

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

AE
DP2
Homes

APP NO. PP/00/02918/ MIND

MEMBERS' PANEL

ADDRESS
96 Earls Court Road, London,
W8 6EG

APPLICATION DATED 13/12/2000

APPLICATION COMPLETE 20/12/2000

APPLICATION REVISED

APPLICANT/AGENT ADDRESS:

Structural and Civil
Design,
Midway House,
564 Brighton Road,
South Croydon, Surrey, CR2 6AW

CONSERVATION AREA Edwardes Square/Scar CAPS Yes

ARTICLE '4' No WARD Abingdon

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 37

OBJECTIONS 23

SUPPORT 0

PETITION 0

Applicant Deville Homes Ltd.,

PROPOSAL:

Erection of a mansard roof extension, the demolition of the existing rear extension and rebuilding from basement to second floor level, and the formation of two self-contained residential units at first, second and roof extension level.

RBK&C Drawing No(s): PP/00/02918
Applicant's Drawing No(s): 2166/01, 02, 03, 04.

RECOMMENDED DECISION: Refuse planning permission

REASONS FOR REFUSAL

1. The proposed mansard roof extension would be located on a building in a terrace of properties that do not have roof extensions. It would therefore have an adverse effect on the building, the street and the conservation area in which it is located, and would therefore be contrary to Policies CD38, CD52 and CD53 of the Unitary Development Plan. ^
CO25
2. The proposed rear extension would rise above the general height of neighbouring and nearby extensions, would not be visually subordinate to the parent building, and is not of a suitable detailed design, and would therefore have an adverse effect on the building, the street and the conservation area in which it is located, and would therefore be contrary to Policies CD41, CD52 and CD53 of the Unitary Development Plan.
3. The proposal involves the loss of non-self contained accommodation which provides an important element of lower cost housing in the Royal Borough. The proposal is therefore contrary to Policy H20 of the Unitary Development Plan.

INFORMATIVE(S)

1. You should be aware that the submitted application drawings appear to be inaccurate in a number of respects. Amended drawings have not been requested as the application has been refused, but these inaccuracies should be addressed if you are considering submitting revised proposals, or an appeal against the Council's decision.
2. 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 CD38, CD39, CD41, CD52, CD53, H20
(I51) A

CO25, CO28, O30

1.0 THE SITE

- 1.1 No. 96 is a three storey plus basement terraced property located on the west side of Earl's Court Road between the junctions with Pembroke Road and Pembroke Square. The ground floor is in office use, and the basement is a residential flat, and the first and second floors are non self-contained residential accommodation.
- 1.2 The building is not listed, but is located within the Edwards Square, Scarsdale and Abingdon Conservation Area.

2.0 PROPOSAL

- 2.1 Planning permission is sought for the erection of a mansard roof extension, the demolition of the existing rear extension and rebuilding from basement to second floor level, and the formation of two self-contained residential units at first, second and roof extension level.

3.0 RELEVANT PLANNING HISTORY

- 3.1 In 1983 planning permission was allowed on appeal for use as an estate agents.
- 3.2 In 1984 planning permission was granted for the conversion of the basement, first and second floor into three self-contained flats, together with the enlargement of the rear extension. This permission would appear not to have been implemented.
- 3.3 In 1988 planning permission was refused to change the basement to office and storage, and a subsequent appeal was dismissed.
- 3.4 In 1997 and 1998 planning permission was refused to change the use of the ground floor and basement to a medical centre, and an enforcement notice was issued requiring the cessation of the use. This notice has been complied with.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations with this application are design in respect of the roof and rear extensions and housing policy in respect of the loss of non-self residential accommodation.
- 4.2 The relevant policies in the Unitary Development Plan which refer to roof extensions are CD38 and CD39. There are no other roof extensions on the terrace of properties 94-108 Earl's Court Road. The proposal therefore would not comply with Policy CD38 which is normally to resist additional storeys on complete terraces where the existing roof line is unimpaired.
- 4.3 The relevant policies in respect of the rear extension is CD41. In rebuilding the existing rear extension it is proposed to build it a storey higher, but the second floor

level will be built in a mansard style. A number of properties in the terrace do not have any rear extensions, and of those that do, none are to the height of the proposed extension, or built in a similar style. It is considered that the rear extension does not comply with Policy CD41 as it would rise above the general height of neighbouring and nearby extensions, would not be visually subordinate to the parent building, and is not of a suitable detailed design.

- 4.4 It is considered that the proposed roof and rear extensions would not preserve and enhance the conservation area, or are of a suitable standard of design and are therefore contrary to Policies CD52 and CD53 of the UDP.
- 4.5 Policy H20 is normally to resist proposals for the conversion into self-contained accommodation of houses in multiple occupation and individual bedsitting rooms which comply with, or are capable of reaching, the standards laid down by the housing acts. The residential accommodation is currently partly occupied by statutory tenants. The private rented sector for non self contained accommodation performs an important function in the housing market especially in meeting the need for lower cost housing, but it has experienced a rapid decline in recent years. The Council has undertaken research which demonstrates the continuing high demand for this type of accommodation in the Royal Borough and the valuable role the existing housing in multiple occupation stock makes towards meeting housing need and supporting the local economy. The loss of this non self-contained accommodation will be contrary to Policy H20 of the UDP.

5.0 PUBLIC CONSULTATION

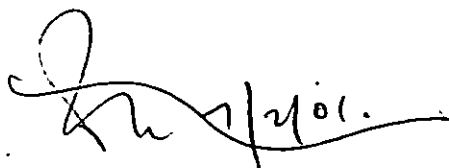
- 5.1 36 occupiers of nearby buildings have been consulted regarding this application and two letters of objection have been received. In addition verbal objections have been received from the existing residential occupiers of the building.
- 5.2 The objections raised are that the scale and appearance of the proposal would have an adverse impact on the surrounding area and adjoining neighbours. They point out that there will be a loss of sunlight and daylight, overlooking and loss of privacy, and noise and disturbance from building works. Residents of the building are concerned at the possible loss of their residential accommodation, and point out that the proposed and existing drawings are inaccurate.
- 5.3 It is not considered that the proposal will have such an impact on daylight or sunlight, to warrant refusal of the application on these grounds, or that it will involve a loss of privacy. Noise and disturbance from building works is not a planning consideration. The loss of non self contained is contrary to Policy H20 as set out above. The drawings do appear to be inaccurate in a number of respects. They would need to be corrected if the application were to be recommended for approval.

6.0 RECOMMENDATION

- 6.1 Refuse planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

PP/00/02918: 4



TOWN & COUNTRY PLANNING ACT 1990

FORM TP1

APPLICATION FOR PERMISSION TO DEVELOP LAND AND / OR BUILDINGS IN GREATER LONDON

FOR OFFICE USE ONLY

Fee £ 195.00 PP002918

Borough Ref:

Registered No.

Cheque / Postal Order / Cash

Date Received

Receipt No. Issued 002119 / RW 0252038

PLEASE READ CAREFULLY THE GENERAL NOTES BEFORE FILLING IN THE FORM

PART ONE	To be completed by or on behalf of all applicants as far as applicable	£
	FEE (where applicable)	

1. APPLICANT (in block capitals)

Name DEVILLE HOMES Ltd.
 Address P.O. BOX 568
LONDON
SW5 0RW
 Tel. No. 0207 937 4283

AGENT (if any) to whom correspondence should be sent

Name SUBRAMANIAM J. CIVIL ENGINEER
 Address MIDWAY HOUSE
564 BRIGHTON
 Tel. No. 02086690884 Ref. 2116

2. PARTICULARS OF PROPOSAL FOR WHICH PERMISSION IS SOUGHT

(a) Full address or location of the land to which this application applies
96 EARLS COURT ROAD
LONDON
W8

(b) Site area
206 m²

(c) Give details of proposal indicating the purpose for which the land/buildings are to be used and including any change(s) of use
CHANGE FROM EXISTING 3RD BEDSITS AT 2ND FLOOR INTO 3 BEDROOM SELF CONTAINED ACCOMMODATION COMPRISING AN UPPER FLOOR UNDER WITHIN A NEW MANSARD ROOF SPACE CHANGE FROM EXISTING 2ND BEDSITS AT 1ST FLOOR INTO 2 BEDROOM SELF CONTAINED FLAT. REBUILDING OF EXISTING REAR EXTENSION

(d) State whether applicant owns or controls any adjoining land and if so, give it's location.
 TO INCLUDE NEW EXTENSION TO 2ND FLOOR.

(e) State whether the proposal involves:-

New buildings(s)		SERVICES	
or extension(s) to existing building(s)	SW	ENF	AO ACK
- 7 DEC 2000			
Internal	YES	FEES	Internal

State Yes or No

YES

▶ If "Yes" state gross floor area of proposed building(s).

40 m²

If residential development state number of dwelling units proposed and type if known, e.g. houses, bungalows, flats.

1 x 2 BED. FLAT.
1 x 3 BED. ACCOMMODATION

YES

▶ If "Yes" state gross area of land or building(s) affected by proposed change of use (if more than one use involved state gross area of each use).

133
Hectares/m²

(ii) Alterations..... Internal External

(iii) Change of use.....

(iv) Construction of new access to a highway } vehicular pedestrian

(v) Alteration of an existing access to a highway } vehicular pedestrian

Strike out whichever is inapplicable

3. PARTICULARS OF APPLICATION

State whether this application is for:

State Yes or No

(i) Outline planning permission

NO

(ii) Full planning permission

YES

(iii) Renewal of temporary permission or permission for retention of building or continuance of use without complying with a condition subject to which planning permission has been granted.

NO

If "Yes" strike out any of the following which are not to be determined at this stage

- | | |
|----------------|------------------------|
| 1. Siting | 4. External appearance |
| 2. Design | 5. Means of access |
| 3. Landscaping | |

If "Yes" state the date and number of previous permission and identify the previous condition.

Date.....Number.....

The Condition.....

4. PARTICULARS OF PRESENT AND PREVIOUS USE OF BUILDINGS OR LAND

State :-

(i) Present use of buildings/land

BASEMENT IS RESIDENTIAL } BOTH LEASED BY
GROUND IS OFFICES } SAME LEASEHOLDER
1ST FLOOR & 2ND FLOOR - RESIDENTIAL

(ii) If vacant the last previous use and period of use with relevant dates.

5. LIST ALL DRAWINGS, CERTIFICATES, DOCUMENTS, ETC; forming part of this application

6. ADDITIONAL INFORMATION

State Yes or No

(a) Is the application for non-residential development

NO

If "Yes" complete PART THREE of this form (See PART THREE for exemptions)

(b) Does the application include the winning and working of minerals

NO

If "Yes" complete PART FOUR of this form

(c) Does the proposed development involve the felling of any trees

NO

If "Yes" state numbers and indicate precise position on plan

(d) (i) How will surface water be disposed of ?... THROUGH EXISTING DRAINAGE

(ii) How will foul sewage be dealt with ?... THROUGH EXISTING DRAINAGE

(e) Materials - Give details (unless the application is for outline permission) of the colour and type of materials to be used for:

(i) Walls... STUCCO BRICKWORK TO MATCH WITH EXISTING TO ROOF

(ii) Roof... ARTIFICIAL SLATE IN KEEPING WITH SURROUNDING PROPERTIES

(iii) Means of enclosure.....

We hereby apply for (strike out whichever is inapplicable)

(a) Planning permission to carry out the development described in this application and the accompanying plans in accordance therewith

(b) ~~Planning permission to retain the building(s) or work(s) already constructed or carried out, or a use of the land already instituted as described in this application and accompanying plans.~~

Signed... C.L. Phelan... on behalf of... 13/12/00... Date...

AN APPROPRIATE CERTIFICATE MUST ACCOMPANY THIS APPLICATION (See Notes For Applicants)

Certificate A: Where all the land/building is owned* by the applicant

Certificate B: Where some or all of the land/building is not owned* by the applicant but the name and address of the owner(s) is known.

Certificate C: Where some or all of the land is not owned* by the applicant and where the ownership of only part of the remainder is known.

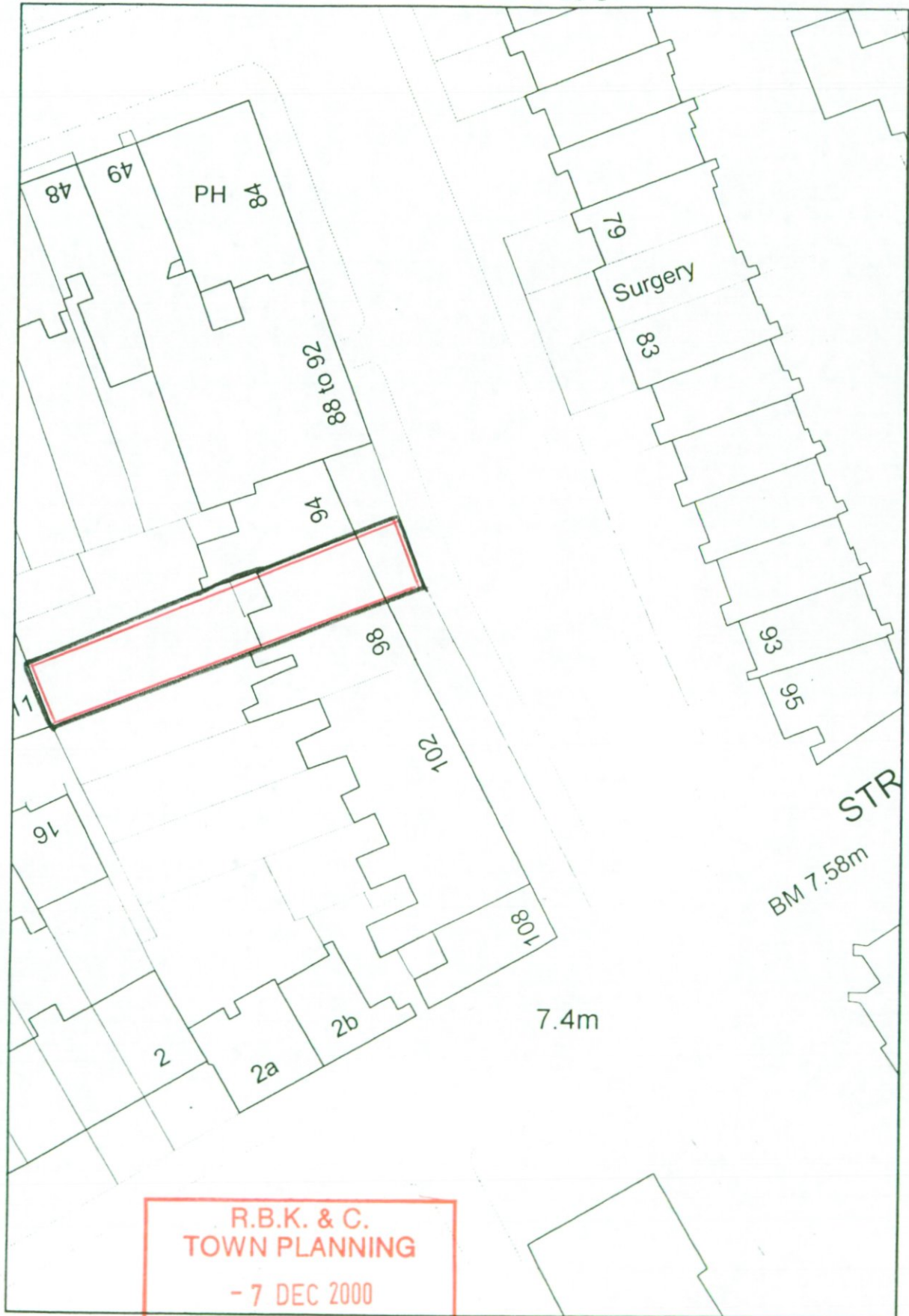
Certificate D: Where some or all of the land/building is not owned* by the applicant and the applicant has not been able to find out who owns it.

* Freeholder or leaseholder with more than 7 years to run.

96 EARLS COURT ROAD

W8.

PP002918



R.B.K. & C.
TOWN PLANNING
- 7 DEC 2000
RECEIVED

Royal Borough of Kensington and Chelsea
GGP Point in Polygon Search Results
Corporate Land and Property Gazetteer
Buildings and their Flats

88/92	OFFICES	Earls Court Road	W8 6EG
88/91		Earls Court Road	W8 6EF
		83 Earls Court Road	W8 6EF
Flat 1:		83 Earls Court Road	W8 6EF
Flat 2: 1st Floor		83 Earls Court Road	W8 6EF
Flat 3: 2nd/3rd		83 Earls Court Road	W8 6EF
1st/3rd Floor Flat		85 Earls Court Road	W8 6EF
SURGERY	85 EARLS Ct RD.	87 Earls Court Road	W8 6EF
		87 Earls Court Road	W8 6EF
Flat 1		87 Earls Court Road	W8 6EF
Flat 2		87 Earls Court Road	W8 6EF
Flat 3		87 Earls Court Road	W8 6EF
Flat 4		87 Earls Court Road	W8 6EF
Flat 5		87 Earls Court Road	W8 6EF
Flat 6		87 Earls Court Road	W8 6EF
Flat 7		87 Earls Court Road	W8 6EF
Flat 8		87 Earls Court Road	W8 6EF
Flat 9		87 Earls Court Road	W8 6EF
Flat 10		87 Earls Court Road	W8 6EF
		89 Earls Court Road	W8 6EF
Flat 1		89 Earls Court Road	W8 6EF
Flat 2		89 Earls Court Road	W8 6EF
Flat 3		89 Earls Court Road	W8 6EF
Flat 4		89 Earls Court Road	W8 6EF
Flat 5		89 Earls Court Road	W8 6EF
Flat 6		89 Earls Court Road	W8 6EF
Flat 7		89 Earls Court Road	W8 6EF
Flat 8		89 Earls Court Road	W8 6EF
		94 Earls Court Road	W8 6EG
GROUND FLOOR OFFICES		96 Earls Court Road	W8 6EG
Basement Flat ✓		96 Earls Court Road	W8 6EG
Flat 1 ✓		96 Earls Court Road	W8 6EG
Flat 2 ✓		96 Earls Court Road	W8 6EG
Flat A		96 Earls Court Road	W8 6EG
		98 Earls Court Road	W8 6EG
		98 Earls Court Road	W8 6EG
Flat A		98 Earls Court Road	W8 6EG
		100 Earls Court Road	W8 6EG
		100 Earls Court Road	W8 6EG
Basement Flat		100 Earls Court Road	W8 6EG
		11 Pembroke Walk.	W8 6PQ
		16 Pembroke Walk	W8 6PQ

Total Number of Buildings and Flats Found ~~42~~ 36

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL

APP NO. PP/00/02918
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

96 Earls Court London, W8 6EG
Road,

APPLICATION DATED 13/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 20/12/2000

APPLICANT/AGENT ADDRESS:

**Structural and
Civil Design,**
Midway House,
564 Brighton Road,
South Croydon, Surrey,
CR2 6AW

CONS. AREA Edwardes CAPS Yes
 Square/Scars

ARTICLE '4' No WARD Abingdon

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: