

ROYAL BOROUGH OF KENSINGTON & CHELSEA

REPORT BY EXECUTIVE DIRECTOR, PLANNING & CONSERVATION

*Agreed
Jones
19.01.01.*

APP NO. PP/00/02854/ MIND

MEMBERS' PANEL

ADDRESS

The Marlborough Arms, 43
Elystan Street, London, SW3
3NT

APPLICATION DATED 28/11/2000

APPLICATION COMPLETE 12/12/2000

APPLICATION REVISED N/A

APPLICANT/AGENT ADDRESS:

Duncan R.
MacLeod
Chartered
Surveyors,
Kingsmead House,
Mytchett Road,
Mytchett, Surrey, GU16 6AE

CONSERVATION AREA N/A

CAPS No

ARTICLE '4' No

WARD Royal Hospital

LISTED BUILDING NO

HBMC DIRECTION N/A

CONSULTED 147

OBJECTIONS 1

SUPPORT 0

PETITION 0

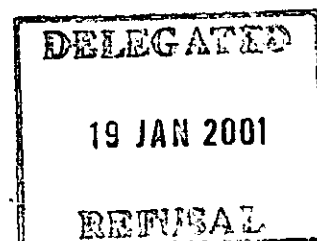
Applicant Whitbread PLC

PROPOSAL:

Erection of a three storey infill extension above the existing single storey section of the Public House to create 3 x 2 bedroomed self-contained flats.

RBK&C Drawing No(s): PP/00/02854
Applicant's Drawing No(s): MPS/213/9/01, MPS/213/9/02, MPS/213/9/03,
MPS/213/9/04, MPS/213/9/05, MPS/213/9/06 and
MPS/213/9/08.

RECOMMENDED DECISION: Refuse planning permission



REASONS FOR REFUSAL

1. **The proposed extension, by virtue of its full height infilling of the gap between the main part of the public house and Maylands House, blocking an existing view into the estate, would detract to a significant extent from the townscape of the area and would set an unwelcome precedent for the further enclosure of original gaps between the buildings, contrary to the Council's policies as set out in the "Conservation and Development" chapter of the Unitary Development Plan and the plan as proposed to be modified, in particular Policies CD25, CD43, CD44 and CD44a.**
2. **The extension, by virtue of its height and proximity to the windows at the rear of Nettleden House would result in a significant increase in sense of enclosure and reduction of open aspect, to the detriment of levels of amenity presently enjoyed, contrary to the Council's policies as set out in the "Conservation and Development" chapter of the Unitary Development Plan and the plan as proposed to be modified, in particular, Policies CD28 and CD30a.**
3. **The proposed residential accommodation, not being provided with off-street parking, will exacerbate existing on-street parking difficulties contrary to policy set out in the "Transportation" chapter of the Unitary Development Plan and the plan as proposed to be modified, in particular Policies TR39 and TR46.**

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 Strat 13, Strat 14, CD25, CD28, CD30, CD30a, CD43, CD44, CD44a, TR46 and TR39. (I51)

1.0 SITE

- 1.1 43 Elystan Street is a four storey building with elevations to Elystan Street and Marlborough Street. There is a single storey section which separates the building from the Sutton Estate block which is five storeys high and fronts onto Elystan Street.
- 1.2 The property is not within a conservation area.

2.0 THE PROPOSAL

- 2.1 Planning permission is sought for the erection of a three storey infill extension over the existing single storey section of the public house to create three x two bedroom self-contained flats.

3.0 PLANNING HISTORY

- 3.1 Planning permission was granted on 13th September 1954 for the provision of a new showcase window and rear additions at the public house.
- 3.2 Planning permission was granted on 28th August 1961 for the erection of a single storey dining room extension to the public house.
- 3.3 Planning permission was granted on 20th May 1988 for alterations to the external appearance of the public house.

4.0 PLANNING CONSIDERATIONS

- 4.1 The main considerations are the infilling of the visual gap between the main part of the public house and the Sutton Estate block and its effect on the streetscape of Elystan Street, the impact of the additional residential accommodation upon levels of traffic and parking in the vicinity and the effect of the proposal on sense of enclosure and residential amenity of the occupiers of Nettleden House within the Sutton Estate as a result of full height infill of the gap.
- 4.2 The relevant policies are included within the "Conservation and Development" and "Transportation" chapters of the Unitary Development Plan, and the plan as proposed to be modified, in particular Policies CD25, CD28, CD30, CD30a, CD43, CD44, CD44a, TR39 and TR46.
- 4.3 The proposed extension comprises two storeys of red brickwork with a mansard roof above with three dormer windows to the Elystan Street elevation. At the rear, the building would be carried up 2½ storeys in brick with a slated roof. Two windows are proposed at first and second floor levels.

- 4.4 The existing gap between the three storey section of the public house and the Sutton Estate building affords a view of several of the blocks of the Sutton Estate, and also of trees and sky between the buildings. It is mirrored at the other end of the Sutton Estate block by a gap of similar width between the end of Maylands House and the corner building of Leverstock House at the junction with Cale Street.
- 4.5 It is considered that in blocking this gap, which is considered to make an important contribution to the townscape of the area, the proposal would contravene parts (a) and (c) of Policy CD43. In addition, the end of Maylands House is clad in cream ceramic tiles. These would be entirely concealed. This is considered detrimental to the character of the area by virtue of loss of architectural variety. Since the gap is mirrored at the end of the street, it is considered that the proposal would set an unwelcome precedent for the further enclosure of the spaces between the buildings to the detriment of the townscape of the area.
- 4.6 Strategic Policies STRAT 13 and STRAT 14 encourage the provision of additional residential accommodation in order to meet housing needs within the Borough. However, the transportation officer has commented that the proposal contravenes policies TR39 and TR46 since no additional off-street parking is provided, and that therefore, the proposal would result in on-street parking which would contribute to congestion. The area appears to be heavily parked, and it is considered that the additional parking would result in a small but not insignificant potential loss of amenity for nearby residents. Whilst on its own this would not be considered of gravity to justify a refusal of planning permission, when compounded with the visual harm this extension would cause, refusal on these grounds is justified.
- 4.7 There are two windows proposed in the rear of the building. It is considered that these would result in overlooking and loss of privacy to residents of Nettleden House in the Sutton Estate, albeit at an oblique angle.
- 4.8 Further, the proposal would result in additional enclosure and a less open aspect from the Sutton Estate, again to the particular detriment of residents at the eastern end of Nettleden House, where the effect is considered sufficient to justify a reason for refusal of planning permission.
- 4.9 Overall, by virtue of the impact of the proposal on the townscape of the area, coupled with the various effects on residential amenity described above, a refusal of planning permission is considered to be justified in this case.

5.0 CONSULTATION

- 5.1 Occupiers of 147 neighbouring properties in Elystan Street and Marlborough Street and on the Sutton Estate have been notified of the proposal.
- 5.2 To date, one letter raising objection to the proposal has been received from a resident of Marlborough Street. Concern is raised that the proposal would place additional pressure on parking in the area, where it is already difficult to park, and would thereby harm residential amenity in the vicinity.

6.0 **RECOMMENDATION**

6.1 Refuse planning permission.

M.J. FRENCH
EXECUTIVE DIRECTOR, PLANNING AND CONSERVATION