

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY THE EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

PLANNING & CONSERVATION COMMITTEE
PLANNING SERVICES COMMITTEE
MEMBERS PANEL

APP NO. PP/00/02849
AGENDA NO.

ADDRESS/SUBJECT OF REPORT:

49 Sydney Street, London, SW3 6PX

APPLICATION DATED 08/12/2000

APPLICATION REVISED

APPLICATION COMPLETE 11/12/2000

APPLICANT/AGENT ADDRESS:

Mr. Stephen
Tsang,
31 Stewart's Grove,
London, SW3 6PH

CONS. AREA Chelsea CAPS Yes

ARTICLE '4' No WARD Church

LISTED BUILDING II

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/00/02849/CHSE

MEMBERS' PANEL

ADDRESS

49 Sydney Street, London,
SW3 6PX

APPLICATION DATED 08/12/2000

APPLICATION COMPLETE 11/12/2000

APPLICATION REVISED 24/01/2001

APPLICANT/AGENT ADDRESS:

CONSERVATION AREA Chelsea

CAPS Yes

Mr. Stephen Tsang,
31 Stewart's Grove,
London,
SW3 6PH

ARTICLE '4' No

WARD Church

DELEGATED
APPROVAL

2 FEB 2001

LISTED BUILDING II

HBMC DIRECTION N/A

CONSULTED 14

OBJECTIONS 1

SUPPORT 0

PETITION 0

Applicant Mr. & Mrs. P. Huntington,

PROPOSAL:

Rebuilding of rear garden level extension and excavation below to form basement accommodation, rebuilding of boundary wall and associated elevational alterations.

RBK&C Drawing No(s): PP/00/02849 and PP/00/02849/A
Applicant's Drawing No(s): 021/03 and 021/04A and photographs

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 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 windows shall be timber framed, double hung, single glazed with no trickle vents, sliding sashes, and so maintained. (C075)**
Reason - To protect the character and appearance of the building which is statutorily Listed. (R073)
4. **All new external finishes shall be in materials to match those of the exterior of the existing building(s) unless otherwise agreed by the Executive Director, Planning and Conservation in writing. (C072)**
Reason - To protect the character and appearance of the building which is statutorily Listed. (R073)
5. **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. (R079)

INFORMATIVES

1. I09
2. I10
3. I21
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, CD57 and CD58, together with Policy CD27a of the Proposed Alterations to the Unitary Development Plan.(I51)

1.0 THE SITE

- 1.1 No. 49 Sydney Street is located on the West side of Sydney Street. The property is a three storey plus basement early 19th Century building, divided into self-contained flats. This application relates to the self-contained flat on the ground and basement floors which has the rear yard area behind No. 51 Sydney Street. The property is Grade II listed and is located within the Chelsea Conservation Area.

2.0 THE PROPOSAL

- 2.1 It is proposed to rebuild the existing non-original garden room, excavate under this room and under the rear yard area of No. 51 Sydney Street together with minor elevational alterations to the rear elevation and the rebuilding of the rear boundary wall.

3.0 HISTORY

- 3.1 Planning permission was granted in February 1976 for the conversion into a self-contained three bed and a self-contained two bed maisonette.
- 3.2 Listed Building Consent was granted in July 1998 for the installation of a new doorway in the rear garden wall.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issue for consideration in this case is the effect of the proposal on the special architectural character and historic interest of the listed building, on the character and appearance of the Conservation Area, and on the amenities of neighbouring occupiers.
- 4.2 The relevant planning policies are contained in the 'Conservation and Development' Chapter of the Unitary Development Plan. Policies CD52 and CD53 relating to development within Conservation Areas and CD57 and CD58 relating to works to listed buildings are of particular importance. Policy CD27a of the Proposed Alterations to the Unitary Development Plan relating to subterranean developments is also considered to be relevant. Policy CD41 relates to rear extensions. CD28 and CD30 concern privacy and light.
- 4.3 The proposed rebuilding of the non-original garden room is considered to be a considerable improvement to the existing design and more in keeping with the character of this listed building. The remaining external alterations are considered to be in keeping with the character and appearance of the building itself and the character and appearance of the Conservation Area.
- 4.4 The excavation underneath the existing garden room and the existing patio area to the rear of No. 51 Sydney Street to create a larger family room for the existing

self-contained flat would effectively be invisible from surrounding views. The existing garden area to the rear of No. 51 is hard landscaped and used as an outside amenity space for the application premises. It is not proposed to alter this arrangement except for the insertion of a flat skylights in the patio to provide light to the excavated room below. There would therefore be no loss of open space or trees of townscape or amenity value and no loss of off street parking space. It is therefore considered that this part of the proposal is consistent with the aims of Policy CD27a of the Proposed Alterations to the Unitary Development Plan.

Formal Observations of the Conservation and Design Officer

- 4.5 The application has been referred to English Heritage who have since indicated that the Local Planning Authority may determine the application as it sees fit. The formal comments of the Conservation and Design Officer are as follows:

"It is proposed to rebuild the existing non-original garden level room, which extends onto Stewart's Grove elevation and to excavate underneath this room and under the rear part of the garden, to create additional accommodation. No change is proposed to the main listed building and both the underground and the garden level rooms are connected to the main building by a narrow corridor under the main closet wing. The presence of the underground room will not be apparent, except for series of flat skylights, set flush with the garden patio above. The garden level is not being raised.

Minor elevational alterations are proposed to the existing non-original windows in the closet wing. These elevational alterations, as well as the rebuilt elevations to the garden extension all represent an improvement on the existing elevations, the new detailing being more in keeping with the period character of the main building. It is also proposed to rebuild the existing non-original rear brick boundary wall onto Stewart's Grove.

The proposals will not harm the special architectural and historic interest of this listed building".

- 4.6 The proposal is not considered to harm the amenities of neighbouring occupiers.
- 4.7 The proposal is therefore considered to be consistent with the Council's Policies contained in the Conservation and Development Chapter of the Unitary Development Plan relating to alterations to listed buildings as stated in Policies CD57 and CD58. The proposal is not considered to harm the character and appearance of the Conservation Area and is therefore consistent with policies CD52 and CD53.

5.0 PUBLIC CONSULTATION

- 5.1 Letters of notification were sent to 14 neighbouring properties in Sydney Street and Stewart's Grove. One letter of objection has been received from the Sydney Street and District Residents' Association who object to the proposal on the grounds that the proposal to excavate underneath the rear of the two gardens would set an undesirable precedent for similar developments in the area leading to increasing parking and other pressures in an already overcrowded neighbourhood.

With regard to this objection, it is considered that this particular application is unusual in the area in that it would not result in the loss of an off street parking space and the proposed extension would provide additional space to an existing maisonette rather than a separate residential unit. It is therefore considered that the proposal would be consistent with the aims and objectives of the Unitary Development Plan.

6.0 RECOMMENDATION

6.1 Grant Planning Permission.

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

Ae

(w/notes) DP1

ROYAL BOROUGH OF KENSINGTON & CHELSEA
REPORT BY EXECUTIVE DIRECTOR, PLANNING &
CONSERVATION

MEMBERS' PANEL		APP NO. PP/00/02849/CHSE	
<u>ADDRESS</u>			
49 Sydney Street, London, SW3 6PX		<u>APPLICATION DATED</u>	08/12/2000
		<u>APPLICATION COMPLETE</u>	11/12/2000
		<u>APPLICATION REVISED</u>	24/01/01
APPLICANT/AGENT ADDRESS:	<u>CONSERVATION AREA</u> Chelsea	<u>CAPS</u>	Yes
Mr. Stephen Tsang, 31 Stewart's Grove, London, SW3 6PH	<u>ARTICLE '4'</u> No	<u>WARD</u>	Church
		<u>LISTED BUILDING</u>	II
		<u>HBMC DIRECTION</u>	n/a
	<u>CONSULTED</u> 14	<u>OBJECTIONS</u>	1
	<u>SUPPORT</u> 0	<u>PETITION</u>	0

Applicant Mr. & Mrs. P. Huntington,

PROPOSAL:

Rebuilding of rear garden level extension and excavation below ^{to form basement accommodation} rebuilding of boundary wall and associated elevational alterations.

RBK&C Drawing No(s): PP/00/2849 and PP/00/2849/A
Applicant's Drawing No(s): 021/03 and 021/04A and photographs

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. ~~**Structural Engineers drawings indicating the intended method of ensuring the stability of the fabric to be retained throughout the period of demolition and reconstruction shall be submitted to, and approved in writing by, the Local Planning Authority before the relevant part of the work is begun.**~~

~~**Before any work is undertaken in pursuance of this consent to demolish any part of the building, steps shall be taken and the requisite works carried out in accordance with the approved Structural Engineer's drawings. (C213)**~~

~~*Reason - In order to safeguard the special architectural or historic interest of the building. (R211)*~~

3 **The windows shall be timber framed, double hung, single glazed with no trickle vents, sliding sashes, and so maintained. (C075)**

Reason - To protect the character and appearance of the building which is statutorily Listed. (R073)

4 **All new external finishes shall be in materials to match those of the exterior of the existing building(s) unless otherwise agreed by the Executive Director, Planning and Conservation in writing. (C072)**

Reason - To protect the character and appearance of the building which is statutorily Listed. (R073)

INFORMATIVES

S. C80 R79.

- 1. I09
- 2. I10
- 3. I21
- 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 D52, CD53, CD57 and CD58, together with Policy CD27a of the Proposed Alterations to the Unitary Development Plan.(I51)

CD41

CD28, CD30

1.0 THE SITE

- 1.1 No. 49 Sydney Street is located on the West side of Sydney Street. The property is a three storey plus basement early 19th Century building, divided into self-contained flats. This application relates to the self-contained flat on the ground and basement floors which has the rear yard area behind No. 51 Sydney Street. The property is ~~Grade~~ ^{*} Grade II listed and is located within the Chelsea Conservation Area.

2.0 THE PROPOSAL

- 2.1 It is proposed to rebuild the existing non-original garden room, excavate under this room and under the rear yard area of No. 51 Sydney Street together with minor elevational alterations to the rear elevation and the rebuilding of the rear boundary wall.

3.0 HISTORY

- 3.1 Planning permission was granted in February 1976 for the conversion into a self-contained three bed and a self-contained two bed maisonette.
- 3.2 Listed Building Consent was granted in July 1998 for the installation of a new doorway in the rear garden wall.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main issue for consideration in this case is the effect of the proposal on the special architectural character and historic interest of the listed building ~~and~~, on the character and appearance of the conservation area, *and on the amenities neighbouring occupiers.*
- 4.2 The relevant planning policies are contained in the 'Conservation and Development' Chapter of the Unitary Development Plan. Policies CD52 and CD53 relating to development within conservation areas and CD57 and CD58 relating to works to listed buildings are of particular importance. Policy CD27a of the Proposed Alterations to the Unitary Development Plan relating to subterranean developments is also considered to be relevant. *Policy CD41 related to rear extensions. CD28 & CD30 concern privacy and light.*
- 4.3 The proposed rebuilding of the non-original garden room is considered to be a considerable improvement to the existing design and more in keeping with the character of this listed building. The remaining external alterations are considered to be in keeping with the character and appearance of the building itself and the character and appearance of the conservation area.
- 4.4 The excavation underneath the existing garden room and the existing patio area to the

rear of No. 51 Sydney Street to create a larger family room for the existing self-contained flat would effectively be invisible from surrounding views. The existing garden area to the rear of No. 51 is hard landscaped and used as an outside amenity space for the application premises. It is not proposed to alter this arrangement except for the insertion of a flat skylights in the patio to provide light to the excavated room below. There would therefore be no loss of open space or trees of townscape or amenity value and no loss of off street parking space. It is therefore considered that this part of the proposal is consistent with the aims of Policy CD27a of the Proposed Alterations to the Unitary Development Plan, ~~subject to a condition requiring details to be submitted to ensure that the structural stability of the existing, adjoining or adjacent buildings would not be harmed.~~

4.5 / **FORMAL OBSERVATIONS OF THE CONSERVATION AND DESIGN OFFICER** *lower case + underlined.*

hor
bold 4.5 The application has been referred to English Heritage who have since indicated that the Local Planning Authority may determine the application as it sees fit. The formal comments of the Conservation and Design Officer are as follows:

"It is proposed to rebuild the existing non-original garden level room, which extends onto Stewart's Grove elevation and to excavate underneath this room and under the rear part of the garden, to create additional accommodation. No change is proposed to the main listed building and both the underground and the garden level rooms are connected to the main building by a narrow corridor under the main closet wing. The presence of the underground room will not be apparent, except for series of flat skylights, set flush with the garden patio above. The garden level is not being raised.

Minor elevational alterations are proposed to the existing non-original windows in the closet wing. These elevational alterations, as well as the rebuilt elevations to the garden extension all represent an improvement on the existing elevations, the new detailing being more in keeping with the period character of the main building. It is also proposed to rebuild the existing non-original rear brick boundary wall onto Stewart's Grove.

The proposals will not harm the special architectural and historic interest of this listed building".

4.6. *the proposal is not considered to harm the amenities of neighbouring occupiers*
4.7 The proposal is therefore considered to be consistent with the Council's Policies contained in the Conservation and Development Chapter of the Unitary Development Plan relating to alterations to listed buildings as stated in Policies CD57 and CD58. The proposal is not considered to harm the character and appearance of the conservation area and is therefore consistent with policies CD52 and CD53.

5.0 PUBLIC CONSULTATION

5.1 Letters of notification were sent to 14 neighbouring properties in Sydney Street and Stewart's Grove. One letter of objection has been received from the Sydney Street and District Residents' Association who object to the proposal on the grounds that the proposal to excavate underneath the rear of the two gardens would set an undesirable precedent for similar developments in the area leading to increasing parking and other

pressures in an already overcrowded neighbourhood.

With regard to this objection it is considered that this particular application is unusual in the area in that it would not result in the loss of an off street parking space and the proposed extension would provide additional space to an existing maisonette rather than a separate residential unit. It is therefore considered that the proposal would be consistent with the aims and objectives of the Unitary Development Plan.

A

6.0 RECOMMENDATION

6.1 Grant Planning Permission.

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

