residential flats at No. 65 Barlby Road will be detrimentally affected by the siting of the air conditioning units just 1200mm

from their boundary fence, by virtue of noise which will be audible in their garden and bedrooms when their windows are open.

- 4.6 The Council addresses the subject of residential amenity in the "Conservation and Development" chapter of the Unitary Development Plan with Policy CD34, seeking to resist proposals where noise generation would cause significant disturbance to surrounding properties.
- 4.7 The Council seeks that all development in any part of the Borough is to a high standard of design and sensitive to and compatible with the scale, height, bulk and character of the surroundings, as expressed by Policy CD25 of the "Conservation and Development" chapter of the Unitary Development Plan. It is considered that the siting of the 3 air conditioning condensers is not compatible with character of the residential property adjoining them.
- 4.8 The Council seeks to maintain and enhance the character and appearance of the Borough and its Conservation Areas as outlined in Policies CD52 and CD53 of the "Conservation and Development" chapter of the Unitary Development Plan and the proposal is considered to be detrimental to the character of the Conservation Area.

5.0 PUBLIC CONSULTATION

- 5.1 The Council notified 7 addresses of the proposal and has received two letters of objection from the occupier of the ground floor unit at No. 65 Barlby Road and one from the occupier of the first floor unit.
- 5.2 One letter advises that the occupier is appalled to learn that the applicant is applying for planning permission for the 3 air conditioning condensers having removed them from the previous planning application and advises that the siting so close to his property will result in noise pollution to the detriment of his residential amenity.

The views of the objector are shared by the Council as mentioned in paragraph 4 of this report.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION