

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APP NO. PP/00/02866/CHSE

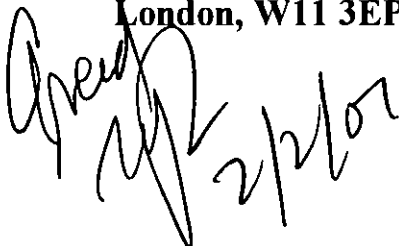
MEMBERS' PANEL

ADDRESS

Flat 3, 41 Pembridge Villas,
London, W11 3EP

APPLICATION DATED 01/12/2000

APPLICATION COMPLETE 13/12/2000



APPLICANT/AGENT ADDRESS:

David Robson,
Architect,
8 Wendell Road,
London,
W12 9RT

CONSERVATION AREA Pembridge CAPS Yes

ARTICLE '4' No WARD Pembridge

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 8

OBJECTIONS 1

SUPPORT 0

PETITION 0

Applicant Dr. Erika Chess,

PROPOSAL:

Installation of two windows in the ground floor flank elevation.

RBK&C Drawing No(s): PP/00/02866

Applicant's Drawing No(s): 169/01 and 169/02

RECOMMENDED DECISION: Grant planning permission

DELEGATED
APPROVAL
2 FEB 2001

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 proposed windows 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)
4. **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)
5. **The proposed windows shall be installed with the bottom of the glazing at a minimum of 1.6 metres above internal ground floor level, shall be constructed using only obscured glazing, a sample of which must be submitted to, and approved in writing by, the Executive Director, Planning and Conservation before development commences. The glazing shall be so maintained and fixed shut. (C094)**
Reason:- To safeguard the amenity of neighbouring property, and in particular to prevent overlooking. (R091)

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, CD34, CD44, CD52, CD53 and CD56.(I51)

1.0 THE SITE

- 1.1 No. 41 is on the eastern side of Pembridge Villas between the junctions with Dawson Place and Pembridge Place.
- 1.2 It is a substantial Victorian house of basement and four storeys, divided into flats. The flank wall of the main building and its rear extension are located on the side boundary with the semi detached house at No. 43. There are five windows in the flank wall of No. 41 at present, i.e. three at basement level, one at ground floor and one at ground/first floor mezzanine level.
- 1.3 The property is in the Pembridge Conservation Area.

2.0 PROPOSAL

- 2.1 It is proposed to install two new windows in the flank wall serving a bedroom and bathroom belonging to the ground floor flat. The bedroom window would be located at the boundary and would be the second window to the room. The bathroom window would be inset 1.1m. to 1.6m. from the boundary, being set above the premises' basement extension flat roof. Both windows would be of sliding sash design, with bottom of glazing set at 1.8m. above internal floor level.
- 2.2 The applicant is willing to accept a condition that the new windows be fixed closed and obscured glazed.

3.0 RELEVANT PLANNING HISTORY

- 3.1 A 1989 planning permission for conversion of the premises to five self-contained flats included the provision of windows in the flank basement wall.

4.0 TOWN PLANNING CONSIDERATIONS

- 4.1 The main issues in this case are considered to be the effect of the new windows upon the appearance of the building and whether they would adversely affect the privacy or "quiet enjoyment" of the adjoining house at No. 43.
- 4.2 Relevant policies, contained in the Unitary Development Plan Chapter 4, include:-

CD25 (standards of design)
CD30 (privacy)
CD34 (noise)
CD44 (alterations)

CD52 (preservation or enhancement of Conservation Areas)

CD53 (standards of design in Conservation Areas)

CD56 (small scale development)

4.3 The proposed windows would be of traditional design, sympathetic to the appearance of the building and in keeping with the character of the Conservation Area. The development is considered to comply with Policies CD25, CD44, CD52, CD53 and CD56.

4.4 Provided that the windows are fixed closed and obscured glazed (which it is recommended be required by condition) these high level windows are not considered likely to adversely affect neighbours' amenity. Therefore they are considered consistent with Policies CD30 and CD34.

5.0 PUBLIC CONSULTATIONS

5.1 Eight addresses in Pembridge Villas were notified of the proposal. One objection has been received, from the owner of No. 43 who refers to overlooking and complains about the presence of the existing flank windows.

It is considered that, subject to appropriate conditions as recommended, there would be no adverse effect upon the residential amenity of No. 43. The existing flank windows are long established and most conform to the 1989 permission. so the possibility of enforcement does not arise.

6.0 RECOMMENDATION

6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION