

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

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PLANNING & CONSERVATION COMMITTEE  
PLANNING SERVICES COMMITTEE  
MEMBERS PANEL

APP NO. PP/00/02822  
AGENDA NO.

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**ADDRESS/SUBJECT OF REPORT:**

The Old House, 13 London, W8 4NA  
Holland Street,

APPLICATION DATED 05/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 08/12/2000

**APPLICANT/AGENT ADDRESS:**

Robert L  
Adams  
Architects,  
1 Dalling Road,  
Hammersmith,  
London, W6 0JD

CONS. AREA Kensington CAPS Yes

ARTICLE '4' No WARD Campden

LISTED BUILDING II

HBMC DIRECTION

CONSULTED OBJ.

SUPPORT PET.

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**RECOMMENDED PROPOSAL:**

RBK& C DRAWING NO(S):

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**RECOMMENDED DECISION:**

**CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:**

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING SERVICES COMMITTEE 24/07/2001 APP NO.PP/00/02822/CHSE  
AGENDA ITEM NO. 2060

ADDRESS

The Old House,  
13 Holland Street, London,  
W8 4NA

APPLICATION DATED 05/12/2000

**RECOMMENDATION  
ADOPTED.**

APPLICATION COMPLETE 08/12/2000

APPLICATION REVISED 13/06/2001

APPLICANT/AGENT ADDRESS:	<u>CONSERVATION AREA</u>	Kensington	<u>CAPS</u>	Yes
Robert L Adams Architects, 1 Dalling Road, Hammersmith, London, W6 0JD	<u>ARTICLE '4'</u>	No	<u>WARD</u>	Camden
			<u>LISTED BUILDING</u>	II
			<u>HBMC DIRECTION</u>	N/A
	<u>CONSULTED</u>	42	<u>OBJECTIONS</u>	9
	<u>SUPPORT</u>	2	<u>PETITION</u>	0

Applicant Mr. & Mrs. Briance,

PROPOSAL:

Erection of rear extension at upper ground floor level, installation of gates in rear boundary wall to facilitate use of the rear garden for off-street parking and installation of new window in flank wall.

RBK&C Drawing No(s): PP/00/02822 and PP/00/02822/B  
Applicant's Drawing No(s): 241 F001.B, F002, F003, P004C, P005C, F006C and P007D.

RECOMMENDED DECISION: Grant planning permission

APPROVED BY  
PLANNING SERVICES CTTEE  
24 JUL 2001  
CONSENT REF .....

**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. **All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture, and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation in writing. (C071)**  
*Reason - To protect the character and appearance of the building which is statutorily Listed. (R073)*
  
4. **Full particulars of the following shall be submitted to and approved in writing by the Executive Director, Planning and Conservation before the development hereby permitted commences and the development shall not be carried out otherwise than in accordance with the details so approved:**
  - (a) **elevations of the proposed new doors to the front basement area,**
  - (b) **elevational details of the proposed new flue extract in the front basement area,**
  - (c) **light fixings for illuminating rear hardstanding in rear garden.****(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. **The whole of the car parking space(s) shown on drawing No. 241 P007D hereby approved shall be permanently retained for the parking of vehicles in connection with the residential use of the dwelling and for no other purpose. The layout of the space shall also be retained as indicated on the aforementioned drawing.(C026)**  
*Reason - To prevent obstruction of the surrounding streets and safeguard the amenity of the area. (R026)*

6. **Full particulars of the method(s) for protection of those trees to be retained, as indicated on Drawing No. 241 P007 D, 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 development and maintained for the duration of building and other operations on site. (C022)**  
*Reason - To ensure that trees are adequately protected and to safeguard the amenity. (R020)*
  
7. **No tree within the curtilage of the site shall be lopped, topped, or felled, without the prior written approval of the Local Planning Authority. (C023)**  
*Reason - To ensure that trees are adequately protected and to safeguard the amenity. (R020)*
  
8. **All new windows and doors shall be single glazed and without trickle vents, and so maintained.**  
*Reason - To protect the character and appearance of the building which is statutorily Listed.*
  
9. **The new side window shall contain obscure glazing and shall be so maintained.**  
*Reason - To protect residential amenity.*

#### **INFORMATIVES**

1. I09
  
2. I10
  

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3. I21
  
4. I30
  
5. 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, CD28, CD30, CD30a, CD52, CD53, CD58, CD41 and CD46. (I51)

## **1.0 THE SITE**

- 1.1 The Old House is located on the southern side of Holland Street, close to its junction with Kensington Church Walk. It is Grade II listed and is within Kensington Conservation Area.

## **2.0 THE PROPOSAL**

- 2.1 Planning permission is sought for the erection of a rear extension at upper ground floor level, for the installation of a new window in the flank wall and for the installation of gates in the rear boundary wall. The new gates would provide access to a new off-street parking space in the rear garden area. Listed building consent is sought for the above works and for the carrying out of internal works to the existing dwelling house.

## **3.0 PLANNING HISTORY**

- 3.1 There is an extensive planning history for this property. In 1992 separate permissions were granted for the erection of a single storey rear extension at basement level and for the retention of a childrens playhouse in the rear garden. In 1997 permission was granted for extension of the existing roof terrace at upper ground floor level and for replacement of the existing lantern light with a roof light.

## **4.0 PLANNING CONSIDERATIONS**

- 4.1 The main considerations with regard to this proposal relate to design and impact on the character and appearance of the Conservation Area, on the special architectural and historic interest of the listed building and on the amenities of neighbouring occupiers.
- 4.2 Policies CD25, CD28, CD30, CD30a, CD52, CD53, CD58, CD41 and CD46 of the Council's Unitary Development Plan are considered to be particularly relevant.
- 4.3 It is proposed that a rear orangery extension is erected on an existing terrace area at upper ground floor level. It would have a floor area of approximately 12 square metres and would project from the rear main wall by 3885mm. The extension would be constructed in rendered brick piers with painted timber panels, cornicing and casement windows. The extension would be located adjacent to the flank wall of the neighbouring property and it is considered would not have a detrimental impact on residential amenities in terms of overlooking or loss of light. The principle and detailed design are considered to be acceptable.
- 4.4 It is proposed that a small bathroom window is installed in the flank wall at second floor level. The window would be unobtrusive and would contain obscured glazing. There is no objection to this element of the scheme.

- 4.5 It is also proposed that painted timber gates are installed in the rear boundary wall. The proposed gates would provide access to a new off-street parking space in the rear garden area. The Council's Director of Transportation and Highways raises no objection to the proposal.

Formal Observations of the Conservation and Design Officer

- 4.6 English Heritage have authorised this Council to determine the application for listed building consent as it sees fit. The Formal Observations of the Council's Conservation and Design Officer are as follows:

"It is proposed to carry out internal alterations at the basement level, the second floor level and at attic level of this mid-18<sup>th</sup> Century property. The basement works are very minor and are concentrated around the front basement area. Their details are being controlled by conditions. The alterations to the front half of the second floor level are more extensive providing bathroom and dressing rooms to the bedrooms in the rear part. This level has been substantially altered in the past and the alterations will not harm the surviving historic character of the property. At the third floor level following revisions requested by the Council officers only minor alterations are to be carried out to the plan form in the front western half of this attic level. All the surviving internal decorative details are being retained.

Externally it is proposed to erect an orangery style extension at rear ground floor level. It is also proposed to create an off-street parking space in the rear most part of the property's large garden. This would be screened by planting. A traditional set of vehicular gates is to be inserted in the rear boundary wall.

The proposals will preserve the surviving special architectural and historic interest of this listed property."

- 4.7 It is considered that the proposed works would not have a detrimental impact on the amenities of neighbouring residential properties, and therefore, comply with Policies CD28, CD30 and CD30a.
- 4.8 The proposed new parking space would be located adjacent to two mature ornamental apple trees. The scheme has been revised in accordance with guidance by the Council's Arboriculturalist in order to ensure that that these trees are not damaged by the works. He now raises no objection subject to the imposition of protective conditions. This is a relatively large garden, and although generally, parking in rear gardens is not welcomed, it is considered acceptable here, especially as the parking area will be screened by trees.
- 4.9 As stated above, the proposal has been revised in order to reduce the extent of internal works, in order to protect the existing trees and in order to improve the detailed design of the orangery extension.

## **5.0 PUBLIC CONSULTATION**

5.1 Forty-two neighbouring properties on Holland Street, Gregory Place and Kensington Church Walk were consulted with regard to this proposal. Nine letters of objection have been received and two letters stating that no objection is raised. The objectors make the following points:-

5.1.1 There are already 12 garages and 6 hard standings in this area, plus 2 spaces for work people and short term visitors, which means that already up to 20 cars a day come and go close to the rear of Ingelow House. Additional traffic is therefore opposed on environmental grounds.

It is considered that the increase in traffic associated with the provision of one parking space would not be significant. It is therefore considered that the proposal could not be resisted on these grounds.

5.1.2 One respondent requests that, if permission is granted that the applicants are required to access and exit the new parking area through Gregory Place so as not to add further to the car fumes at the back of Ingelow House. Gregory Place is a public highway whereas the entrance at the rear of Ingelow House gives access only to residents and car owners.

Again, it is considered that the increase in traffic associated with the provision of one space would not be significant enough to insist upon the means of ingress and egress.

5.1.3 Concern is expressed as to how use of the parking space could be restricted. The respondents state that it could be expanded to cover more of the garden area and could be used for deliveries, by visitors to the house or by workmen.

It is recommended that a condition is imposed, if permission is granted, which requires that the parking space shall be ancillary to The Old House. It is considered that it would be unreasonable to restrict use of the space further. Planning permission would be required for provision of an additional parking space within the rear garden, as it is recommended that a condition is imposed which requires that the space is retained as indicated on the approved drawing.

5.1.4 The proposed new access could impede use of the garages. It is requested that any new gates should be either sliding or up-and-over in order to minimise inconvenience to the users of the garages opposite.

The proposed gates are sliding and would therefore not impede access to the garages.

5.1.5 The access road to the rear of The Old House is private property owned by Ingelow House. The respondents are opposed to it being used for access by anyone other than Ingelow House residents or by those residents with garages or hard-standings. Access from Gregory Place would be an inconvenience for garage users.

The ownership of the associated areas of land is not a planning matter that can be addressed with regard to this application. The applicant will have to make private

arrangements to access the site if permission is granted.

- 5.1.6 The applicants can park on the street or rent a nearby garage instead.

It is also considered that use of the rear garden, in this case, is acceptable.

- 5.1.7 It is requested that careful consideration is given to protection of tenants facilities within Ingelow House such as visitors parking, rubbish disposal, deliveries, fire engine access. It is also requested that the impact for security for Ingelow House is addressed.

It is considered that the proposal will not have a significant impact on neighbouring properties in these terms.

- 5.1.8 The proposal conflicts with Policy TR46 as it will result in the loss of trees of amenity value.

The existing ornamental apple trees are proposed to be retained. The Council's Arboriculturalist raises no objection to the proposal.

- 5.1.9 The introduction of hardstanding to the rear of the private garden, with the unavoidable loss of trees and vegetation, would significantly reduce the visual quality of this area and would conflict with Policy CD21 which seeks to protect public and private space which contributes to the character or appearance of an area.

It is considered that the proposed hardstanding will not have a detrimental impact on the openness of the rear garden. It is proposed that the rear garden is landscaped in order to limit the visual impact of the hardstanding.

- 5.1.10 The loss of the section of garden wall is objected to as it is "almost a work of art itself and so old...".

It is considered that the loss of this limited section of the wall is acceptable.

- 5.1.11 The proposal conflicts with Policy STRAT5 as it will not preserve the character and appearance of the Conservation Area. The proposal would also conflict with Policy CD41. ~~The proposed orangery extension would mark the limits of the extension potential at the rear of the property. Further cumulative extensions, even in the form of a conservatory, would result in an unacceptable degree of clutter to this relatively untouched period property. The extension would rise above the general height of typical extensions elsewhere in the Borough and to this extent would spoil the character of this part of the Conservation Area. The detailed design and proportions of the extension would be out of keeping with the parent building. The extension is also located significantly above garden level and therefore conflicts with Policy CD42.~~

It is considered that the proposal complies with Policy STRAT5 as it will preserve the character and appearance of the Conservation Area. It is also considered that the proposal complies with Policy CD41. The proposed orangery extension is considered to be unobtrusive and to be acceptable in detailed design terms. It is not considered



that it will result in a cluttered appearance. As stated above, the extension is set against a high flank wall to the neighbouring property and does not therefore project above the height of neighbouring extensions within the terrace. The extension has been revised to have a more solid appearance. It is now considered that Policy CD42 no longer applies.

5.1.12 There is no reference to lighting on the plans and this should be added.

A condition is recommended, if permission is granted, which requires submission of details of lighting fixtures for the rear garden area.

5.1.13 As stated above, two respondents have raised no objection to the proposal. One of these respondents requests that conditions are imposed which require the retention of the existing tree and that the building works do not obstruct the garages to the rear.

The ornamental apple trees are proposed to be retained. Possible impact due to building works are not a planning matter and cannot therefore be addressed with regard to this proposal.

## **6.0 RECOMMENDATION**

6.1 Grant planning permission.

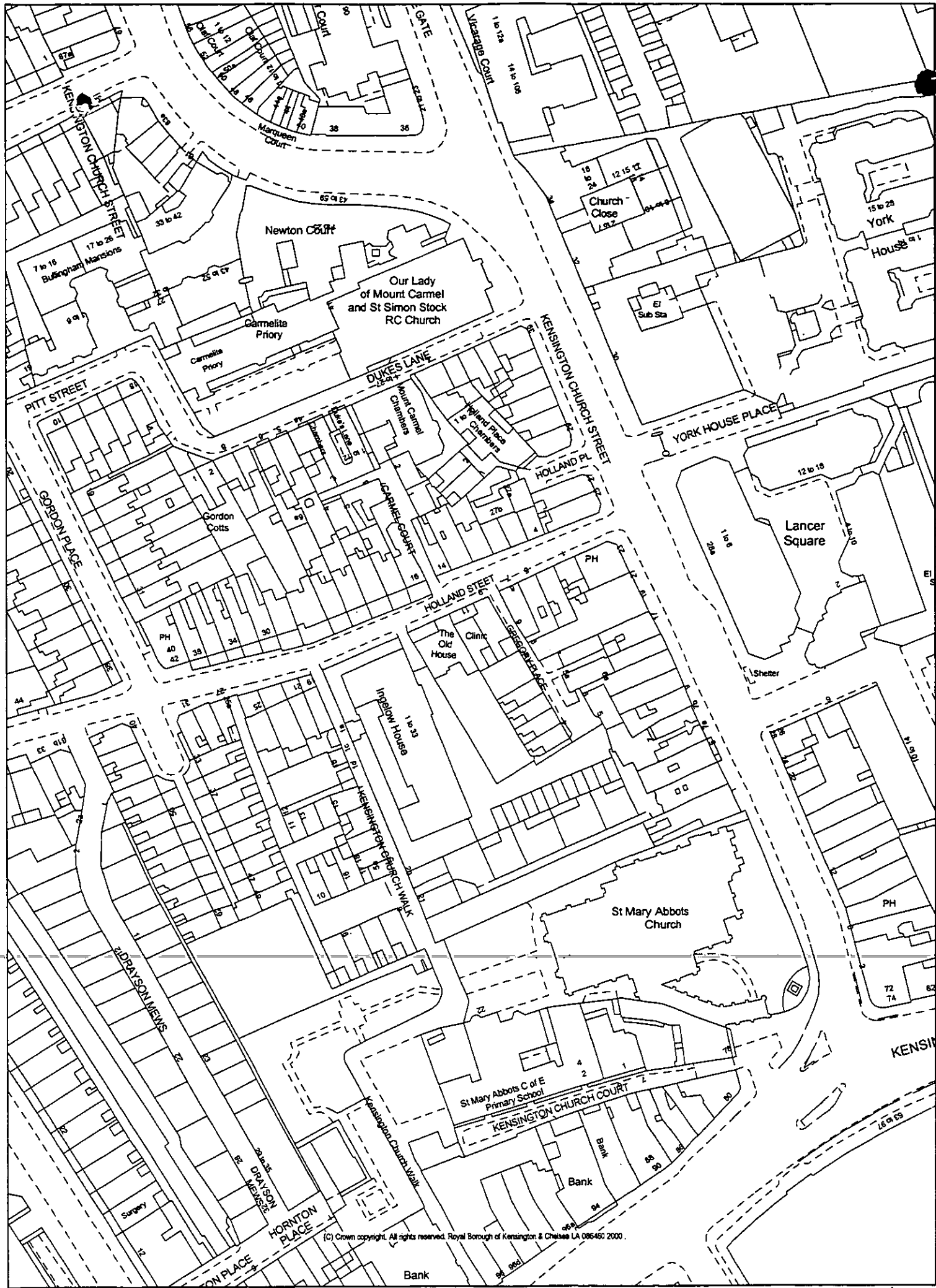
**M.J. FRENCH**  
**EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION**

### **List of Background Papers:**

**The contents of file PP/00/02822 save for exempt or confidential information in accordance with the Local Government (Access to Information) Act 1985.**

**Report Prepared By: KO**  
**Report Approved By: PK/LAWJ**  
**Date Report Approved: 11/07/2001**

**PSC0701/KO.REP**



Map produced by the Royal Borough of Kensington and Chelsea  
 Planning Services Department using GGP 17/07/2001: Scale 1:1250

