

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL

APP NO. PP/00/02841
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

22 Gertrude Street, London, SW100JN

APPLICATION DATED 01/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 11/12/2000

APPLICANT/AGENT ADDRESS:

Hunter Irving
Architects,
25 Bywater Street,
London, SW3 4XH

CONS. AREA Sloane/Stanle CAPS Yes

ARTICLE '4' No WARD North 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

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APP NO. PP/00/02841/ CHSE

MEMBERS' PANEL

ADDRESS

22 Gertrude Street, London,
SW10 0JN

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APPLICATION REVISED N/A

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CONSERVATION AREA Sloane/Stani CAPS Yes

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HBMC DIRECTION N/A

CONSULTED 6 OBJECTIONS 1

SUPPORT 1 PETITION 0

Applicant Mr. & Mrs. J. Sulzberger,

PROPOSAL:

Erection of conservatory at raised ground floor level on the basement extension roof terrace to the rear.

RBK&C Drawing No(s): PP/00/02841

Applicant's Drawing No(s): 99322/06, 99322/08 and photograph

RECOMMENDED DECISION: Refuse planning permission



REASONS FOR REFUSAL

- 1. The conservatory would constitute an unacceptable structure located significantly above garden level, which would be unsympathetic to the character of the building by reason of its size and location. In addition it is considered that the proposed conservatory would not enhance the character and appearance of the Sloane/Stanley Conservation Area and is contrary to the policies set down in Chapter 4 of the Unitary Development Plan, in particular Policies CD52, CD53 and CD42.**

- 2. The proposed glazed structure would give rise to overlooking of neighbouring property and garden to the detriment of the amenities of the occupiers and contrary to the provisions of the Policy CD30 of the Unitary Development Plan.**

INFORMATIVE(S)

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 CD42, CD28, CD30, CD52 and CD53. (I51)

1.0 THE SITE

- 1.1 The application relates to a three storey plus basement single family dwelling which forms part of a pair of villa style houses located on the North side of Gertrude Street, within close proximity to Limerston Street, to the East.
- 1.2 The property is within the Sloane/Stanley Conservation Area and is unlisted.

2.0 THE PROPOSAL

- 2.1 The proposal is to construct a glazed conservatory structure on top of an existing single storey basement extension within the rear lightwell adjoining a three storey extension and a 300mm high boundary wall with No. 21 Gertrude Street.
- 2.2 The proposed conservatory will be sited approximately 1.5m above garden level. The entire structure would have a total height of 3.8m to its highest pitch with a depth of 2.4m and width of 1.2m. The conservatory will be set back approximately 1m from the small boundary wall to the neighbouring property, No. 21 Gertrude Street and set back 300mm behind the rear elevation to the existing adjoining rear extension.

3.0 RELEVANT PLANNING HISTORY

- 3.1 Planning permission was granted in November 1985 for the erection of a rear extension at basement level.
- 3.2 Planning permission was granted in April 1987 for the erection of a side extension to the existing entrance hall and formation of a bathroom and dressing room above.
- 3.3 Planning permission was granted in November 1989 for the erection of a ground floor and lower ground floor rear extension.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations in this case relate to the visual impact of the proposed conservatory on the appearance of the property, on the character and appearance of the Conservation Area and on the amenities of neighbouring occupiers.
- 4.2 The relevant Unitary Development Plan policies are:
 - CD42 (conservatories)

- CD52 and CD53 (development in a Conservation Area is of a high standard of design)
 - CD28 (reduction in sunlight or daylight)
 - CD30 (loss of visual privacy)
- 4.3 Policy CD42 of the UDP resists proposals for conservatories in stated circumstances including where sited significantly above garden level and would be likely to bring about a significant increase in overlooking of neighbouring properties and gardens.
- 4.4 There are no conservatories to the rear of the property in Limerston Street or neighbouring property, No. 21 Gertrude Street. The property backs on to a Health Centre in Nightingale Place. The property exhibits a three storey extension with roof terrace at second floor level. The proposed conservatory would be constructed alongside the rear extension, located 1.5m above garden level and rising to a height of 3.8m in total. As a result, it is considered that the conservatory is located significantly above garden level and would result in an unduly dominant structure. Furthermore, it would not read as an appropriate garden feature, and would not sit comfortably with the architectural character of the property.
- 4.5 It is considered that the levels of daylight and sunlight received by the neighbouring property will not be unduly affected by the proposed conservatory to a level that breaches the Council's standards. The neighbouring property No. 21 Gertrude Street exhibits a basement extension with a roof terrace above at ground floor level. Whilst the existing roof terraces to both properties has potential for overlooking and loss of privacy by being an outdoor space their use is limited generally to fair weather and the summer months. It is considered that the proposal would serve to change the terrace into a fully glazed habitable room capable of use all year round. Therefore, it is considered that the potential for overlooking and loss of privacy would be increased to an unacceptable degree contrary to the provisions of Policy CD30 of the UDP.

5.0 PUBLIC CONSULTATION

- 5.1 Five letters of notification were sent to the occupiers of neighbouring properties in Gertrude Street and Limerston Street. To date there has been one letter of objection and one letter of support to the proposal.
- 5.2 A letter of support has been received from the occupier of No.52 Limerston Street who has no objection to the proposal, being barely visible from their property.
- 5.3 A letter of objection has been received from the occupier of the neighbouring property at No. 21 Gertrude Street. The objections concern overlooking and loss of privacy resulting in the inability to use their garden.

These matters are addressed in paragraph 4.5 above.

6.0 RECOMMENDATION

6.1 Refuse planning permission.

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

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2. The proposed glazed structure would give rise to overlooking of neighbouring property and garden to the detriment of the amenities of the occupiers and contrary to the provisions of the Policy CD30 of the Unitary Development Plan.

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INFORMATIVE(S)

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M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION

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