

MP

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APP NO.PP/00/02816/CHSE

MEMBERS' PANEL

ADDRESS

10 Berkeley Gardens, London, W8 4AP

APPLICATION DATED 05/12/2000

APPLICATION COMPLETE 08/12/2000

APPLICATION REVISED 06/04/2001 and 10/04/2001

Handwritten signature and date 8/10/01

APPLICANT/AGENT ADDRESS:

CONSERVATION AREA Kensington Palace CAPS Yes

Monahan Blythen Architects, Unit 303, 16 Baldwins Gardens, London, EC1N 7RJ

ARTICLE '4' Yes WARD Campden

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 23 OBJECTIONS 2

SUPPORT 0 PETITION 0

Applicant Mr. Lieven,

PROPOSAL:

Erection of a mansard roof extension, a rear conservatory at lower ground floor level, installation of a new metal stair and deck to the front lightwell area and installation of new wall and door opening under the main entrance steps.

RBK&C Drawing No(s): PP/00/2 816A and PP/00/2816B
Applicant's Drawing No(s): 10/BG/01A, 03B, 04A, 05C.

RECOMMENDED DECISION: Grant planning permission

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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. **The roof slope(s) of the building(s)/extension hereby permitted shall be clad in natural slates, and so maintained. (C073)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
4. **The new windows in the main roof shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
5. **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 and area. (R077)
6. **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 preserve and enhance the character and appearance of the Conservation Area. (R072)
7. **The rooflight hereby permitted shall be of a traditional conservation type and so maintained. (C083)**
Reason - To safeguard the appearance of the building/street. (R083)
8. **Details of the ventilation systems serving adjoining properties shall be submitted to and approved in writing by the Executive Director, Planning**

and Conservation prior to installation. The approved system shall be installed prior to occupation and use of the conservatory.

Reason - In order to preserve the amenities of neighbouring properties.

9. **The additional residential accommodation hereby permitted shall not be occupied until it has been insulated in accordance with details submitted to, and approved in writing by, the Executive Director, Planning and Conservation, so as to ensure that any occupiers of adjoining accommodation do not suffer excessive airborne or impact noise nuisance.**

Reason - To safeguard the amenity of neighbouring property. (R052)

INFORMATIVES

1. I09

2. I10

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, CD30, CD38, CD39, CD42, CD52 and CD53. (I51)

1.0 THE SITE

- 1.1 No. 10 is a mid-terrace property located on the northern side of Berkeley Gardens. It is not listed but is within Kensington Palace Conservation Area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a mansard roof extension, for erection of a rear conservatory at lower ground floor level, for the installation of a new metal stair and deck to the front lightwell area and for the installation of a new wall and door opening under the main entrance steps.
- 2.2 A duplicate planning application was also submitted at the same as this application. This report also relates to this additional application (reference PP/00/2817).

3.0 PLANNING HISTORY

- 3.1 Planning permission was granted in 1984 for replacement of the existing roof with a mansard roof with front and rear dormers and rooflights.
- 3.2 In 1987 permission was refused for the retention of a satellite dish on the main roof. The subsequent appeal was allowed.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations with regard to this proposal relate to design and impact in the character and appearance of the Conservation Area and any impact upon adjoining occupiers. Policies CD25, CD28, CD30, CD38, CD39, CD52 and CD53 of the Council's Unitary Development Plan are of particular relevance.
- 4.2 It is proposed that an existing rear yard area at lower ground floor level is infilled by a one storey conservatory. There is no objection in this case to total infilling of this external amenity space as the yard area is surrounded by high walls, and therefore, is very dark. In addition, external amenity space is provided by a high level terrace to the rear. The detailed design of the conservatory is considered to be acceptable. It will have minimal impact on the character and appearance of the Conservation Area by virtue of its enclosed position.
- 4.3 The existing main roof has been heavily altered through the introduction of large dormers to the front and rear. It is proposed that the existing roof is replaced by a new mansard extension. It is considered that the principle of additional storeys is established within the terrace. The profile of the proposed mansard roof would match the existing roof at No. 8 which was granted planning permission in 1993. The front dormer would also match that at No. 8.

The proposed rear dormer is of a similar size to the existing dormer at No. 10 and is considered to be acceptable. The detailed design is considered to be appropriate.

- 4.4 It is proposed that the existing timber staircase in the front lightwell is replaced by a new metal staircase and deck. The deck would be black painted. It is also proposed that a new wall and door opening are installed under the main entrance steps. there is no objection to these elements of the proposal.
- 4.5 It is considered that the proposed works will not have a detrimental impact on the amenities of neighbouring residential properties. A very small bathroom window from the adjoining property is located in a flank wall facing onto the rear yard area to No. 10. It is proposed that this window is blocked up in association with the erection of the conservatory. A vent is proposed to be installed to ensure continued ventilation to the bathroom. It is considered that it would be very difficult to resist the proposal on the grounds of loss of light to the bathroom as it is not a habitable room and as the window is so small and provides very little light. The owner of the adjoining property is concerned by possible loss of ventilation but does not object to the loss of light.
- 4.6 Overall, the works are not considered to harm the character and appearance of the Conservation Area.

5.0 PUBLIC CONSULTATION

- 5.1 Twenty-three neighbouring properties on Brunswick Gardens and Berkeley Gardens have been consulted with regard to the proposal. Two letters of objection have been received.
- 5.1.1 One respondent objects to the rear conservatory and the impact that it will have on her bathroom window. She states that she raises no objection to the loss of light to her bathroom, however she requires confirmation that adequate ventilation will continue to be provided.

It is recommended that a condition is imposed which requires that details of the ventilation to the bathroom are submitted for approval prior to installation and that the approved system is installed prior to occupation of the conservatory.

- 5.1.2 The second respondent objects to the additional storey. She is concerned by loss of light to her rear terrace, loss of quiet enjoyment to the terrace and potential noise coming through the shared common wall and to overdevelopment of the site.

It is concluded that the principle of additional storeys is established within the terrace and that the proposed additional storey does not constitute overdevelopment of the property. It is considered that the proposed additional storey would not have a significant impact on the amenities of the adjoining property as it would not result in a substantial increase in the bulk of the roof.

It is recommended that a condition is imposed, if permission is granted, which

requires that adequate sound insulation is imposed between the two properties.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

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Reason: In order to preserve the amenities of neighbouring properties.

Executive of Conservation
to and in writing

9. **The additional residential accommodation hereby permitted shall not be occupied until it has been insulated in accordance with details submitted to, and approved in writing by, the Local Planning Authority so as to ensure that any occupiers of adjoining accommodation do not suffer excessive airborne or impact noise nuisance.**

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*Executive Director,
Planning & Consultation,*

*CD25, CD28,
CD30.*

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and any impact upon adjoining occupiers.
CO25, CO28, CO30

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very little

4.6. *Overall, the works are not considered to harm the character and appearance of the conservation Area.*

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It is concluded that the principle of additional storeys is established within the terrace and that the proposed additional storey does not constitute overdevelopment of the property. It is considered that the proposed additional storey would not have a significant impact on the amenities of the adjoining property as it would not result in a substantial increase in the bulk of the roof. It is recommended that a ~~proposal~~ condition is imposed, if permission is granted, which requires that adequate sound insulation is imposed between the two properties.

condition

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

see 10/4/07.