

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

**PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL**

**APP NO. PP/00/02870
AGENDA NO.**

ADDRESS/SUBJECT OF REPORT:

23 Stadium Street, London, SW100PU

APPLICATION DATED 11/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 14/12/2000

APPLICANT/AGENT ADDRESS:

**Dawson
Horrell
Associates,
4 Stadium Street,
London, SW10 0PS**

CONS. AREA N/A

CAPS No

ARTICLE '4' No

WARD South Stanley

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/00/02870/CHSE

MEMBERS' PANEL

ADDRESS

23 Stadium Street, London,
SW10 0PU

APPLICATION DATED 11/12/2000

APPLICATION COMPLETE 14/12/2000

APPLICATION REVISED 26/01/2001

APPLICANT/AGENT ADDRESS:

Dawson Horrell
Associates,
4 Stadium Street,
London,
SW10 0PS

CONSERVATION AREA No

CAPS N/A

ARTICLE '4' No

WARD South Stanley

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 21

OBJECTIONS 2

SUPPORT 0

PETITION 0

Applicant Ms. Julia Dawson,

PROPOSAL:

Erection of ground floor conservatory and new mansard roof storey addition, together with the creation of an external roof terrace area at second floor level over rear existing extension.

RBK&C Drawing No(s): PP/00/02870 and PP/00/02870/A

Applicant's Drawing No(s): 136/P/001 (location plan), 136/P/002, 136/P/003, 136/P/004, 136/P/005, 136/P/006, 136/P/007, 136/P/008, 136/P/009, 136/P/010, 136/P/011, 136/P/012, 136/P/013, 136/P/014, 136/P/015, 136/P/016, 136/P/017, 136/P/018A and 136/P/019 (photographs).

RECOMMENDED DECISION: Grant planning permission

PP/00/02870: 1



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 ensure a satisfactory standard of external appearance. (R071)
4. **The roof slope(s) of the building(s)/extension hereby permitted shall be clad in grey slates and so maintained. (C074)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
5. **The dormer windows hereby permitted shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
6. **Notwithstanding the details shown on the plans submitted, the rear dormer window and door hereby permitted shall incorporate a vertical glazing bar, the details of which shall be submitted in writing to, and agreed in writing by the Executive Director, Planning and Conservation. Such detail shall be formed prior to first occupation of the roof extension hereby permitted.**
Reason - To ensure a satisfactory external appearance.
7. **The conservatory hereby permitted shall be timber framed, white painted, and so maintained. (C076)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
8. **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 / area. (R077)
9. **The railings to the roof terrace hereby permitted shall be painted black, and so maintained. (C082)**
Reason - To safeguard the appearance of the building/street. (R082)

INFORMATIVES

1. I09
2. I10
3. I21A
4. You are advised that a number of relevant policies of the Unitary Development Plan (UDP) were used in the determination of this case, in particular, Policies CD25, CD28, CD30, CD38, CD40, CD44 of the Adopted UDP and Policy CD44a of the Proposed Alterations to the Unitary Development Plan (Public Inquiry Version).(I51)

1.0 THE SITE

- 1.1 This single family dwelling house is a mid terrace property located on the south side of Stadium Street, consisting of a ground and two upper floors.
- 1.2 The property is unlisted, nor does it lie within a Conservation Area.

2.0 THE PROPOSAL

- 2.1 The proposal is for the erection of a mansard roof storey extension, which accesses a proposed roof terrace over the existing rear extension, and a ground floor rear conservatory.

3.0 PLANNING HISTORY

- 3.1 Planning permission was granted in August 1981 for the rebuilding of the rear extension, including the erection of an additional storey.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main planning considerations with regard to this proposal relate to the impact the alterations have on the character and appearance of the building, the streetscene, and the amenities of neighbouring occupiers.
- 4.2 The policies considered relevant in this case are contained within the 'Conservation and Development' Chapter of the Unitary Development Plan, specifically Policies CD25 (standard of design), CD28 (sunlight and daylight), CD30 (privacy), CD38 & CD39 (additional storeys & roof level alterations), CD40 (roof terraces), CD42 (conservatories), CD44 (extensions) and CD44a (precedent).
- 4.3 There are a number of properties within the same terrace with mansard roof extensions, namely No's. 1, 7, 11, 13, 27 and 29 Stadium Street. The design of the proposed mansard roof is considered acceptable and in keeping with the surroundings.
- 4.4 A number of properties within the same terrace also have rear roof terraces at 2nd floor level, and/or lower levels. Whilst use of the proposed terrace could entail a degree of loss of privacy to adjacent properties and gardens, the presence of similar examples in the same terrace is considered to render a refusal of permission on this ground unsustainable. The application property already benefits from a terrace at rear 1st floor level.
- 4.5 The proposed conservatory is to be at garden level within the rear lightwell area, adjacent to the party wall with No. 25 Stadium Street. This would involve the increase in height of the existing party wall to 2 metres in height (which in itself is permitted

development by virtue of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995. It is not considered that there will be an infringement of daylight or sunlight standards as a result of the conservatory.

- 4.6 The Conservation and Design Officer raises no objections to the proposed conservatory, nor the front elevation of the proposed mansard roof; however raises the following concerns relating to the rear elevation:
- 4.6.1 The rear dormer windows and door should have vertical glazing bars. It is recommended that a condition be placed on the consent requiring the insertion of such glazing bars.
- 4.6.2 The proposal should retain at least something of the existing v-shape parapet shape. It is noted however that none of the other existing mansard roof extensions within the same terrace have retained such a shape. In these circumstances, is it not considered sustainable to render a refusal of permission on this ground.
- 4.7 Overall, it is considered that the proposed mansard roof extension, roof terrace, and garden level conservatory is acceptable in terms of its impact on the character and appearance of the building, the terrace in which it is located, and the amenity of neighbouring properties. The proposal is therefore complies with Policies CD25, CD28, CD30, CD38, CD40, CD42, CD44 and CD44a of the Unitary Development Plan.

5.0 PUBLIC CONSULTATION

- 5.1 20 letters of notification were sent to properties within Stadium Street and Lots Road.
- 5.2 To date, 2 letters of objection have been received. These letters are from 21 Stadium Street and 27a Stadium Street, who object to the proposals on the following grounds:
- 5.2.1 Infringement of light by the proposed mansard roof;

It is not considered that that the proposed mansard roof will materially affect light to the rear gardens of neighbouring properties.

- 5.2.2 Loss of Privacy;

As set out in 4.4, overlooking of the rear gardens of surrounding properties can occur from the existing terraces. The addition of a terrace on the application site is not considered to contribute to this to the extent that permission could be refused.

- 5.3.3 Over-development of site and surrounding area;

It is considered that the proposal follows an established pattern in the terrace with respect to the mansard roof extension and roof terrace.

5.3.4 Setting of an unfortunate precedent with respect to the proposed conservatory.

It is considered that the proposed conservatory is acceptable as it complies with Policy CD42 relating to conservatories, and it is not considered that daylight/sunlight access to the neighbouring property will be adversely affected.

5.3.5 Loss of property value for neighbouring properties.

This is not a planning matter, and therefore should not be taken into consideration.

6.0 RECOMMENDATION

6.1 Grant Planning Permission

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

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hours

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

APP NO. PP/00/02870/CHSE

MEMBERS' PANEL

ADDRESS

23 Stadium Street, London, SW100PU

APPLICATION DATED 11/12/2000

APPLICATION COMPLETE 14/12/2000

APPLICATION REVISED 26/01/2001

APPLICANT/AGENT ADDRESS:

Dawson Horrell Associates, 4 Stadium Street, London, SW10 0PS

CONSERVATION AREA ~~Yes~~ No

CAPS ~~Yes~~ n/a

ARTICLE '4' No

WARD South Stanley

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 21

OBJECTIONS 2

SUPPORT 0

PETITION 0

Applicant Ms. Julia Dawson,

PROPOSAL:

Erection Addition of ground floor conservatory and new mansard roof storey extension to single family dwelling, Works include the creation of an external roof terrace area over rear extension. *add him together with Existing*

RBK&C Drawing No(s):

PP/00/02870

Applicant's Drawing No(s):

136/P/001, 136/P/002, 136/P/003, 136/P/004, 136/P/005, 136/P/006, 136/P/007, 136/P/008, 136/P/009, 136/P/010, 136/P/011, 136/P/012, 136/P/013, 136/P/014, 136/P/015, 136/P/016, 136/P/017, 136/P/018A, 136/P/019 *at 1st floor level (photos)*

RECOMMENDED DECISION:

Grant planning permission

CONDITIONS/REASONS FOR THE IMPOSITION OF CONDITIONS:

Mnemonic-Not-Found

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 ensure a satisfactory standard of external appearance. (R071)
4. **The roof slope(s) of the building(s)/extension hereby permitted shall be clad in grey slates and so maintained. (C074)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
5. **The dormer windows hereby permitted shall be timber framed, double hung, sliding sashes, and so maintained. (C075)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
6. **Notwithstanding the details shown on the plans submitted, the rear dormer window and door hereby permitted shall have a vertical glazing bar, the detail of which shall be ^{incorporate} submitted in writing, to and agreed in writing by the E.D.P.C. Such detail shall be formed prior to first occupation of the rear extension hereby permitted.**
Reason - To ensure a satisfactory external appearance. (R071)
7. **The conservatory hereby permitted shall be timber framed, white painted, and so maintained. (C076)**
Reason - To ensure a satisfactory standard of external appearance. (R071)
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)
Reason - To protect the character and appearance of the building which is statutorily Listed. (R073)
8. **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)

9 -

The railings to the roof terrace hereby permitted shall be painted black, and so maintained. (C082)

Reason - To safeguard the appearance of the building/street. (R082)

INFORMATIVES

I09

I10

I21A

You are advised that a number of relevant policies of the Unitary Development Plan (UDP) were used in the determination of this case, in particular, Policies CD25, CD28, CD30, CD38, CD40, CD44 of the Adopted UDP and Policy CD44a of the Proposed Alterations to the UDP (Public Inquiry Version).(I51)

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in full p2

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3.0 PLANNING HISTORY

- 3.1 Planning permission was granted in August 1981 for the rebuilding of the rear extension, including the erection of an additional storey.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main planning considerations with regard to this proposal relate to the impact the alterations have on the character and appearance of the building, the streetscene, and the amenities of neighbouring occupiers.
- 4.2 The policies considered relevant in this case are contained within the 'Conservation and Development' Chapter of the Unitary Development Plan, specifically Policies CD25 (standard of design), CD28 (sunlight and daylight), CD30 (privacy), CD38 & CD39 (additional storeys & roof level alterations), CD40 (roof terraces), CD42 (conservatories), CD44 (extensions) and CD44a (precedent).
- 4.3 There are a number of properties within the same terrace with mansard roof extensions, namely No's. 1, 7, 11, 13, 27 and 29 Stadium Street. The design of the proposed mansard roof is considered acceptable and in keeping with the surroundings.
- 4.4 A number of properties within the same terrace also have rear roof terraces at ~~3rd~~^{2nd} floor level, and/or lower levels. Whilst use of the proposed terrace could entail a degree of loss of privacy to adjacent properties and gardens, the presence of similar examples in the same terrace is considered to render a refusal of permission on this ground unsustainable. *The applicant property already benefits from a terrace at rear 1st floor level.*
- 4.5 The proposed conservatory is to be at garden level within the rear lightwell area, adjacent to the party wall with No. 25 Stadium Street. This would involve the increase in height of the existing party wall to 2 metres in height (which in itself is permitted development by virtue of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 1995. It is not considered that there will be an infringement of daylight or sunlight standards as a result of the

conservatory.



- 4.6 The Conservation and Design Officer raises no objections to the proposed conservatory, nor the front elevation of the proposed mansard roof; however raises the following concerns relating to the rear elevation:
- 4.6.1 The rear dormer windows and door should have vertical glazing bars. It is recommended that a condition be placed on the consent requiring the insertion of such glazing bars.
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5.0 PUBLIC CONSULTATION

- 5.1 20 letters of notification were sent to properties within Stadium Street and Lots Road.
- 5.2 To date, 2 letters of objection have been received. These letters are from 21 Stadium Street and 27a Stadium Street, who object to the proposals on the following grounds:

5.2.1 Infringement of Light Access ^{by proposed} in relation to the mansard roof; ~~to~~ ^{materially} ~~the extent that would warrant the refusal of this application.~~ ⁺

It is not considered that that the proposed mansard roof will affect light access to the rear gardens of neighbouring properties, ~~to the extent that would warrant the refusal of this application.~~ ⁺

5.2.2 Loss of Privacy;

As set out in 4.4, overlooking ⁺ of the rear gardens of surrounding properties can occur from the existing terraces, the addition of a terrace on the application site is not considered to contribute to this to the extent that permission could be refused.

5.3.3 Over-development of site and surrounding area;

It is considered that the proposal follows an established pattern in the terrace with respect to the mansard roof extension and roof terrace.

5.3.4 Setting of an unfortunate precedent with respect to the proposed conservatory.

It is considered that the proposed conservatory is acceptable as it complies with Policy CD42 relating to conservatories, and it is not considered that daylight/sunlight access to the neighbouring property will be adversely affected.

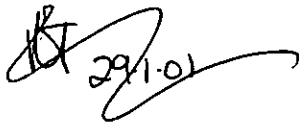
5.3.5 Loss of property value for neighbouring properties.

This is not a planning matter, and therefore should not be taken into consideration.

6.0 **RECOMMENDATION**

6.1 Grant Planning Permission

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

A handwritten signature in black ink, followed by the date '29/1-01' written in a similar style.