

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL

APP NO. PP/00/02913
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

138 Holland Park London, W11 4UE
Avenue,

APPLICATION DATED 14/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 20/12/2000

APPLICANT/AGENT ADDRESS:

Astragal
Design Ltd.,
25e Frognal,
London, NW3 6AR

CONS. AREA Norland CAPS Yes

ARTICLE '4' No WARD Norland

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/00/02913/MIND

MEMBERS' PANEL

ADDRESS

138 Holland Park Avenue,
London, W11 4UE

APPLICATION DATED 14/12/2000

APPLICATION COMPLETE 20/12/2000

APPLICANT/AGENT ADDRESS:

Astragal Design
Ltd.,
25c Froggnal,
London,
NW3 6AR

CONSERVATION AREA Norland

CAPS Yes

ARTICLE '4' No

WARD Norland

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 12

OBJECTIONS 1

SUPPORT 0

PETITION 0

Applicant Bench Level Developments Ltd.,

PROPOSAL:

Infilling of existing vacant courtyard with 2 bedroom maisonette.

RBK&C Drawing No(s): PP/00/02913

Applicant's Drawing No(s): 1291 /001, /002, /101, /102 and photographs,
1291/003 and /004.

RECOMMENDED DECISION:

Grant planning permission



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 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 the accommodation do not suffer excessive airborne or impact noise nuisance from the occupiers of adjoining accommodation. (C053)**
Reason - To safeguard the amenity of neighbouring property. (R052)

3. **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)

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 windows and French doors shall be timber framed and so maintained. (C075)**
Reason - To preserve and enhance the character and appearance of the Conservation Area. (R072)

6. **The roof of the extension hereby permitted shall not be used at any time as a terrace without the prior written approval of the Local Planning Authority. (C080)**
Reason - To protect the privacy and amenity of neighbouring property. (R080)

INFORMATIVES

1. I02
2. I09
3. I10

4. I30

5. I31

6. 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 CD28, CD30, CD41, CD52, CD53, TR46 and H2 .(I51)

1.0 THE SITE

- 1.1 The premises are located on the North side of Holland Park Avenue, approximately mid terrace in the terrace Nos. 24-150 (even) Holland Park Avenue which junctions to the east with Princedale Road and Norland Square to the west. Norland Place is located at the rear of the terrace.
- 1.2 The property comprises basement and ground floor retail and three upper floors which are residential in use. The property is located within the Norland Conservation Area but is not a listed building.

2.0 PROPOSAL

- 2.1 The application seeks to erect a garden/ground floor and first floor infill extension in the rear garden area to provide a self-contained, 2 bedroom maisonette.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no relevant planning history.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations that have to be addressed are the Council's policy relating to rear additions, infill proposals, the provision of additional dwellings to the Council's housing stock and the effect such a proposal will have upon the character and appearance of the building and the Conservation Area it is located within, and the residential amenity of adjoining residential occupiers.
- 4.2 The property is located within a terrace, where most of the properties have been extended at ground and first floors at the rear to cover the rear garden area, the full depth. The rear boundary wall measures approximately 7.4 metres in height and contains no window openings.
- 4.3 The property benefits from a small ground and first floor outreach addition which measures approximately 6.2 metres in height and extends to a depth of approximately 1.8 metres. The outreach addition is approximately 600mm. above the height of the full depth rear addition adjoining the premises at No. 136 Holland Park Avenue.
- 4.4 The property on the flank, No. 140 Holland Park Avenue also benefits from a rear infill addition extending the full depth of the rear garden.
- 4.5 The existing garden at the property is sandwiched between two full depth infill additions.

- 4.6 The application seeks to demolish the existing outreach addition and replace it with a full width, full depth infill addition that will measure approximately 5.5m. in height, which is 800mm. below the height of the existing outreach addition and 500mm. below the flank wall of the full depth addition at No. 136 Holland Park Avenue.
- 4.7 The proposed infill addition will be full depth at ground floor level but include a small courtyard measuring 2.5 metres in width and 3 metres in depth. on the flank with No. 140 Holland Park Avenue. The first floor will extend 6.5m., which is 3m. short of the rear boundary wall, and contain a terrace which will be created at first floor level measuring 3m. in depth and 3.5m. in width, overlooking the ground floor courtyard.
- 4.8 The Council addresses the subject of rear additions in the 'Conservation and Development' Chapter of the Unitary Development Plan with Policy CD41. The proposal will not, it is considered, reduce garden space or amenity value as the rear garden is part of the ground floor shop, it will not rise above the height of existing rear infill additions in the terrace and it will not have a detrimental affect upon the residential amenity of neighbouring residential uses. The proposal is considered to be in accordance with Policy CD41.
- 4.9 There are no public views or long views of the rear garden area and as stated in the report above, both adjoining properties benefit from full depth rear additions covering the rear gardens. The proposal will it is considered maintain the character and appearance of the building, the terrace and the Conservation Area which is consistent with Policies CD52 and CD53 of the 'Conservation and Development' Chapter of the Unitary Development Plan.
- 4.10 The proposal will not, it is considered, have a detrimental affect upon residential amenity, wither by loss of light or loss of privacy of adjoining residential properties.
- 4.11 The proposed maisonette is an addition to the Council's housing stock and is, therefore, in accordance with one of the Council's major policies which is to maintain and increase the Borough's housing stock, as expressed in the Unitary Development Plan with Strategy's 13 and 14 and Policy H2 of the 'Housing' Chapter.
- 4.12 The proposal does not include the provision of an off-street car parking space for the proposed residential unit and is therefore contrary to the Policy TR46 of the 'Transportation' Chapter of the Unitary Development Plan, and Policy TR46 of the Emergent Unitary Development Plan. It is not practical to create an off-street parking space for the development given the location of the property, and whilst the concerns regarding the lack of an off-street car parking space are acknowledged, the benefit to the Council's housing stock is considered to outweigh these concerns in this particular instance.

5.0 PUBLIC CONSULTATIONS

- 5.1 The Council notified 12 addresses of the application and has to date received one letter of objection from the occupier of a flat located within the adjoining property No. 136 Holland Park Avenue.
- 5.2 The letter states that the development would seriously affect the view of the rear garden and would affect the view and sunlight of the flat below the objector.

The proposed infill addition is set approximately 500mm. below the existing boundary wall of the flank infill at the objectors property and 800mm. below the height of the existing outreach addition. It is considered that the proposal will not result in a loss of light, or be detrimental to the visual amenity of the adjoining residential properties.

6.0 RECOMMENDATION

- 6.1 Grant planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION